

A CHANGING CULTURE: ETHICAL GOVERNMENT IN NORTHWEST INDIANA

EDWARD E. CHARBONNEAU*

INTRODUCTION

Public corruption is a plague that infects all that it touches. It not only corrupts those involved, but corrupts the system of government that permits it to survive. It corrupts the area where it exists and taints the view that those outside the area have. It corrupts the public's confidence in their elected officials and causes the public to not participate in the political process with the view that it makes no difference because everyone is corrupt.

For far too long, citizens looked at corrupt government as a way of doing business in Lake County. Tolerance of corrupt public officials resulted in even lower expectations. This image unfortunately tends to become self-fulfilling and makes any effort to change it all the more difficult.

Long characterized as a place where government corruption was the norm rather than the exception, a culture change of epic proportions is taking place in Northwest Indiana. Although the vast majority of public officials in the region are honest and ethical, over the years, everyone gets tainted, and ultimately all pay a heavy price for those who are in public service for personal gain.

As the new millennium arrived, that all began to change in Northwest Indiana as a major "weeding and seeding" effort began to unfold. Public disgust had reached a point where business as usual was no longer acceptable. A series of events, really beginning around 1990 with the creation of the Northwest Indiana Quality of Life Council, served as the impetus for change.¹ By 2003, intense energy was being directed at weeding out corrupt public officials, while seeding the political system with opportunities, encouragement, and support for elected officials to focus attention on transparency and the promotion of ethics in government. The following is intended to be a brief summary of significant stopping points along the road to changing the culture of Northwest Indiana and creating an ethical government once again worthy of the public's trust.

I. STUDY: *TRANSFORMING THE ECONOMY OF NORTHWEST INDIANA*

In December of 2000, a study, *Transforming the Economy of Northwest Indiana*, was released.² Funded by the Northwest Indiana Quality of Life Council, the study was conducted by William Sheldrake, President of the Indiana Fiscal Policy Institute, and Morton Marcus, Director of the Indiana Business Research Center at Indiana University's Kelley School of Business. The study commented on the significant mistrust of and by local political leaders,

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1. See Northwest Indiana Quality of Life Council, *Mission*, <http://www.nwiqlc.org/qlcfacts.php> (last visited May 18, 2006).

2. WILLIAM SHELDRAKE & MORTON MARCUS, *TRANSFORMING THE ECONOMY OF NORTHWEST INDIANA* (2001) (report delivered to the Northwest Indiana Quality of Life Council).

corruption in government, perceptions of the Northwest Indiana region, and the affect of those perceptions on economic development and the quality of life.³

Although certainly everyone recognized the credibility gap that had existed long before the release of the study, no one ever talked openly and consistently about it or suggested that the citizens get involved to do something to correct the situation. Finally, the topic had been broached in a published report suggesting that public corruption was affecting the quality of life of the residents of Northwest Indiana. If the region was ever going to once again enjoy a vibrant economy, the issue had to be addressed, and change had to be forthcoming.

II. UNITED STATES ATTORNEY

On September 21, 2001, Joseph Van Bokkelen was appointed United States Attorney for the Northern District of Indiana.⁴ He established as one of the district's priorities the investigation, charging, and prosecution of public corruption.⁵ His commitment was to remove those who chose to abuse their oath of office and exploit the public trust.

Since announcing his program, Operation Restore Public Integrity,⁶ more than thirty persons have been indicted or otherwise charged. The public has a right to know whether their public officials are honest, and the public officials need to know that someone is watching them. In the words of the U.S. Attorney, "A little paranoia is not bad in this area."⁷

III. NORTHWEST INDIANA QUALITY OF LIFE COUNCIL

In September of 2002, the Northwest Indiana Local Government Academy was established at Indiana University Northwest.⁸ A collaborative effort of the six colleges and universities in Northwest Indiana, the Academy's mission is to promote excellence in both government and governance by providing educational opportunities that will enhance the leadership and decision making skills of local elected officials, public employees, and citizens.⁹

The Northwest Indiana Quality of Life Council is a public/private partnership

3. *Id.*

4. United States Attorney's Office, Northern District of Indiana, *Joe Van Bokkelen*, http://www.usdoj.gov/usao/inn/District_Info/USAttorney.htm (last visited May 18, 2006).

5. Speaker's Bureau, United States Attorney's Office, Northern District of Indiana, *Mission of the United States Attorney's Office for the Northern District of Indiana*, http://www.usdoj.gov/usao/inn/Speaker_Bureau/Speakers_Bureau2.htm (last visited Apr. 11, 2006).

6. Debra Gruszecki, *Arrests Played out Like an Adagio, While Code of Ethics is Passed*, TIMES (Northwest Indiana), Sept. 6, 2003, available at http://www.thetimesonline.com/articles/2003/09/06/news/top_news/affa3bc0fc12580686256d9900146a59.txt.

7. *Id.* (internal quotation marks omitted).

8. See generally Indiana University Northwest, Northwest Indiana Local Government Academy, <http://www.iun.edu/~lga/> (last visited May 18, 2006) (discussing the organization's history and mission).

9. *Id.*

formed to promote sustainable development in Lake, Porter, and LaPorte Counties.¹⁰ The Quality of Life Council provides a forum for a diverse group of individuals from both the public and private sector to meet on a regular basis to formally promote continuous improvement in the quality of life in Northwest Indiana through the development of an appreciation for regional solutions to the challenges faced in achieving and sustaining a high quality of life, sponsoring needed research to improve the quality of life, identifying and advocating for needed sustainable development projects, and developing and monitoring key indicators pertaining to the region's quality of life.¹¹

In June 2003, the Northwest Indiana Quality of Life Council released a draft of its Quality of Life Indicators Report.¹² The report addressed eleven community based "indicators" ranging from diversity to health and safety. At the conclusion of the discussion of each of the indicators was a set of recommendations. It was hoped that the policy recommendations would be used by decision-makers to craft public policy at the local, county, regional, and state levels of government.

One of the indicators, "A Community of Engaged and Caring Citizens"¹³ included a discussion of local government in the three-county area.¹⁴ Included in the recommendations at the end of the section was a call for all local units of government to develop and adopt ethics ordinances.¹⁵ The newly-established Local Government Academy was encouraged to serve as a resource for those communities.¹⁶

IV. ETHICS SYMPOSIUM

About the same time as the Indicators Report was being released, the Local Government Academy was asked by the Northwest Indiana Quality of Life Council to develop an ethics symposium for the Council's September meeting.¹⁷

At the conclusion of the symposium, the Quality of Life Council adopted a resolution supporting the development, adoption, and full implementation of ethics ordinances in all municipalities and county governments in Lake, Porter, and LaPorte Counties.¹⁸ In addition, the resolution recommended a set of minimum standards for inclusion such as the appointment of an ethics officer, training for employees and elected officials, identification of an investigatory

10. Northwest Indiana Quality of Life Council, *supra* note 1.

11. *Id.*

12. NORTHWEST INDIANA QUALITY OF LIFE COUNCIL, QUALITY OF LIFE INDICATORS REPORT (2004), <http://www.nwiglc.org/indicators/2004QLCIndicatorsReport.pdf>.

13. *See id.* at 91.

14. *Id.* at 93-98.

15. *Id.* at 101.

16. *Id.*

17. Northwest Indiana Quality of Life Council, Quarterly Meeting Agenda (Sept. 5, 2003) (on file with author).

18. QUALITY OF LIFE COUNCIL, RESOLUTION: MUNICIPAL AND COUNTY ETHICS ORDINANCES (2003). The resolution is included as Appendix A.

body to address suspected violations of the ethics code, and substantive sections that address issues such as gifts, conflicts of interest and nepotism, post-employment restrictions, financial disclosure, whistleblower protection, and appropriate enforcement authority.¹⁹

The Northwest Indiana Quality of Life Council committed to communicate the contents of the resolution to decision-makers in Northwest Indiana; to provide supplemental information and materials to decision-makers who can contribute to the development, adoption, and full implementation of ethics ordinances in all municipalities and county governments in the Lake, Porter, and LaPorte Counties; and to take steps to educate the general public regarding the need to adopt robust ethics ordinances.²⁰

One of the speakers at the symposium was the United States Attorney, Joe Van Bokkelen. Van Bokkelen discussed his number one priority: rooting out public corruption. As he spoke about zero tolerance for public corruption, nine people were being arrested by agents of both the FBI and Department of Labor. This action occurred as the result of two federal indictments having been returned the previous day.²¹

In the first, six East Chicago public officials, the city controller, engineer, park superintendent, and three East Chicago City Council members were indicted on eleven counts of fraud. The charges stemmed from an earlier concrete replacement program. Subsequently all six either pled guilty or were convicted by a jury.

The second was a sixteen-count indictment stemming from a real estate development in Chesterton, Indiana. Four people were charged with funneling kickbacks in a 1999 land deal, including a union official and the former Indiana Democrat Party Chairman. All were subsequently found guilty either by way of a plea or, in one case, a trial.

On September 5, 2003, the weeding and seeding efforts picked up considerable momentum and sent shock waves around Northwest Indiana. From that day forward the pace of activities as well as the public's awareness increased exponentially. With the help of the two local newspapers, the *Times* and the *Post Tribune*, the importance of rooting out public corruption, and the need for transparency in government and ethics, subjects rarely if ever mentioned in the past, were now in front of the public on a routine basis.

V. ETHICS ORDINANCES AND INDIANA HOUSE BILL 1033

In November 2003, the Town of St. John became the first in a series of communities to pass an ethics ordinance. The example set by the Town of St. John was followed quickly by the City of Hobart, which passed an ordinance of its own in December.²²

19. *Id.*

20. *Id.*

21. Gruszecki, *supra* note 6.

22. See *Ethics in Local Government Have Overcome a Serious Issue in NWI*, NORTHWEST INDIANA LOCAL GOVERNMENT ACADEMY, Apr. 4, 2004, http://www.iun.edu/~lga/news/4_5_04

State Representative Charlie Brown (D-Gary) was a participant at the September 5, 2003, ethics symposium.²³ He took part in a panel discussion on the need for ethics in government.²⁴ That day he informed the author that he would be drafting legislation for introduction during the next session.

Representative Brown followed up on that commitment by introducing House Bill 1033 in December of 2003 for consideration during the 2004 legislative session.²⁵ The bill, which incorporated significant parts of the language in the resolution that had been adopted by the Quality of Life Council at its quarterly meeting three months earlier, was referred to the Committee on Local Government. The bill was never given a hearing by the chairman of the committee.

VI. 2004 DEVELOPMENTS

A. Ethics Ordinances

The pace and intensity of discussion began to gain momentum as 2004 arrived. In January 2004, three communities, the Town of Highland, the City of Crown Point, and the City of LaPorte, passed Sense of Council Resolutions.²⁶ In each instance, the resolution was recognition of the importance of having an ethics ordinance, a strong endorsement of the establishment of an ethical public culture in the public service, and support for the ongoing efforts of the Local Government Academy. A month later, in February 2004, the City of Lake Station passed an ethics ordinance.²⁷

B. Ethics Pledges

In early 2004, the Lake County Community Development Committee ("LCCDC") became aware of the emphasis being placed on ethical government by the Local Government Academy. Wanting to actively support the effort, the LCCDC came up with the idea of an Ethics Pledge for candidates running for office in the April 2004 primary elections.²⁸ The pledge was sent to every candidate running in the primary election in Lake County. Candidates were encouraged to review and sign the pledge and return it to a representative of the LCCDC. Out of 114 letters sent, 111 pledges were signed and returned.

The Mayor of Valparaiso requested that the pledge be re-worded so that it would be appropriate for city employees to sign. The LCCDC did so, drafting a second pledge suitable for use by government employees.

.shtml [hereinafter *Ethics in Local Government*].

23. See app. A.

24. See app. A.

25. H.R. 1033, 113th Leg., 2d Reg. Sess. (Ind. 2003).

26. See *Ethics in Local Government*, *supra* note 22.

27. See *id.*

28. LAKE COUNTY COMMUNITY DEVELOPMENT COMMITTEE, ETHICS PLEDGE (2004). The pledge is included as Appendix B.

On March 26, 2004, an ethics workshop was conducted to discuss what had transpired in Northwest Indiana since the September 2003 symposium. It presented an opportunity for the various communities that had adopted an ordinance already to review their experiences with those who were in the discussion and review stages.

C. Ethical Campaign Issues

For the first time in memory, the 2004 election campaign gave rise to Northwest Indiana's first real ethical campaign issue in the Town of Highland. Prior to the election, two policemen were members of the five-member Town Council. With a fireman running for one of the other council seats, Highland faced the distinct possibility of having a town council controlled by town employees.

The conflict of interest issue was hotly debated and well documented by the local media during the campaign. It should be noted that a subsequent review of the prior four years of activity revealed that the two town employees who were already sitting on the council voted more than three hundred times on issues likely to be considered conflicts such as salaries, claims, work rules, and take home cars.

In the end, all three town employees were defeated in the 2004 election. It will never be known if the ethical issue played any role in the outcome of the election. Nevertheless, it is significant in the author's mind that the issue was raised and discussed as ardently as it was during the campaign.

D. Additional Ethics Ordinances

In June 2004, the City of LaPorte adopted an ethics ordinance and followed up by appointing an ethics officer for the city.²⁹ During the month of July 2004, the Town of Merrillville passed its version of a "Sense of Council" resolution similar in nature to the ones which had been passed in Crown Point, Highland, and LaPorte. Merrillville also appointed an ethics officer for the town. In September, the Town of Cedar Lake, and then in December, the City of Whiting adopted ethics ordinances for their respective communities.³⁰ As had been done earlier in LaPorte and Merrillville, both communities appointed an ethics officer for their respective community.

E. Land Use Planning Workshop

In December 2004, at its Quarterly Meeting, the Quality of Life Council conducted a workshop on the issue of Land Use Planning.³¹ Part of the workshop was a role-playing session of a local town/city council meeting. The issue being

29. LaPorte, Ind., Ordinance 16-2004 (June 2004).

30. Cedar Lake, Ind., Ordinance 896 (Sept. 2004); Whiting, Ind., Ordinance CC-2004-1696 (Dec. 2004).

31. Northwest Indiana Quality of Life Council, Sensible Tools for Healthy Communities Workshop (Dec. 3, 2004) (on file with author).

discussed by the council was a big development being planned and the need for a variance. As the meeting began, the first question raised by participants was one addressing an ethical issue involving the appropriateness of a large developer “winning and dining” council members before they were going to vote on the developer’s request for a variance.

This event is mentioned because, two or three years earlier, the ethical issue would never have been mentioned, much less be the first topic raised as a point of discussion. The community of Northwest Indiana was becoming sensitized to the important role ethical government plays in economic development, capital investment, job creation, and quality of life for its citizens.

F. Indiana House Bill 1360

In December 2004, State Representative Charlie Brown (D-Gary) once again introduced legislation, House Bill 1360, dealing with the establishment of ethics ordinances in all cities and towns in the state.³² The language of that bill was identical to that of House Bill 1033, which Representative Brown had introduced a year earlier. This time, however, Representative Brown had a co-sponsor on the bill, Phil Hinkle (R-Indianapolis), Chairman of the Committee on Local Government.

The bill, as was the case a year earlier, was referred to the Committee on Local Government. Unlike the prior year, however, the bill was given a hearing in committee on February 10, 2005. Representatives from the Indiana Association of Cities and Towns, the Indiana Association of Counties, and the County Commissioners Organization all testified against the legislation. It did not pass out of committee.

VII. 2005 DEVELOPMENTS

A. Ethics Ordinances

On March 17, 2005, the City of Valparaiso Ethics Commission completed an extensive update of Valparaiso’s ethics ordinance.³³ The original ordinance was drafted and adopted in 1994. As quickly as it had been passed, it was placed on a shelf and ignored until the effort to reinvigorate the Ethics Commission and ethics policy by Mayor Costas. Almost a year later, the revised ordinance has still not been acted upon by the Valparaiso City Council.

In April, Porter Township in Porter County adopted an ethics policy. In October, Porter County adopted an Ethics Policy.³⁴ That same month, four organizations came together to draft a document called a *Compact with Lake County Voters*.³⁵ Similar in some respects to the ethics pledge a year earlier, the

32. H.R. 1360, 113th Leg., 2d Reg. Sess. (Ind. 2004).

33. Valparaiso, Ind., Ordinance 37-2005 (Mar. 17, 2005).

34. A Resolution Adopting an Ethics Policy for Representatives of Porter Township, Porter Township Res. 2005-2 (Apr. 6, 2005).

35. NORTHWEST INDIANA QUALITY OF LIFE COUNCIL ET AL., COMPACT WITH VOTERS OF LAKE

compact dealt with values such as transparency, efficiency and effectiveness, accountability, and citizen involvement at the county level of government.³⁶ Candidates running for county-wide office in the 2006 primary election were asked to sign the compact. A majority of the fifty-four candidates opted to sign the compact.

As 2005 was coming to an end, another noteworthy event took place in Northwest Indiana the evening of November 21, 2005. That night in Schererville, Indiana, the Crown Point City Council and the Town Councils from Highland and Munster met in joint session. During that session, each of the three communities adopted identical language ethics ordinances.³⁷ Additionally, the three communities adopted a unique Inter-local Agreement which dealt with two issues: first, joint ethics training, and second, the creation of a three-community Shared Ethics Advisory Commission.

B. Indiana House Bill 1120 and the Northwest Indiana Regional Development Authority

During the 2005 legislative session, House Bill 1120³⁸ was passed.³⁹ Among other things, the bill established the Northwest Indiana Regional Development Authority ("RDA"). The bill was an extraordinary convergence of vision and politics in Indiana. Signed into law by Governor Daniels on May 11, 2005, at the Gary/Chicago Airport, the Regional Development Authority was considered a critical step toward reviving the economy of the region by providing a major funding source for large economic development projects in Lake and Porter Counties.

The first public meeting of the RDA revealed yet again how the culture in Northwest Indiana was changing. At that first meeting on September 26, 2005, the chairman of the Regional Development Authority invited the author of this Article, as Executive Director of the Northwest Indiana Local Government Academy, to make a presentation on the important role the Regional Development Authority could play in advancing the cause of transparency and ethics in government.⁴⁰

The following day, at its first formal meeting, the seven newly appointed members of the RDA spent considerable time discussing the momentous opportunity that was at hand for the RDA to lead by example and to set the tone

COUNTY (2005). This is included as Appendix C.

36. *Id.*

37. Town of Munster, Minutes of a Special Meeting of the Town Council Conducted Jointly with the Common Council of the City of Crown Point and the Town Council of the Town of Highland (Nov. 21, 2005), *available at* http://www.munster.org/egov/docs/1143554513_797851.pdf.

38. H.R. 1120, 114th Leg., 1st Reg. Sess. (Ind. 2005).

39. *Governor Signs Stadium Bill*, INDIANAPOLIS STAR, May 11, 2005, *available at* <http://www.indystar.com/apps/pbcs.dll/article?AID=/20050511/NEWS01/50511009/1006>.

40. Northwest Indiana Regional Development Authority, Organizational RDA Board Meeting Agenda (Sept. 26, 2005) (on file with author).

for future behavior on the part of local units of government. A long discussion ensued surrounding the establishment of a set of values and a vision for the RDA along with an ethics policy.⁴¹

Talk turned to action at the October meeting of the RDA when the Board ratified its values and vision.⁴² The values—to be bold, collaborative, transparent, non-partisan, efficient, and accountable—are intended to be the guiding compass as the authority conducts its business. At the same meeting, the RDA ratified a substantive ethics policy for its board and its employees. A subcommittee reviewed many sample ethics ordinances and policies before coming up with its own. The policy adopted somewhat mirrors the state ethics policy because the state ethics policy was deemed to be the best policy among the ones reviewed.

Taking its role as a catalyst for change earnestly, the RDA went a step further in its efforts to promote transparency in government and ethical behavior as it developed an application form for those entities coming to the Authority seeking financial support. Any organization seeking funding from the RDA will be required to submit as part of its supporting documentation a copy of the ethics guidelines to which the applicant adheres.

CONCLUSION

To date, many cities, towns, and other governmental units in Northwest Indiana have recognized the importance of ethical government to the quality of life, capital investment, and job creation in the region. They have taken that belief and acted on it by adopting ethics ordinances or ethics policies. Many others have come to realize it is in their best interests to get involved and become part of the solution, while others steadfastly refuse to adopt the concept of ethics in government.

The weeding has started and will continue, but if simply prosecuting and locking up those public officials who abuse the public trust was the answer, Lake County and Northwest Indiana would long ago have become a corruption-free zone. This obviously is not the sole answer.

Significant culture changing activity—the seeding—has occurred over the past two to three years. In the author's opinion, there is more being done in Northwest Indiana on a regional basis to promote a climate of renewed confidence in public officials than anywhere else in the country. Just a few short years ago, none of this would even have been considered. The citizens are standing up and becoming the good gardeners.

41. Northwest Indiana, Regional Development Authority Formal Meeting Agenda (Sept. 27, 2005) (on file with author).

42. Vicki Urbanik, *Sanders and Hollenbeck Picked for RDA Director and Attorney Posts*, CHESTERTON TRIB. (Chesterton, Ind.), Oct. 26, 2005, available at http://www.chestertontribune.com/Northwest%20Indiana/sanders_and_hollenbeck_picked_fo.htm.

Appendix A



IUN-SPEA
3400 Broadway
Gary, Indiana 46408

Quality of Life Council

Creating a Sustainable Future for Northwest Indiana

(219) 981-5629 Fax: (219) 980-6737

RESOLUTION

Municipal and County Ethics Ordinances

Whereas the Northwest Indiana Quality of Life Council seeks to promote a higher quality of life in Lake, Porter, and LaPorte Counties;

Whereas county and municipal governments play key roles in developing and maintaining a high quality of life that is sustainable over the long term;

Whereas confidence in the integrity of governmental officials, both elected and appointed, is critical to citizen engagement in the full life of the community;

Whereas confidence in the integrity of local government is shaken by reported and suspected incidences of waste, fraud, and mismanagement;

Whereas ethics ordinances have proven effective as:

- Guidelines for elected and appointed officials in the exercise of their public duties,
- Benchmarks against which the behavior of local officials can be assessed, and
- Tool through which to restore and increase public confidence in the integrity of local governments, and

Whereas effective ethics ordinances includes certain identifiable elements,

Now, therefore, be it resolved that the Northwest Indiana Quality of Life Council supports the development, adoption, and full implementation of ethics ordinances in all municipalities and county governments in Lake, Porter, and LaPorte Counties. At a minimum, these ordinances should include the following elements:

- An “aspirational” introduction that clearly states that the purpose of the code is not to create more criminal codes, but to establish systems that hold the potential to restore trust in local government,
- The appointment of an “ethics officer,” in most instances as a collateral duty of an appointee who is already in service to the municipality or county adopting the

ordinance,

- Required training in ethics for all employees and elected officials,
- The identification of an investigatory body (e.g., an auditor, inspector general, prosecutor, or ethics commission) to address suspected violations of the ethics code, and
- Substantive sections that address the following issues: (1) gifts (i.e., solicitation, acceptance, and unauthorized compensation), (2) employment and business conducted with government entities (i.e., conflicts of interest, lobbying, the hiring of relatives, and patronage), (3) the misuse of public positions, (4) post and pre-employment restrictions, (5) voting conflicts, (6) financial disclosure, (7) sunshine laws and open meetings stipulations, (8) access to public records, (9) procurement, (10) whistleblower protection, (11) campaign ethics, (12) the regulation of private citizens with respect to gifts and bribes, and (13) sanctions pertaining to all of the above, including fines, penalties, removal from office, and public reprimands.

Pursuant to this resolution, the Northwest Indiana Quality of Life Council will:

- Communicate the contents of this resolution to decision-makers in Northwest Indiana;
- Provide supplemental information and materials to decision-makers who can contribute to the development, adoption, and full implementation of ethics ordinances in all municipalities and county governments in the Lake, Porter, and LaPorte Counties; and
- Take steps to educate the general public regarding the need to adopt robust ethics ordinances.

Adopted: *September 5, 2003*

Appendix B

Ethics Pledge

As a candidate for public office in Lake or Porter Counties, Indiana, I recognize the importance of ethics for my own good and well-being and also for the good and well-being of my constituents and the community as a whole. Therefore, as a candidate and if elected, I pledge to abide by the following Code of Ethics:

1. I will uphold the Constitutions, laws, and regulations of the United States of America and the State of Indiana and its subdivisions as I am required to do by my oath of office. In addition, if I become an elected representative of the people, I will adhere to the fundamental principles of representative democracy.
2. I will adhere to the highest level of ethical conduct and place ethics above party loyalty or personal interests and relationships.
3. I will devote the appropriate amount of time to my office, considering whether it is a full-time or part-time position, and in either case will perform my duties based on fundamental values such as competency, equity, truth, and integrity. In the pursuit of these principles, I will work cooperatively with other public officials.
4. I will use my authority to promote the efficient and effective delivery of public services in my realm of responsibility and will avoid participating in any decision where I have a conflict of interest or from which I, my family, or business associates may personally benefit. Where my public responsibilities require my participation, I will publicly disclose the nature of my conflict.
5. I will never discriminate unfairly by dispensing special favors or privileges to anyone, whether or not for remuneration, and I will never solicit or accept for myself, my family, or my business and professional associates any favor or benefit that might be construed by reasonable persons as influencing the performance of my public duties.
6. I will make no private promises of any kind which may unduly influence my public duties.
7. I will not engage in any business with public agencies that would be—directly or indirectly—inconsistent with the conscientious performance of my public duties and I will make no improper use of public property or resources for the personal benefit of myself, my family, or my business and professional associates.
8. I will never use information coming to me confidentially in the performance of my duties as a means for personal profit or other personal advantage.
9. I accept the responsibility to expose corrupt practices whenever they come to my attention and will, where empowered to do so, protect from retaliation any public employee who has exposed corrupt practices.

10. I solemnly pledge to uphold these principles, ever mindful that public office is a public trust.

I willingly acknowledge my belief in and commitment to this Ethics Pledge and if elected, I further agree to require all employees over whom I have supervision to adhere to this Pledge. All this I commit to this ____ day of _____, 2004.

(Signature)

Appendix C

Open Letter to the Citizens of Lake County

Dear Citizens:

A great deal has been accomplished over the course of the last five years with respect to local government. Property tax reform has focused renewed attention on its true costs. Our U.S. Attorney has vigorously prosecuted numerous instances of public corruption. Our local newspapers have cast a watchful eye on elected and appointed officials. Studies conducted by Indiana University and others have shed new light on public budgets. The Lake County Community Development Committee and the Local Government Academy of Northwest Indiana have promoted the use of ethics pledges and ethics ordinances. The General Assembly has given us new vehicles (e.g., a Regional Development Authority and an expanded scope of responsibilities for the Northwestern Indiana Regional Planning Council) through which to promote an improved quality of life. And we are encouraged by the participation of officeholders in Lake County Government in Congressman Pete Visclosky's much-welcomed initiative on governmental efficiency and effectiveness.

That being said, Lake County voters are frustrated and angry. Some have called for a wholesale change. Others have thrown up their hands, declaring that nothing will ever change in Lake County.

In our view, both of these responses are unwise. Many elected officials serve us effectively and responsibly. And many citizens who volunteer on boards and commissions or who are employed in local government serve honorably as well. Further, we do not believe that any one political party has a corner on the market of good ideas and ethical performance.

At the same time, we're concerned that the several developments noted above have yet to produce real change in the underlying culture of county government. Too often, decisions appear to revolve around an apparent need to control jobs and other benefits. We worry about a return to business as usual, followed, in another few years, by another spasm of reform.

Elections to county-wide office will soon be upon us. With this in mind, we offer the enclosed "Compact with Lake County Voters" to those who may be considering a run for office and to all Lake County voters. The Compact's provisions reflect values (i.e., transparency, efficiency and effectiveness, accountability, and citizen involvement) and, in some instances, specific remedies associated with the Progressive Era, a nearly century old reform agenda that was largely ignored in Indiana. Together, the Compact's several elements represent a reform agenda that could – we think – contribute to the kind of culture change that is still needed in Lake County government.

We invite all residents of Lake County to consider whether or not candidates for County office in the Spring 2006 primary election demonstrate a willingness to sign on to the Compact. We encourage voters to give strong consideration to candidates who endorse the several commitments reflected in the Compact. Further, we encourage our local newspapers to endorse all or portions of this document and to identify candidates who sign on.

Candidates for County office are encouraged to forward signed copies of the Compact to the attention of Ed Charbonneau, Northwest Indiana Local Government Academy, c/o Indiana University Northwest, 3400 Broadway, Gary, IN 46408. Mr. Charbonneau's fax number is 981-4244.

Together, let's finish the good work that has been accomplished over the course of the last five years!

Sincerely,

Daniel Lowery, Ph.D.
Northwest Indiana
Quality of Life Council

Ed Charbonneau
Northwest Indiana
Local Government Academy

Phyllis Sovola
League of Women Voters,
Calumet Area

Cal Bellamy
Ethics in Government Taskforce, Lake County
Community Development Committee

Compact with Voters of Lake County

As a candidate for county office, I pledge that I will actively support and promote:

1. Full participation in the "Good Government Initiative."
This should include the prompt implementation of any recommendations which fall under the jurisdiction of the office holder. If an office holder determines that a particular recommendation cannot or should not be implemented, a clear explanation as to why should be made public.
2. Development, adoption, and implementation of ordinances and policies and procedures that will better ensure that supplies and equipment paid for by taxpayers (e.g., automobiles, cell phones, etc.) are used exclusively for public purposes.
3. Adoption and enforcement of a robust ethics ordinance and complementary administrative guidelines.
At a minimum, the policies and procedures adopted should address conflicts of interests, gifts, the use of public property, and the appointment of an independent ethics commission.
4. Development of additional analytic/investigative capacity to assist county commissioners and members of the County Council in improving efficiency and effectiveness.
This need could be met by an independent appointee with auditing or other relevant experience. Alternately, a county inspector general could be empowered with limited authority to address concerns pertaining to budgetary and operational performance.
5. Adoption of merit principles in hiring and promotion decisions.
A complementary commitment to equal employment opportunity principles will ensure a highly qualified workforce that is representative of all communities in Lake County. This commitment will require the engagement of a human resources management professional and budgetary incentives to ensure compliance across all departments.
6. Use of professional information technology services.
An explicit goal to unify and centralize the County's data processing functions should be pursued as well.
7. Development of a user-friendly website that provides citizens with current and historical budgetary and operational data pertaining both to efficiency and effectiveness.
8. Adoption of innovative budgeting techniques, such as activity-based accounting.
9. Adoption of those elements of the county manager form of government that are consistent with the State's Constitution.
10. Creation of a volunteer Public Service Commission.
The new commission should be directed to (a) develop "job descriptions" for all appointed boards and commissions, (b) develop a user-friendly web site to facilitate volunteerism, (c) screen applicants for board/commission service, (d) rank the top three-to-five candidates for selection by the appointing authority, (e) promote public service throughout the County, (f) promote participation in under-represented communities, and (g) gather, maintain, and publicize data related to public service in Lake County.

Further, I attest to my willingness to be held accountable for my performance as an elected official in advancing each of these commitments.

Signature _____

Date _____

Printed Name _____