

Public Statements at Brookhaven, Legislator Town Hall.  
October 21, 2019

**Mary Hinkel, DeKalb Citizens Advocacy Council:**

We have a troubled history in this County with ethics.

In the last decade, we've seen three commissioners – Elaine Boyer, Stan Watson and Sharon Barnes Sutton – investigated for ethics violations. In addition, over the past two years, two independent organizations have reported officially on the ethical culture of our county government - and found it lacking:

The Hartman Firm independently assessed the County's procurement program and found that the policies and procedures being followed, as well as the culture of the departments involved, are extremely weak.

The BB&T Center for Ethical Leadership at the University of North Georgia conducted a survey of county employees and concluded that the county needed to outline better policies and procedures to hold individuals accountable for unethical behavior and to provide ethical training for all levels of leadership.

My two points are these:

Our county continues to need a strong ethics function. That function relies on a legally-trained and experienced Ethics Officer position to operate effectively and cost efficiently. This bill eliminates that internal position and instead calls for an administrator without legal education and any experience to handle complaints, educate employees, and serve an all volunteer board. Secondly, the changes made during the legislative session were made with minimal public comment or contributions despite a demonstrated historic citizen concern which helped to create the current Ethics Act.

Our group has studied the bill carefully and sought an independent review by the Emory Center for Ethics. The Center's director and DeKalb Citizens Advocacy Council agree we are going backwards with this bill.

The question before you is: WHY?

**Patricia Killingsworth, DeKalb Citizens Advocacy Council:**

When the full-time position of Ethics Officer was created in the new Code of Ethics adopted in 2015, the purpose was to provide much needed assistance to the volunteer members of the ethics board to allow them to more efficiently and effectively process the complaints they received.

The position of Ethics Officer was also designed to provide daily assistance to employees, officials, contractors, and the public through continuing ethics education, an updated and transparent website, and by providing prompt informal advisory opinions on matters of ethics upon request. These requests are not infrequent, and the answers provided by the ethics officer have proven to go a long way toward stemming the number of unintentional ethics violations that might otherwise have been committed.

In order to provide maximum assistance to ethics board members in carrying out their duties, the ethics officer was given the authority to review all complaints, conduct preliminary investigations regarding board jurisdiction over the matter and whether there might be probable cause to warrant further investigation that might lead to a hearing. The ethics officer then presents all of the information gathered to the board members for them to make the final decisions on how to proceed.

The ethics officer is required by law to alert the board to the possibility of any ethics violations that he or she may observe, to personally file complaints as he or she deems necessary, and to report suspected criminal violations to the appropriate state or local authorities.

All of those duties require expertise in ethics and the law. During my 10-year tenure on the board of ethics, the volunteer board members were expected to perform all of those duties, which as you can imagine, was not possible. Unfortunately, Senate Bill 7 will place many of the duties performed by the ethics officer back on the volunteer board, which is counterproductive and unacceptable. Of particular concern to me, the new ethics administrator will not be required to alert the board of any possible ethics violations nor will he or she have the authority to report suspected criminal violations to state or federal law enforcement agencies. He or she will not be qualified to act upon information obtained from the ethics hotline, or to provide suitable education or advisory opinions to the employees or the public. And for reasons that can only be political, the legislature has even removed the authority of the administrator to report suspected criminal violations to the appropriate authorities.

**Harmel Codi, JD, MBA:**

I stand before you today both as a black woman and as a former County employee. I find this bill troubling because it sends a chilling message to any employee who witnesses misconduct to keep silent, because the Human Resources department (HR) lacks the proper processes to protect employees. HR does not offer a safe place to report grievances without retaliation and hostility. HR is there to protect the status quo.

I got a job with County during my last year in law school. With a background in auditing and fraud examination, I became aware of things in just a few short months which led me to file a formal complaint with HR - and later with the CEO - to no avail.

I resigned in protest, but three years later these same behaviors led to a corruption investigation that eventually brought about the 2015 Audit and Ethics referenda.

Whistleblowers do us a service when they report issues that make them uncomfortable; it saves the organization resources and it promotes a culture of accountability and transparency, especially when the organization's leadership supports accountability.

Ethics is simply right and wrong; it has nothing to do with race. Any organization can be corrupt if oversight is not a priority for the organization and its leaders.

If this referendum passes, it sets a dangerous precedent and will not just hinder people coming forward, but it begins to chip away at the validity of the Audit Oversight Committee, which has saved the county many millions of dollars, thus far. Do not fail citizens and the employees of this county.

*Harmel Deanne Codi, JD, MBA –*

*(Harmel is the Chief Compliance and Ethics Officer for a technology company and the current Vice-Chair for the DeKalb County Audit Oversight Committee.)*