

Baltimore County Blue Ribbon Commission on Ethics and Accountability
Meeting Minutes - Thursday, July 28, 2022
Meeting held via Zoom

Present

Rev. William Johnson, Chair
Ms. Joanne Antoine
Brigadier General Janeen Birkhead
Ms. Kathleen Cox
Mr. Thomas Glancy
Mr. Jon Laria
Ms. Cynthia Leppert

Not Present

Schaefer Center Staff Present

Dr. Ann Cotten
Dr. Sarah Ficenec
Ms. Savannah Smith

1. Call to order:

- The meeting was called to order by Chair Johnson at 5:32 p.m.

2. Welcome

- The Chair announced the agenda for the meeting and reminded the audience of housekeeping items including: The session was being recorded; the agenda was shared with the commission members directly and was posted to the commission website; and the meeting is set to end at 8:30PM but should the commission make it through the agenda early, we will end early

3. Review of previous meeting minutes.

- The Chair asked if Commission members had any comments or changes on the minutes from the previous session, which they had been provided earlier. There were no comments from the Commission members, and the minutes were approved as distributed.

4. Preliminary Findings of Ethical Climate Survey

- Dr. Cotten, Director of the Schaefer Center for Public Policy, presented preliminary findings from the Ethical Climate Survey of Baltimore County employees and board and commission members. As the survey only closed on Monday, July 25, only high-level findings on select questions were available.
- Commission members asked questions throughout the presentation. These questions included:
 - Mr. Laria asked if the response rate was meaningful considering it was 19.2% answered at least one question. Dr. Cotten said it did appear to be meaningful, and the Schaefer Center will do additional analysis of which questions were answered. Ms. Leppert asked

This Commission is staffed by the Schaefer Center for Public Policy at the University of Baltimore

The Commission webpage is: BlueRibbonEthics.ubalt.edu
The Commission email address: BlueRibbonEthics@ubalt.edu

for confirmation that less than 16% of those who responded may have answered only one question, which Dr. Cotten provided.

- Ms. Leppert asked Dr. Cotten for more information on how unusual it was for the percentage of people to enter the survey and say they did not want to participate. Dr. Cotten said the research team would look for comparable surveys to see what the percentages were for respondents to enter the survey and negatively respond to the consent statement, but noted that since the survey was anonymous additional analysis of these negative responses is not possible.
- Ms. Antoine asked if it was possible that the share of respondents that said they had reported ethical misconduct or waste, fraud and abuse was actually higher than shown because respondents did not want to provide the information. Dr. Cotten said that was possible and the open-ended responses to other questions did suggest some concerns about anonymity.
- Ms. Antoine asked about the process of confidentiality during the subcommittee interviews. Dr. Cotten said process will likely be to have subcommittee tell interviewee about the correct oversight body since investigating such accusations is outside the scope of the Commission.
- Ms. Leppert asked if open-ended responses that suggested a tipline should be created were referencing the Office of Inspector General (OIG) or the Ethics Commission. Dr. Cotten said it was not clear which office or commission was being referenced, and Ms. Leppert explained the confusion might result because the number for the Ethics Commission on its website goes to the OIG.
- Brigadier General Birkhead said she would like more information on the bounce back emails, and Dr. Cotten said more analysis was planned.
- Ms. Antoine asked if it was concerning that only 1,500 people opened the email and clicked on the link to the survey. Dr. Cotten said it was not concerning at this point, since people usually only respond to surveys if they have something about the issue to say. More analysis on respondents would be done.

5. Preliminary Findings of Best Practices Research

- Dr. Ficene, Research Manager of the Schaefer Center for Public Policy, presented preliminary findings from the Office of Inspector General Best Practices research.
- Commission members asked questions throughout the presentation. These questions included:
 - Mr. Laria asked if the analysis could also include if there was overlap between the authorities of the OIG and more information about what the specific authorities include, and Dr. Ficene said the future analysis will look at those types of issues. Mr. Laria also asked how it was determined if an office did not have specific powers, and Dr. Ficene clarified that websites, enabling legislation and other documents were reviewed. Mr. Laria also asked for the data on specific features of different OIGs be classified by the type of OIG (e.g., state versus local, general government versus departmental).
 - Brigadier General Birkhead asked how “operationally independent” was defined for OIGs and Ethics Commission. Dr. Ficene explained that it means the office and Commission would have separate staff, locations, leadership or other items. She

clarified that independence did not include OIGs pursuing investigations, and Dr. Ficene said that was also being looked at, but the results were not available at this time.

- Brigadier General Birkhead asked if “confidential” could also be defined, and Dr. Ficene said it referred to OIGs not being required to share information they held to the extent required by law, which may vary by jurisdiction.
- In response to a follow-up question from Ms. Leppert, Dr. Ficene said that operationally independent meant the OIG and Ethics Commission could be physically located in different offices.
- Ms. Antoine asked if the research would include what level of oversight the different OIGs have, such as compliance boards, and Dr. Ficene said this was part of the research.
- Ms. Leppert asked if the subpoena power referred to OIG or Ethics Commission, and Dr. Ficene said it referred to OIGs. She also asked what Ethics Commission’s jurisdictions included, and Dr. Ficene said that could be looked into.

6. Review of Outstanding Items from Previous Meeting

- Two items remained open from the previous meetings – a list of best practice or benchmarking guidelines concerning the Office of Inspector General and the questions about the Office of Inspector General created to guide the work of the Commission. Chair Johnson asked if there were any questions or changes to the lists.
- Mr. Laria said that the existence and structure for OIG advisory boards should be included to identify who has input or guidance on the offices.
- Mr. Laria also asked if the two documents are related and, if so, how and should they be combined. Ms. Antoine explained the questions were created to help determine what the best practices and benchmarking items were to be, which the Chair confirmed was also his view. Dr. Cotten said the best practices and benchmarking are items the research team is working on, while the questions are also what will be answered in the report. Ms. Antoine said the best practices were a “skeleton” the Commission is working to build from.
- Ms. Antoine asked that information about requirements for OIGs to attend equity or similar trainings.
- Ms. Leppert asked if there could be research into topics under “Scope of authority” including how OIGs handle issues of conflict and what is their authority to determine their own conflict. She also asked for more information on how OIGs get documents in ways other than subpoenas and seconded Ms. Antoine’s question about how IG’s exercises authority in avoidance of bias/implicit bias. In response to a question from Dr. Cotten, Ms. Leppert clarified that “conflict” referred to “conflict of interest;” Brigadier General Birkhead noted that conflict could encompass interactions other than conflicts of interest, and Ms. Leppert agreed and noted that could be a consideration. Ms. Leppert said she supported looking into advisory boards for OIGs.
- Ms. Laria asked for the list item about the OIG and Ethics Commission independence to be clarified.

7. Subcommittee Reports

- The Chair noted that the first subcommittee meetings have been scheduled for the following week. The subcommittee chairs had nothing to report at this time.

8. Commission Business

- The Chair asked if there was any other business for the Commission, and no other items were raised.

9. Adjournment

- Ms. Cox proposed a motion to adjourn, which was seconded by Ms. Antoine, and the meeting was adjourned at 6:43 p.m.
- The next meeting of the Blue Ribbon Commission on Ethics and Accountability is scheduled for August 16th at 5:30 p.m.

Action Items

Item	Responsible Party
• Revising best practice and benchmarking list	SCPP