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The State: SC House panel handled latest Harrell saga well, but we still need ethics reform
Cindi Scoppe
March 12, 2016
http://www.thestate.com/opinion/opn-columns-blogs/cindi-ross-scoppe/article65497757.html

COLUMBIA, SC - IF THE SENATE ever gives in and allows independent investigators to review legislators' ethics, the members of the House and Senate Ethics committees still will decide whether and how to punish colleagues who break the law.

So it was encouraging that the House Ethics Committee fined former House Speaker Bobby Harrell for lying to the panel, reprimanded him and ordered him to forfeit $113,000 as punishment for illegally using that much money from his campaign account to pay his criminal defense attorneys.

No, we'll probably never see that money — Mr. Harrell's attorney said he doesn't have it and does have lots of other debts. And yes, it took the committee longer than I would have liked. And yes, no matter how much committee members might still feel friendship and even kinship toward Mr. Harrell, it's relatively easy to get tough on a former speaker and former House member, who no longer has any way to punish or reward committee members. Indeed, both the House and Senate Ethics committees are much better at reprimanding people who are not representatives and senators than those who are.

So we can't say the committee passed a backbone test.

But the fact is that the committee did not have to act. It chose to act. It chose to act because its own opinions had made it clear that candidates and elected officials could not use campaign funds to fight allegations of "personal misconduct," and it was determined to stick by those opinions. So at the very least, the committee failed to fail a test, and that's encouraging and even praiseworthy.

Also encouraging is the process the committee has adopted to try to avoid some of the problems that are inherent in having the House and Senate panels act as investigator, judge and jury over fellow legislators.

There's not much they can do to avoid partiality. But another problem became obvious in the case the Senate Ethics Committee brought against then-Sen. Robert Ford: Mr. Ford initially asked the committee's attorney for help in sorting out his campaign account. It was in assisting Mr. Ford that the attorney realized that the senator had violated the law, and took his concerns to the committee. When the committee brought a complaint against Mr. Ford, that attorney was transformed from his adviser into his prosecutor.

The House learned from that, Ethics Chairman Kenny Bingham told me, and as a result the committee brings in Columbia attorney John Nichols to advise it when it files complaints against legislators who have sought advice from staff attorney Jane Shuler.

Mr. Harrell's case was more complicated and contentious than most, so the committee asked a second outside attorney, former federal prosecutor Deborah Barbier, to present the case against the former speaker. That allowed Mr. Nichols to advise the committee members, many of whom were non-attorneys sitting as judges.

"What we've done internally is as close as we can (get) to exactly what people want with outside investigations," Mr. Bingham said.

And that's good. As good as the House can do under the current law.

But it's not good enough.

It's not good enough because, as long as the law gives the House and Senate the power to act as investigator, judge and jury, the House is free to abandon this process at any time. It's not good enough because the Senate doesn't use this process. It's not good enough because even if the Senate decided to follow the House's lead, the investigative side of the process still isn't independent. It's still the House and Senate committees that decide whether to even investigate their colleagues. It's still the House and Senate committees that decide whether to bring a complaint against their colleagues — and they can make that decision without us even realizing there has been an investigation, much less what it turned up.

The bill the House passed last year and that about half the members of the Senate have supported — and that the Senate hopes to take up again this month — would let an independent body investigate legislators' compliance with the ethics law. If that body determines that there's a problem, it would send its report to the House or Senate Ethics committee to hold a hearing. The independent investigator also would make that report public, which would make it a lot less likely that the House and Senate panels might wink at crimes — and give the public a lot less reason to worry that they might.

If we created this process, and gave those independent investigators the tools they need to do the job, and created serious penalties for violating the law, then dishonest legislators would be a lot more likely to worry about getting caught if they skirt the law. And honest legislators who accidentally cross a line would be a lot more likely to get discovered before they graduate to Harrell-sized crimes.

All of that ought to mean not that more legislators get nailed for violating the law, but that fewer legislators violate the law. And isn't that what all of us — including our recalcitrant senators — want?

The State: The other problem with SC legislators policing their own ethics
Cindi Scoppe
February 6, 2016
http://www.thestate.com/opinion/opn-columns-blogs/cindi-ross-scoppe/article58729743.html

COLUMBIA, SC - THE STATE Ethics Commission ruled last month that it's illegal to use campaign funds to pay for memberships or other expenses at the Capital City Club and the Palmetto Club and other private dinner clubs. It's a ruling that could have some serious lifestyle consequences for a number of elected officials, as the commission noted that several were using campaign money to cover these expenses.

A reporter at one newspaper wrote that state legislators now have to start paying their own dues. She even quoted several legislators on how they would cope with this new interpretation of the State Ethics Act.

Unfortunately, the reporter and the legislators she quoted had forgotten one of the many problems with the part of the law that lets legislators act as investigator, judge and jury over each others' ethics compliance: It also lets them make up their own definitions of what the law says.

That means legislators are free to ignore the Ethics Commission's interpretations of what the law does and doesn't allow unless their legislative committees decide to adopt those same interpretations. Which they don't always do.

A lot about the ethics law is straightforward and in no need of interpretation. A legislator can't accept anything of value — not even a cup of coffee — from a registered lobbyist, for example. Statewide candidates can't accept a donation of more than $3,500 from one donor in one election cycle. All candidates have to report the name, address, date and amount of any donation worth more than $100.

Other matters are murkier, and among the murkiest is the definition of "personal" in one of the most important provisions of the law: the part that prohibits the personal use of campaign funds. Actually, there is no definition of "personal" in the law, which says simply that public officials can't use campaign funds "to defray personal expenses which are unrelated to the campaign or the office" and that campaign funds may not "be converted to personal use."

You got the idea that there was a reason that word wasn't defined when, shortly after the law was passed, the Senate Ethics Committee decided that presents for certain constituents constitute "ordinary expenses incurred in connection with an individual's duties as a holder of elective office." So too, the committee said, did donations to local churches and civic clubs and tickets to the Masters, where senators might run into some donors. (Suddenly, you start to understand how Sen. Robert Ford thought it was OK to buy sex toys that he said were for campaign workers, and even how House Speaker Bobby Harrell got the idea that it was OK to use campaign funds to fly his family to Florida on vacation.)

The House Ethics Committee never was as liberal in its definition of "personal," and in 1996 it issued a memorandum that listed some allowable uses of campaign funds, which the Ethics Commission in its opinion noted did not include private club dues. But the committee didn't list prohibited uses of campaign funds, and so it should be no surprise that House members have used other people's money to pay their dues.

The Ethics Commission reasoned that since it long had considered meals to be personal expenses, even when candidates were dining with potential donors, it made sense to treat club dues the same way. It also noted that the Federal Election Commission had decided that a similarly worded federal ban on personal expenditures included club dues.

Of course, people who are charged with wrongdoing can always go to court to challenge an enforcement agency's interpretation of a law — even if that agency is the House or Senate Ethics committee. But while you can challenge an agency for exceeding its authority under the law, you can't challenge it for interpreting a law too narrowly.

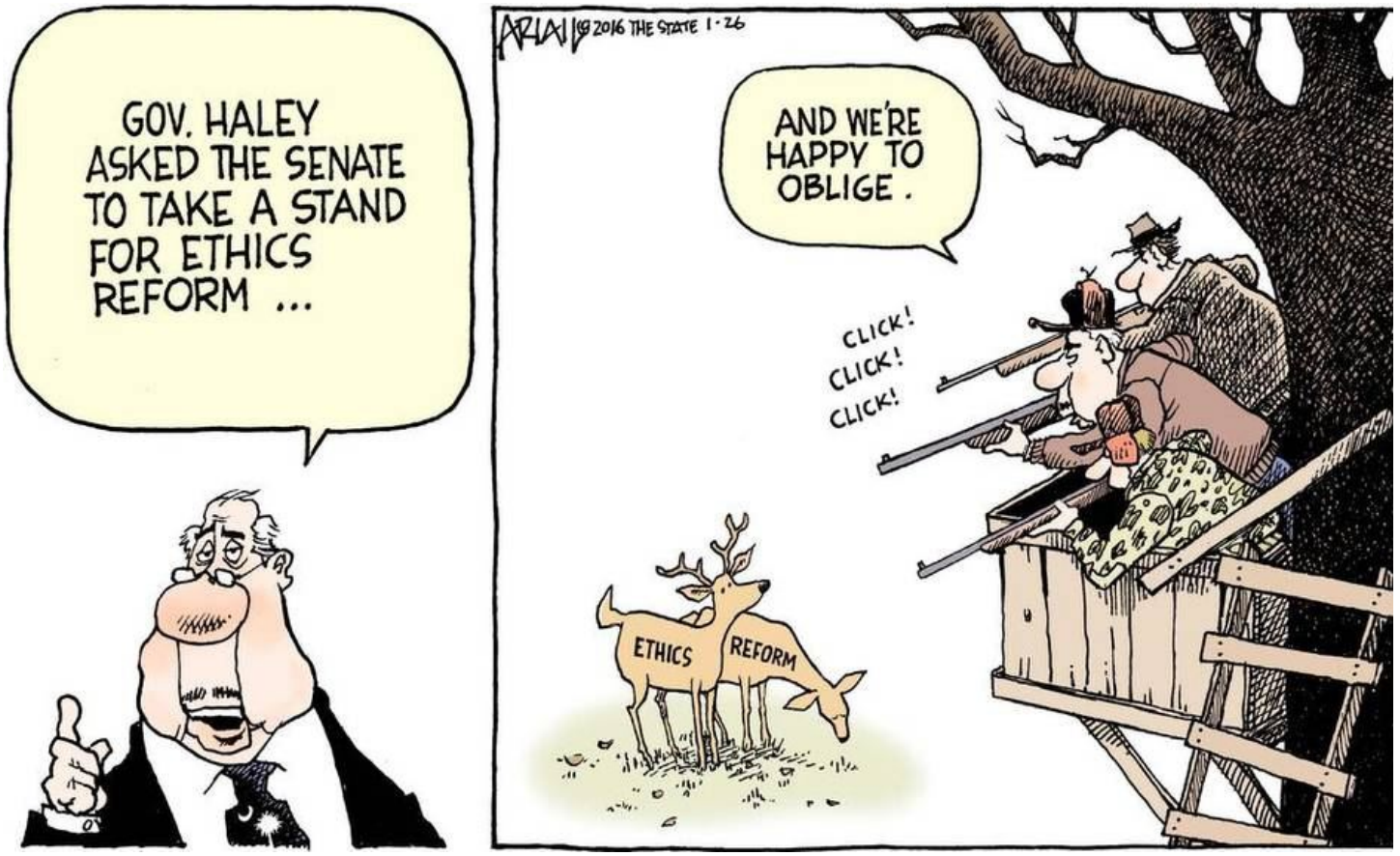
I'm not saying that's a bad principle of law; it's actually quite smart. I'm just making the point that there is nothing outside of the Legislature itself that can subject legislators to the same rules that all other elected officials are subjected to.

Even if the law says that all animals are equal, some remain decidedly more equal than others.

I'm also not suggesting that the Ethics Commission always gets it right. It was the Ethics Commission, after all, that opened up the giant loophole that allowed political parties — entities that exist for the sole purpose of getting people elected — to maintain "operations accounts" that can accept unlimited donations and not even tell us who made those donations. It was the Ethics Commission that came up with the bizarre idea that the "income" elected officials have to report doesn't include consulting fees, because they aren't "salary" — a word not even found in the context of income in the ethics act.

But if senators were ever to allow an independent entity to investigate legislators' compliance with the law — the House is quite willing to do so — legislators would be free to create a more muscular Ethics Commission. And they should.

The State: Ethics reform in the SC Senate
Robert Ariail
http://www.thestate.com/opinion/editorial-cartoons/robert-ariail/article56475248.html



The State: Ethics law should put public interest ahead of personal gain
Chip Brown- Guest Columnist
January 31, 2015
http://www.thestate.com/opinion/op-ed/article57292238.html

COLUMBIA, SC - Zephyr Teachout's Corruption In America: From Benjamin Franklin's Snuff Box to Citizens United is ostensibly not a book about ethics. However, the author has a lot to say that is relevant to that topic, particularly her definition of corruption as "excessive private interests in the public sphere; an act is corrupt when private interests trump public ones in the exercise of public power, and a person is corrupt when they use public power for their own ends, disregarding others."

This definition establishes the perfect paradigm for discussing, drafting and enforcing an ethics law for South Carolina that is comprehensive, substantive, sufficiently constraining and appropriately consequential if violated. Getting that done will be no easy task. Any time this issue comes up, legislative defenses rise, and instead of asking what serves the public interest first and foremost, legislators attempt to carve out niches to protect their status quo.

From financial disclosure to legislators' relationships with donors to the allocation of state contracts and other public business, the public interest must be paramount, even to the point where legislators must forgo those associations and business contacts in which they would otherwise be free to engage were they private citizens.

Ethics laws are designed to prevent (or, if deterrence fails, punish) the corruption of public officials — and through them, the fundamental principles of representative government. So unethical and corrupt behavior are inextricably linked. The absence of a strict ethical code of conduct for legislators, objectively enforced by an independent body, engenders the kind of corruption defined by Teachout: the subordination of the public interests to private ones.

Note that nowhere in that definition does it say an act has to be illegal to be corrupt. Illegal acts, to be sure, are corrupt, but any act that induces legislators to base their votes on interests other than those of the body politic is corrupt, whether illegal or not.

A corrupt act, then, does not have to involve a quid pro quo transaction. It just has to be wrong, to appear wrong and

to undermine the public good.

This issue garners too little public attention and demand for change. Ethics in the abstract does not excite the emotions like taxes or some social issues. Yet it are far more important to the healthy functioning of representative government. One might think that cynicism would catalyze public action on the matter, but cynicism has bred low expectations and resignation.

One solution is for voters to make the issue of legislative ethics the single issue upon which they will base their vote — to refuse to vote for any candidate unless and until that candidate supports comprehensive ethics reform. It might take that level of politicking to produce the ethics law that is needed.

Law professor Lawrence Lessig describes the two elements of this corrupting influence: "bad governance, which means simply that our government doesn't track the expressed will of the people" and "lost trust: when democracy seems a charade, we lose faith in it process."

The failure of the General Assembly to adopt a comprehensive, substantive, sufficiently constraining and appropriately consequential ethics law perpetuates that charade and is a tacit endorsement of bad governance.

Mr. Brown teaches political science at Coastal Carolina University

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The Greenville News: Haley makes strong statement on ethics
Editorial
January 22, 2016
http://www.greenvilleonline.com/story/opinion/editorials/2016/01/22/haley-makes-strong-statement-ethics/79120296/

Agree or disagree with her tactics, Gov. Nikki Haley on Wednesday night made a strong statement about the need for South Carolina lawmakers, particularly senators, to finally pass meaningful ethics reform in 2016.

In the middle of her State of the State address, Haley asked senators to show their support greater ethical accountability.

Haley justifiably expressed exasperation over the Senate's continuing failure to pass meaningful ethics reform. "Last year I told you I didn't know what else to say about ethics reform," she said. "Yet here we are again."

She listed the two main priorities as requiring public officials to disclose the sources of their income, and having independent investigations of legislators rather than having legislators investigate their own colleagues.

She then asked senators to stand if they supported each of these issues. She closed that portion of her address by saying, "Ladies and gentlemen, we finally got to see what that vote might look like.

"I hope that this will be the last year we talk about ethics reform."

Amen.

These are meaningful reforms that this newspaper has repeatedly endorsed, and does again.

Yes, there is a reasonable argument that the State of the State is not the proper venue for political grandstanding and that Haley was out of line to use this tactic.

But there's a stronger and more compelling argument – bolstered by the number of ethical problems elected officials in this state have faced in recent years – that justifies Haley using this forum to call out lawmakers who have repeatedly refused to pass ethics reform that is perfectly reasonable and offers real protections to the people who put those lawmakers in office, pay their salaries and rely on their integrity.

So we, too, hope that this will be the last year we need to talk about ethics reform in South Carolina.

In an echo to her speech last week responding to President Barack Obama's State of the Union address, Haley talked about the need for civility among lawmakers and all South Carolina citizens. She did it under the shadow of the death of Sen. Clementa Pinckney, who was among the nine shot dead at Emanuel AME Church in Charleston last summer.

Calling for more unity, she invoked the spirit of Pinckney who, she said, "never seemed to speak against anyone or anything but, instead, to advocate for the people and the ideas that he believed in."

She went on, "The building we sit in invites disagreement. That is a good thing, a healthy thing – we should not pretend to all believe the same things nor should we be silent about where and when we differ.

"But disagreement does not have to mean division. Honest policy differences do not need to morph into personal dislike, distrust, and disillusion."

In her new role as a conscience for the Republican Party, as a voice of reason in politics, Haley is saying all the right things. Her words on Wednesday could help set the right tone for debate in the Statehouse and for discourse on the campaign trail in 2016. She should be commended for saying these things and we hope she and other political leaders follow her words with sincerity in their actions.

Finally, Haley touched on successes of the past year: Reforms to help fight domestic violence, an issue that demands addressing in this state; she acknowledged that ending domestic violence in the deadliest state in America for women who are abused will require nothing short of a culture change. She talked about changes in the school funding formula and the need to press for more reform to ensure that educational opportunities throughout South Carolina are equitable.

And she talked about the difficulties South Carolinians faced together in the past 12 months and how all of it has and should make us stronger as we move ahead.

The last words belong to Haley who hit many high notes on Wednesday night, captured the spirit of our state, and threw down the gauntlet before the General Assembly when needed:

"There is a greatness in South Carolina, a greatness embodied by our people, a greatness unequaled in our country. … It is my fervent wish that, in this year, we, as the representatives of those people, act in a manner that is worthy of that greatness."

The State: What Brian Newman tells us about needed ethics reforms
Cindi Scoppe
January 20, 2016
http://www.thestate.com/opinion/opn-columns-blogs/cindi-ross-scoppe/article55649135.html

COLUMBIA, SC- MEET BRIAN DeQuincey Newman. He's a former Columbia City Council member and current (suspended) lawyer who just pleaded guilty to not filing state income tax returns for 2012 and 2013.

He's also my new poster child for requiring public officials to tell us more about their income.

Not because he somehow imagined he had filed and paid $10,000 in state income taxes when he had not; that's a criminal matter already covered by state law.

Not because his guilty plea exposed questions about a program envisioned to mentor local and minority-owned businesses — such as why in the world taxpayers should pay someone to be taught how to do a job that the taxpayers would then turn around and pay him to do. Those are questions for Richland County to take up with the contractor that devised the scheme.

No, Mr. Newman is my new poster child because nothing in state law required him to tell us that he was being paid to work on the county's penny-tax transportation program. And that provides a fabulous illustration of how little we know about how our elected officials make their money — even when it's government money they're making.

We usually think that the state ethics act requires elected officials to file annual statements of economic interests reporting all the money they make from government. But as Mr. Newman reminds us, we only get that information if the work relationship is set up in very specific ways.

Mr. Newman's wasn't. Rather than being paid by Richland County, he was paid by the team of developers that the county is paying to run the penny transportation program. And elected officials don't have to report money under those circumstances. The same would be true, by the way, if a legislator was receiving money from a company hired by a lobbyist, rather than directly from the lobbyist.

So even if he had remained in office long enough to have to file a 2015 economic disclosure report this spring, Mr. Newman would not have been required to report the $38,000 he received last year from the development team for being mentored, or the $44,325 he was paid for doing title research for the development team.

And this isn't even a stretch of the law. Public officials are only required to report the income they receive directly from government, from contractors that do business with the "governmental entity" for which they work (which doesn't cover a city council member receiving money collected by the county council) and, in some limited circumstances, from lobbyists and organizations that hire lobbyists.

This is a problem, a loophole, if you will, as Mr. Newman so nicely illustrates.

Now, it's possible that we could close this loophole by imagining every arrangement of employee and subcontractor and other work relationships, and requiring our elected officials to report those that involve government. And then even if we thought we had imagined them all, we'd be surprised to learn that our ethics police have interpreted the guts out of our law — as we were when the State Ethics Commission decided that the "income" public officials must report does not include consulting fees, because they aren't "salary." (That, by the way, does fall into the category of a "stretch of the law.")

But thinking of all of those work relationships is not the solution. The solution is to require our elected officials to tell us the sources of all of their income. Simply that. And we need to define "income" the way the IRS defines it.

State law acknowledges that we need to know when our elected officials are being paid by the government for something besides the job they were elected to do. That's how we find out some instances when our representatives might be putting their own personal interests ahead of the public interest.

This is particularly true of state legislators, who pass all sorts of laws funding and otherwise affecting government agencies, at the state and local levels. It's useful to know, for instance, if a House member who's pushing to double the budget of a state university is also being paid for a do-nothing job at that university. It's helpful to know if a senator who's pushing to give more authority to local governments has a well-paid position with murky responsibilities with a city or county.

For the same reason and every bit as much, we need to know when our elected officials are being paid by the private sector: so we can tell whether they have a personal financial stake in the way they are voting.

Opponents of full income disclosure, when they admit that they are opponents — and in the Senate, where this idea is on life support, they generally do not admit this — say it's meddlesome to require them to tell us about their private-sector employment.

I've never found that argument convincing, and less so since we're not even suggesting that they tell us how much they make — simply who pays them. But as Mr. Newman's case reminds us, even private-sector employment can sometimes be funded by taxpayers. And we have this nagging feeling that this happens with greater frequency among

elected officials than among the general public.

The State: Another invitation to corruption for SC politicians
Lynn Teague- Guest Column
January 11, 2016
http://www.thestate.com/opinion/op-ed/article53763735.html

COLUMBIA, SC - Most serious ethics violations that we've seen in South Carolina have involved officials using their campaign funds as if they were their own. This is dangerous because it increases the possibility that donors will expect special favors in return for that money.

That is why it came as a surprise to many of us when a December opinion from the attorney general's office concluded that legislators can use their campaign funds to pay their own businesses for legal campaign expenses and that legislative caucus leaders can employ their own businesses using caucus funds. Although this opinion does not have the force of law, the problems that it reveals demand attention.

We understand that reimbursing a candidate's business for such ordinary campaign costs as printing mailers doesn't pose a significant risk of corruption. However, wages do represent serious risks. Does setting up a company to pay yourself and your family members for "campaign work" allow candidates to legally convert substantial amounts of campaign funds to private income? According to this opinion, it might. Is every candidate and every candidate's wife a professional political consultant, or does that even matter? The potential for abuse is very serious indeed.

The attorney general also concluded that it is not illegal for a legislative caucus leader to cause his caucus to hire a business in which he has an economic interest. Underlying this conclusion is the argument that caucuses are private entities and that their activities are "incidental" to the official duties of the members of the General Assembly.

Legislative caucuses are defined in law as committees of the House and Senate. They are open only to legislators. Although bills aren't passed in caucuses, they are the primary mechanism through which legislators work together to develop legislation. Caucuses conduct "legislative planning retreats" and solicit funds from those with business before the Legislature. Caucuses celebrate the bills that they have "passed" in their press releases and websites. These functions point to a role in the legislative process that is anything but "incidental."

The private funding used by caucuses amplifies, rather than diminishes, the public danger in their use of funds. If caucus leaders can pay donated money to themselves, the door is open wide for inappropriate influence on these entities that have a prominent role in shaping and passing legislation.

Is this broad opening for potentially corrupt use of campaign and caucus funds consistent with the intent of our ethics law? The public understanding is that the law's intention is to prevent officials from selling their influence to those who donate to them. If this opinion is correct, we are not protected from that source of corruption.

What should be done to bring the law into better conformity with public accountability? We agree with Cindi Scoppe's recommendations for enhanced reporting when officials pay their own businesses for campaign or caucus business ("Opinion points to more repairs needed to tattered ethics law," Jan 5). However, we also believe it should be illegal for candidates to pay themselves or immediate family for personal time spent in campaign work, whether the money is paid directly or through a company.

We also agree with Scoppe that the role of caucuses as an integral part of the legislative process must be recognized in law. Their financial transactions must be managed and reported accordingly. And, as we have recognized all along, we need meaningful disclosure of all private income sources for public officials and their immediate families, as well as truly independent investigation of possible ethics violations by legislators.

South Carolina must have ethics reform that takes into account and corrects the problems exposed by this opinion. Until this is done, we are left in this opinion with a blueprint for legal corruption.

Ms. Teague is a vice president of the League of Women Voters of South Carolina

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The State: 7 reforms to make South Carolina work
Editorial
January 9, 2016
http://www.thestate.com/opinion/editorials/article53732500.html

2. Ethics

Overhaul an ethics law that makes too many unethical activities legal and does too little to discourage illegal activities.

The main purpose of an ethics law isn't to punish wrongdoing (though it needs to be able to do that); it's to deter our elected officials from putting the personal interests of themselves, their families, their employers and their campaign donors ahead of the interests of the public.

We can reduce the temptation to violate the law by requiring officials to disclose their sources of income, giving investigators more tools to catch wrongdoing, imposing tough penalties on violators and letting an independent commission investigate legislators. And that's what must be done.

Simply consider what would have happened if independent investigators had questioned convicted former House Speaker Bobby Harrell's illegal expenditures when they were still in the gray area, before he started fabricating expenses for which he could reimburse himself.

The State: Why 'none of your business' is a legal answer to how lawmakers spend campaign money
Cindi Scoppe
December 14, 2015
http://www.thestate.com/opinion/opn-columns-blogs/cindi-ross-scoppe/article49664375.html#storylink=cpy

COLUMBIA, SC – WHEN THE questions were first raised about how then-House Speaker Bobby Harrell was spending hundreds of thousands of dollars in campaign funds, it felt like he simply hadn't provided enough detail on his disclosure reports — reporting a total amount he reimbursed himself for "legislative travel" in a quarter instead of itemizing that travel, for instance.

After all, we don't expect people to report illegal expenditures, even if they do so in overly broad terms.

It took SLED and the attorney general and a special prosecutor to uncover the truth — accompanied by grotesque attempts by Mr. Harrell's colleagues to rewrite the law and even the state constitution to keep him out of trouble, orders in which a Circuit Court judge embarrassed himself and a Supreme Court hearing and order in which our justices damaged their public standing. But eventually, we learned that those overly broad terms were in fact hiding illegal expenditures — from flying his family to vacation in Florida to billing his campaign for flights that didn't even occur.

I had a flashback to Mr. Harrell's overly broad descriptions of his expenditures when I read The Post and Courier's latest installment of its "Capitol Gains" series, which is based on a systematic examination of seven years worth of campaign and financial disclosure reports from legislative and statewide candidates. The newspaper, working in conjunction with the Center for Public Integrity, hasn't uncovered anything that reporters for this paper haven't seen when they review those same reports, on a quarterly and annual basis. In fact, the reporting is reminiscent of the things I saw when it was my job, two decades ago, to review those reports.

What's different is the effect of reviewing more than 100,000 documents as part of a single project. Doing that produces impressive numbers, such as more than $100 million that candidates have spent from their campaign accounts since 2009. It also provides an impressive collection of outrageous examples that you wouldn't find in a

single quarter's or even a single year's reports. And that produces those flashbacks to Bobby Harrell. For example:

▪ The $800 that Sen. Kent Williams spent at Best Buy for what he identified on his disclosure report as an "unknown" expenditure.

▪ The $2,300 that Rep. Bill Sandifer used to pay his American Express bill for expenditures identified as "office."

▪ The $30,000 that Rep. Jim Merrill spent on such items as "legislative travel" and "meetings and share of meals."

When asked, Sen. Williams told the newspaper he bought an iPad for legislative work, Rep. Sandifer didn't reply to inquiries, and Rep. Merrill provided copies of his receipts. So it looks like at least in the case of Sen. Williams and Rep. Merrill, there might not be any Harrell-style expenditures lurking behind the generalities.

And then there was Rep. Chip Huggins, who paid his wife at least $73,000 and identified $39,000 of those payments with such descriptions as "reimburse see receipts" and "see receipts." When the paper asked to actually see those receipts, Mr. Huggins declined. "I'm not going there," he said. "You're not on the Ethics Committee."

Let's set aside the arrogance of that answer and just consider what it says about our ethics law. You see, Mr. Huggins appears to be on firm legal ground when he refuses to provide the public with any useful information about how he spends the money that is given to him by the special interests who want him to vote for their interests.

If you didn't look too closely, you'd think that legislators and candidates have to provide those receipts for their campaign expenditures. A closer reading shows they merely have to keep them — sort of like they merely have to keep a list of the occupations of their campaign donors — and turn them over to investigators if asked.

They're rarely asked.

Little wonder that the latest State Integrity Investigation by the Center for Public Integrity, released last month, hit South Carolina hard for its "enforcement gap." That is, the gap between what state law seems to require, what the politicians claim it requires, and what actually happens.

The State Ethics Commission, which has jurisdiction over candidates for all state and local elective offices except the House and Senate, doesn't have the staff to even eyeball the disclosure reports. The Senate Ethics Committee has been looking at them for years, and sometimes launching investigations based on those looks, and the House Ethics Committee has just started doing serious, in-depth, random audits of a handful of House members each year.

The House's random auditing is a good start on closing the enforcement gap, because it involves comparing campaign reports with bank reports. But it's based on a committee's decision, not on a legal requirement. And it does not apply to senators, who probably could find a way to institute a similar program, or to all of those candidates under the jurisdiction of the State Ethics Commission, which probably could not.

We need a law to require all three enforcement entities to do both a look-over of all reports and this sort of random, in-depth auditing, and the resources to do the job. Actually, we need a lot more than that: We need independent investigations of legislators' compliance with the law and tougher penalties for non-compliance and more laws to comply with — particularly reporting of income sources and more complete reporting of independent campaign spending. But a legal requirement for random auditing would be a good start.

The State: Latest corruption study points to ethics reformsSouth Carolina needs
Cindi Scoppe
November 28, 2015
http://www.thestate.com/opinion/opn-columns-blogs/cindi-ross-scoppe/article46737965.html

COLUMBIA, SC --IT'S EASY TO get depressed looking through the latest evaluation of state ethics laws by the Center for Public Integrity and Global Integrity, which once again placed South Carolina among the states whose laws make

corruption most likely.

But scroll past the part about how South Carolina is one of just three states that don't require legislators to report where they get their income … and how South Carolina is one of just 10 states where special-interest groups can spend all the money they want to support or oppose a candidate without telling anyone what they spend or how they spend it or where they get it … and how South Carolina is one of just two states where the Legislature elects the judges who preside over trials involving ethics violations, should any legislators — against all odds — be charged with a crime … and how South Carolina is one of just six states where the Legislature polices its own ethics compliance. (Actually, that last one wasn't covered in this report; imagine how much worse we could have done.)

Scroll past all of that, and read the part about our no-cup-of-coffee law, which prohibits a lobbyist from buying anything for a legislator — even a cup of coffee.

Read about our no-donations-from-lobbyists rule.

Then read about the lobbyist laws in other states.

Like Idaho, where one lobbyist legally spent $2,250 to host a state senator and his wife at a golf tournament, because a $50 limit does not apply unless the money is spent "in return for action" on a bill. (In South Carolina, we call that a quid pro quo, and you go to prison if you get caught doing it.)

Or Georgia, which was so embarrassed by its score in the center's 2012 report that lawmakers slapped a $75 cap on the value of gifts that lobbyists can give to public officials.

Or Virginia, which the 2015 report cited as making the most dramatic reforms as a result of the 2012 report. One of those reforms put a $100 cap on the value of gifts that lobbyists can give to public officials.

Did I mention that in South Carolina, it is against the law for lobbyists to give anything to public officials? Even a cup of coffee?

Our lobbyist law certainly isn't perfect. Lobbyists can "unregister" after the legislative session ends, write checks to legislators' campaigns and then reregister before the next session starts. The law only applies to people who admit they're lobbying. Not to "consultants" who walk, talk and quack like lobbyists but don't meet the official definition, and so are free to shower legislators with all the coffee — or pretty much anything — they want. And lobbyists' employers can wine and dine legislators in groups, some as small as three people.

But unlike our campaign and financial disclosure laws, our lobbyist law is tough.

That's no accident. It was written in the wake of what was at the time the worst state corruption scandal in U.S. history — a federal bribery sting dubbed Lost Trust that snared one out of 10 legislators, who took cash bribes from a lobbyist. It was written because legislators realized that they had allowed and even encouraged an atmosphere that allowed and even encouraged them to think of lobbyists as their friends, their confidants, their drinking buddies, their meal tickets. And when you have that sort of relationship, it's all too easy to take that next step, to accepting not just a nice dinner but a pocketful of cash.

A string of high-profile campaign-finance violations was supposed to have the same effect on the financial reporting side of the ethics law. Those reforms already in the works suddenly looked like a sure thing in 2012, when the center released its first report card, ranking South Carolina as more susceptible to corruption than all but five other states.

I suspect one reason the 2012 report and the ethics violations that surrounded it didn't produce reform is that people have actually been convicted of violating the state ethics law. It's challenging to argue that our law allows elected officials wide-open opportunities to divert campaign money to personal use when then-House Speaker Bobby Harrell and then-Sen. Robert Ford were convicted under state law for doing precisely that.

But while it doesn't allow legislators to use their campaign accounts to buy sex toys (Mr. Ford) and underwrite the

operation of their private planes (Mr. Harrell), the law does encourage such illegalities. It encourages them by not drawing clear lines between what is legal and what is not, by not making it likely enough that people will be caught if they cross those lines and by not setting high enough penalties for those who are caught.

Laws that spell out clearly where the line is between personal and political spending don't just make it easier to convict those who cross the line; they help honest lawmakers stay on the right side of that line.

Laws that require lawmakers to report whose financial interests might conflict with the public's interest don't just help voters figure out who is putting their benefactors' interests ahead of the public's interest; they cause a lot of lawmakers to recognize those conflicts, and vote differently.

Laws that are actually enforced don't just get crooks out of the State House; they convince lawmakers that violating the law is not worth the risk.

These are the sorts of laws that the Center for Public Integrity says states can pass to reduce the risk of corruption. These are the laws that reformers in South Carolina want to pass. These are the laws that our Legislature needs to pass.

The Greenville News: Ethics reform needs to be priority
Editorial
November 22, 2015
http://www.greenvilleonline.com/story/opinion/editorials/2015/11/22/ethics-reform-needs-priority-south-carolina/76052716/

No parents should settle for a D-minus on their child's report card, not if they have hopes of that child succeeding not just in that class but in the world that lies before him or her.

Yet South Carolina lawmakers have seemed perfectly content with scores consistently that low – or lower – on the report card for government ethics laws. It's inexcusable. The state ranked 36th among the 50 states in a report that demonstrated most states have room to improve their ethics laws. The highest grade given was a C.

Sure our state's grade is up from an 'F' the year before on the Center for Public Integrity report, but that's no thanks to any meaningful reform here.

For three years running, the South Carolina Legislature has stubbornly refused to hold itself accountable by passing ethics reform with any teeth. It consistently tries to weaken tough reforms, limit who can hold lawmakers accountable or simply refuse to be governed.

Why would it reform ethics laws, when the report calls state ethics laws a "Wild West" of loose laws and accountability where elected officials can do what they want with virtual impunity.

The report said South Carolina has a high "enforcement gap" between its ethics laws and how they are carried out; that it discourages citizens from requesting public information by charging excessive fees or threatening to punish people who make "excessive" requests; and that it has too much in unregulated political contributions.

We have frequently weighed in on these failures, and will again and again until they are fixed.

One of the most significant shortcomings in the state's ethics laws is that legislators are accountable only to themselves. Last session, senators killed a bill that would have created an independent body to investigate ethics complaints against both houses, saying it was the House that had the ethics problem.

Such logic defies understanding. The Senate is not uniquely able to police its own ethics. It only makes sense that a body with no ties to the Legislature would be able to better investigate complaints in both houses. A system where lawmakers judge themselves is fertile ground for favoritism and manipulation.

Also on the priority list for the upcoming session should be a requirement that legislators fully disclose all the sources of their personal income. Taxpayers need to know who is paying elected leaders and how that might affect their votes.

These loose ethics laws are breeding some serious problems. Among the ethics investigations in the state:

Lt. Gov. Ken Ard was indicted on seven counts of ethics violations related to his 2010 campaign and resigned in 2012. According to the investigation, he used campaign money for football tickets, clothes and a flat-screen TV. He also funneled more than $150,000 in his own money to his campaign, apparently to make his bid for lieutenant governor appear stronger.

House Speaker Bobby Harrell was indicted in September 2014 on ethics charges. Prosecutors accused Harrell of using campaign funds on his private airplane, personal travel or for goods or services for friends and family. He was sentenced to six years in prison, which was suspended to three years of probation.

Former state Sen. Robert Ford of Charleston pleaded guilty in January to misconduct in office, forgery and two counts of ethics violations. Prosecutors alleged that Ford committed 350 ethics violations including converting campaign funds for personal use.

The list goes on. It's a roll call that should embarrass South Carolina lawmakers enough to tighten up what people around the country recognize as a bad system.

Upstate Sen. Larry Martin has been a leader in the push for ethics reform. He and Gov. Nikki Haley and others need to continue to put pressure on our state's elected leaders so meaningful ethics reform is passed early in the upcoming session.

As Chaney Adams, a spokeswoman for Gov. Nikki Haley said in a recent Greenville News report, "It's time to finish the job, no more excuses."

Let's hope that message sinks in.

The Post and Courier: No more delays on S.C. ethics reform
Editorial
November 8, 2015
http://www.postandcourier.com/article/20151108/PC1002/151109365/1022/no-more-delays-on-sc-ethics-reform

No, the acronym GOTV doesn't designate another nostalgia-themed television network. It's shorthand for "Get Out the Vote," and it frequently appears on the ethics forms that legislators and other candidates have to file detailing how they spend their campaign funds. And as our news report today makes clear, "GOTV" can cover any number of expenditures without being explicit. As such, it can also cover a multitude of sins.

Apparently, those charged with ethics oversight aren't overly concerned. The limited space on ethics forms encourages "GOTV" and other expenditure descriptions of a similarly terse nature: "office," "supplies," "transportation," "campaign expense," "expense reimbursement," "fee" and "incidentals."

And even "unknown." Now that ought to get the attention of any ethics watchdog.

The public has no way of knowing what any of those abbreviated descriptions really mean — unless they ask. They shouldn't have to. Those expenditures ought to be spelled out in full detail and available for any citizen to access online.

The House Ethics Committee, in particular, has taken a laissez faire attitude to expenditures, beginning random audits only this year. The records of 10 members will be audited each year — a figure that represents about 8 percent of the

House's total membership. So an offending legislator could serve more than a decade before his number comes up, so to speak.

Apparently this passes for strengthened ethics oversight in the wake of the resignation of Bobby Harrell as House speaker — after he pleaded guilty to misusing campaign funds.

In contrast, the Senate audits its members' paperwork annually. Presumably that's how the improper campaign fund expenditures of former state Sen. Robert Ford came to light. Mr. Ford bought adult novelty gifts for his campaign workers. They were described in his report as "purchase."

Of course, the first violations cited took place in 2008 — almost five years before the Senate Ethics Committee called him on the carpet.

An earlier report in our "Capitol Gains" series provided other insights into legislative spending. It cited three senators who have spent thousands in campaign funds on gasoline, even though the State Ethics Commission takes the position that it isn't an allowable expense. (One senator apparently also charged the state for mileage.)

In that report, another senator justified his spending for gas by saying, "Every day is an election day."

That description certainly dovetails with the GOTV designation used in candidate spending reports.

The problem isn't merely a broad interpretation of campaign fund expenditures, but the virtual absence of meaningful record keeping and oversight.

That's why real ethics reform must include provisions for fully detailing candidate income and expenditures, as well as third-party investigation and judgment of legislative ethics complaints.

Currently, all elected officials in the state outside of the Legislature are subject to the oversight of the State Ethics Commission. The Legislature has resisted such an arrangement for obvious reasons. Legislators like having their ethics issues dealt with by their colleagues.

Maybe 1st Circuit Solicitor David Pascoe's ongoing review of House ethics questions, undertaken following Mr. Harrell's case, will force the issue.

But the Legislature shouldn't wait for another shoe to drop.

Legislators should act in support of stronger ethics rules governing the use of campaign funds.

They ought to do so ASAP.

The State: He's baack! Bobby Harrell and the inactive ethics cops
Cindi Scoppe
July 21, 2015
http://www.thestate.com/opinion/opn-columns-blogs/cindi-ross-scoppe/article28021960.html

COLUMBIA, SC - Will Bobby Harrell end up doing time after all?

I've never thought he should — why should the taxpayers feed and clothe and provide medical care for someone who is not a danger to society? — and I still wouldn't hold my breath.

But the rule of law does need to be upheld. And recent reporting from the online publication The Nerve leaves little doubt that the former speaker of the House violated the terms of his plea agreement, which under that agreement is at least theoretically supposed to subject him to the six-year prison sentence that was suspended to three years'

probation.

Actually, we knew all along that Mr. Harrell had violated the agreement, because it required him to resign his House seat "immediately following his guilty plea" to six corruption counts, and he waited until the next day. But that's quibbling. What The Nerve discovered was that the $3,517 he used to pay the first installment on his $94,000 restitution came from his campaign account.

The fact that it would even occur to him to use his campaign account to pay restitution for the crime of … misusing his campaign account is the actual point of this column, but hold that thought while I explain why he could be in more trouble: That plea agreement also required him to forfeit to the state all the money in his campaign account. If his final campaign report is accurate, that was around $4,500.

If Mr. Harrell had turned the balance of his campaign account over to the state as he was required to do, then he would not have been able to use $3,517.01 from that account to make his first restitution payment eight days later. That money would have had to come out of his own pocket rather than the pockets of special interests.

The Nerve reported last week that SLED is looking into the matter, and I have a difficult time seeing how this shouldn't end in Mr. Harrell being hauled back in front of a judge to explain why he shouldn't be sent to jail, and why Solicitor David Pascoe shouldn't be free now to prosecute him on those other counts he dropped as part of the agreement.

This clearly bears watching, because while Mr. Pascoe and Attorney General Alan Wilson before him did a bang-up job ferreting out Mr. Harrell's misuse of campaign funds for personal expenses, there have been lots of questions about Circuit Judge Casey Manning's kid-gloves treatment of the man who up until his indictment pretty much decided who got to become and remain judges in our state.

But the outrage of this story isn't that Mr. Harrell violated his plea agreement. Well, that is an outrage, but it's not a surprise; he is, after all, a criminal, and one thing criminals tend to do is … violate the law. The bigger outrage is that absent the plea agreement, it's not at all clear that anything would have prevented him from using his campaign account to pay restitution — just like he used his campaign account to pay $113,475 to his criminal defense attorneys. Just like then-Gov. Mark Sanford used his campaign account to fight ethics charges for misuse of campaign and government resources. Just like Gov. Nikki Haley used her campaign account to pay for her own legal defense against ethics charges. (Gov. Haley, at least, was cleared of the charges against her.)

The House Ethics Committee issued an advisory opinion in 2013 that, if carried to its logical conclusion, would prohibit anyone who violates the ethics law from using campaign funds to pay fines or even attorney fees. But the committee has not carried that opinion to its logical conclusion. It has not taken any action to require Mr Harrell to reimburse his account for his attorney fees.

That lack of action certainly hasn't been because the idea didn't occur to committee members; I wrote a column last year spelling out precisely how their own opinion practically required them to do that, and calling on them to do so.

Need yet more evidence that the House and Senate Ethics committees should not be allowed to police legislators'— and former legislators' — compliance with the ethics law? Just think about this: Even when a former legislator has been stripped of power, forced to resign and pleaded guilty to violating the ethics law, even when the House has this big fat black eye as a result that it desperately wants to heal up, the House Ethics Committee won't tell him he has to pay back money he used to cover personal expenses.

One of the things that legislators promised they were going to do this year was clearly prohibit elected officials from using campaign funds (i.e., money given to them by special interests that want their support of legislation) to pay their attorneys and their penalties when they violate the law. That reform died — along with requirements that lawmakers tell the public who's paying their salaries and that special interests tell us when they're spending money to influence our votes — because a slight majority of senators refused to allow a quasi-independent agency to investigate legislators' compliance with the law.

One of the things the Harrell case makes clear is how little value any reforms involving legislative behavior would serve as long as the House and Senate keep investigating — or not investigating — their own members, and former members.

The State: What SC Rep Anderson's reprimand tells us about ethics enforcement
Cindi Scoppe
May 27, 2015
http://www.thestate.com/opinion/opn-columns-blogs/cindi-ross-scoppe/article22447728.html

COLUMBIA, SC - REPRIMANDED Rep. Carl Anderson certainly was right when he said the Senate Ethics Committee was trying to use him as an example, to demonstrate that we don't need independent oversight of legislators' compliance with the ethics law.

Cindi Ross Scoppe
Cindi Ross Scoppe
He almost certainly was wrong when he implied that the committee wouldn't have reprimanded and fined him for failing to report campaign contributions and expenditures if its members weren't trying to make that political point.

And in the end, although the committee continued its pattern of noticing and pursuing obvious violations that no one else seems to notice, its action also demonstrated — yet again — why legislators are simply incapable of acting as prosecutor, judge and jury of their colleagues.

Rep. Anderson came under the Senate Ethics Committee's jurisdiction because he ran for an open Senate seat. He came to the committee's attention because he filed a clearly erroneous campaign report.

I would be inclined to call it a clearly fraudulent campaign report. And this distinction gets at the problem with legislative self-policing.

After subpoenaing and reviewing his campaign bank account, the Senate committee concluded that Mr. Anderson had no criminal intent when he filed a false report, declined to report the names of at least 13 people who gave his campaign a total of $6,800 and declined to report 28 of 33 expenditures, totaling $8,700.

The committee came to this conclusion, it explained in a footnote, because Mr. Anderson's bank records "did not reflect any inappropriate use of campaign expenditures; instead, it reflected only unreported campaign contributions and expenditures."

Now that sounds reasonable, if you don't think about it too long: It is good that Mr. Anderson apparently didn't go all Bobby Harrell/Robert Ford on us and convert campaign donations to personal use. But let's think about it a bit longer.

He clearly intended to not tell the public who financed his campaign. He clearly intended to not tell the public how he spent his donors' money. Those are both crimes. Yet the committee declared that he lacked criminal intent. I'm not sure how you lack criminal intent when you clearly intend to break the law.

Clearly — and I say clearly because this is not the first time the committee has looked at these particular crimes this way — the committee doesn't think it's that serious for people to violate the reporting requirements, as long as they don't misspend the money.

But it is.

Although we hope the disclosure law will keep people from using campaign money in an illegal way, that's not the primary purpose of disclosure. Indeed, someone who is inclined to use campaign money illegally might just be inclined to lie about it on his disclosure form. But hold that thought.

The primary purpose of disclosure is to let voters know who is bankrolling candidates, and how those candidates are

spending special-interest money, so they can use that information to help decide how to vote. That is to say that disclosure is not simply a means to discovering whether other laws were violated. It is an end in itself.

And just as it did in the cases of Jake Knotts and Kent Williams, the committee failed to appreciate that.

This is a blindness that comes from being someone who accepts donations from special interests and has to fill out those reports, rather than someone who tries to make informed decisions based on those reports. This is a blindness that members of an independent commission would be far less likely to have.

I believe that most if not all of the members of the Senate Ethics Committee honestly want to do a good job policing their colleagues. I believe they honestly believe they're not covering up any violations. I believe they honestly believe they are doing a good job.

But they are blind.

I don't want to downplay the significance of the committee's enforcement actions. I especially don't want to downplay the value of the committee reviewing all ethics reports for obvious errors; this is something that neither the House Ethics Committee nor the State Ethics Commission does because neither has the the staff to deal with the much larger volume of reports it receives.

But while senators insist that their reviews demonstrate that there's no need for reform, what it actually demonstrates is how much we need someone looking over everybody's ethics reports, or at least a sizable, random sample. And that's not going to happen unless or until the Legislature provides the money to staff up the House Ethics Committee and the State Ethics Commission. And it's not going to do that unless it reforms the ethics law.

This case also reminds us of a gaping hole in even the Senate's best efforts, and in everybody's efforts: It's based on serendipity. Like previous cases the Senate committee has made, this one was the result of a legislator being either so arrogant or so ignorant that he handed the committee the evidence it needed to recognize that he had violated the law. Mr. Anderson filed a report that showed he spent money but didn't show where he got the money. And then, while he was ignoring the committee's repeated requests to provide the missing information, he filed a later report showing a single expenditure to pay off his credit card, instead of itemizing the campaign expenditures.

Now here's the chilling thing to think about: If Mr Anderson had made up names of donors and reported them, and made up expenditures and reported them, he probably would have gotten away with it. It makes you wonder what his House reports look like, doesn't it?

This is why, regardless of who is in charge of investigating legislators, we need a system of random audits of campaign reports — not simply reviews of the sort the Senate committee gives, but actual audits, of the sort the IRS does, comparing campaign bank accounts with campaign reports.

And all the other stuff — about blindness and symbiotic relationships and public trust — is why we need somebody other than legislators investigating legislators.

The Post and Courier: Pass legislative ethics bill
Editorial
April 27, 2015
http://www.postandcourier.com/article/20150427/PC1002/150429462/1506/pass-legislative-ethics-bill

If the Legislature is to be taken serious on ethics reform, it first will have to pass a bill that includes a provision for independent review of ethics complaints against legislators.

Unfortunately, there are still legislators who contend that the House and Senate need to "take care of our own," as Sen. Paul Campbell, R-Berkeley, explained to our reporter on the issue this session. That viewpoint is the biggest impediment to ethics reform.

It ignores that all other elected state officials in South Carolina are required to submit to an independent investigation and judgment of ethics complaints by the state Ethics Commission.

Even under the reform legislation being considered this session, the House and Senate ethics committees would continue to sit in judgment of their colleagues.

That's because of a constitutional provision that gives legislators the authority to judge the conduct of their colleagues.

But independent investigation would not interfere with that provision. There really is no good reason to stick to an untenable system — one which offers little in the way of public confidence.

Gov. Nikki Haley continues to push for ethics reform, and so do the co-chairmen of her ad hoc ethics reform commission. That commission, which was chaired by former attorneys general Travis Medlock and Henry McMaster, came up with a solid plan in 2014 for ethics reform. And, notably, major provisions included independent investigation and independent judgment of legislative ethics cases.

That would remove some the collegial aspects of investigations that are now conducted by House and Senate ethics committees. Independent review, for example, would determine whether a complaint should go to the grand jury or to the respective legislative ethics committees.

Independent investigation is essential for any ethics reform bill to have credibility. The refusal, so far, by senators to allow independent review is one of the main reasons that lawmakers lack credibility on the ethics front. Having legislators continue to deal with ethics complaints about their colleagues will never be viewed as anything but "the fox guarding the henhouse." And correctly so.

If legislators are really interested in finding out what their constituents think about legislative ethics reform, they have the option of putting a constitutional change on the ballot to eliminate the provision for intramural ethics review. Can anyone really doubt how the voters would decide that issue, given a chance?

The State: Want more jobs? Overhaul ethics law
Cindi Scoppe
April 15, 2015
http://www.thestate.com/opinion/opn-columns-blogs/cindi-ross-scoppe/article18606948.html

COLUMBIA, SC - WHAT IF, with a single bill, the Legislature could entice more jobs to South Carolina, and repair our roads, and protect our water and air, and at least make it easier to provide a better education to poor kids?
Henry McMaster and Travis Medlock say there is such a bill, and it's gasping for air over at the State House: It's the House-passed ethics reform bill that is bogged down on the Senate calendar. (A Senate bill would work as well, if the language that gutted it were removed, but it's in what appears to be a permanent vegetative state.)

"I don't think the people sense that this legislation is a pocketbook issue, but it is a pocketbook issue," said Mr. Medlock, the Democratic member of this duo of ethics-crusading former state attorneys general. "For instance, y'all are talking about the Edisto River becoming a creek. Who wouldn't like to know if there is someone who is having gainful employment regarding it, perhaps on the local level, council, at a state agency or perhaps in the Legislature? You can go from that river to that mountain of trash that is shipped in from other states. Who wouldn't want to know what personalities were involved in the development of our becoming New Jersey's trash can?"

Mr. Medlock is quick to note that he has no evidence of corruption in government, that he respects people who are willing to serve in public office and counts many close friends among legislators; it's just that people tend to be more honest when their motivations are public. And one of the big things a real ethics-reform law would do is require elected and appointed officials to tell us who provides them with income.

That disclosure requirement, he says, will tell people “whether or not there are these extraneous intervening monetary incentives that are causing their taxes to go up, that are causing their expenses to go up.”

Actually, it might be more a way to greatly reduce the chance of having those “extraneous intervening monetary incentives,” because most officials likely would stop accepting money that would be embarrassing to disclose. And that would allow them to think about putting our interests ahead of the interests of those former employers or clients whose interests might clash with ours.

When you combine the self-regulating effect of income disclosure with independent investigations of legislators and tougher and surer enforcement for everyone, Mr. McMaster says, an ethics bill becomes a jobs bill.

“When you can get good legislation going through on a whole lot of things, which will happen when there is not undue influence or the fear of undue influence, we can get jobs going, and everything works better,” he told me last week.

Mr. McMaster argues that our state has all the advantages it needs to woo top-flight manufacturers such as Volvo — from the collaboration of our research universities to clean water, a good environment, low electricity prices, a deep-water port and a business-friendly environment — with one exception: that big fat “F” ranking we have for ethical government.

“If with the stroke of a pen we could put ourselves in the top category on ethics, we would have an enormous advantage over the competition,” he said. “There would be businesses investing, and that means more tax money coming into the coffers to do the things we need, including on schools, education, and people would have jobs so there would be less crime, less domestic violence, less alcoholism. When you have people working, a lot of problems go away.”

Granted, when you get him wound up, Mr. McMaster can sound a bit like a come-on for the latest kitchen gadget that slices and dices and kneads and fries and does the laundry and watches the kids while you’re out dancing. Truth be told, the connection between a more ethical state government and a better state to live in isn’t quite that direct. But he and Mr. Medlock do make a very good point: When you’re trying to woo reputable companies, it’s an advantage to be a state that doesn’t have actual or perceived pay-to-play politics.

Here’s another very good point they make: Ethics really does matter to voters, even if they don’t talk in those terms.

Mr. McMaster has gotten to know state senators much, much better since his election in November as lieutenant governor, and he noted that a favorite argument of reform opponents is that ethics can’t be a priority because people don’t stop them at the grocery store or basketball game or anywhere else and demand that they pass an ethics bill. “I would turn that around and say, ‘How many times have you heard people say all politicians are crooked?’ Well, when they say that, they’re saying ‘We need an ethics bill.’”

Mr. Medlock says the public wants ethics reform so much that “if you put this thing to a referendum, it would be voted in by 101 percent.”

Huh? “Some people would vote twice.”

Well, maybe the prospect of voter fraud isn’t the best argument to make in favor of an ethics bill. But you get the idea.

The Herald: S.C. Senate punts on ethics reform bill
Editorial
February 22, 2015
http://www.heraldonline.com/opinion/editorials/article12417626.html

Some or all of the state senators who helped defeat an ethics reform bill last week must have something to hide.

What else could explain the abrupt end to a nearly three-year effort to enact meaningful changes in the way ethics charges against lawmakers are handled?

It had appeared that this year the stars might finally be aligning for genuine ethics reform. The House, which passed a reform bill two years ago, has passed more reform proposals this year, including an essential measure creating an independent investigative commission to oversee ethics complaints.

Gov. Nikki Haley, who began pressuring lawmakers in 2012 to adopt ethics reforms, has consistently lobbied for changes, including a measure to end the practics of lawmakers investigating themselves.

Her use of the bully pulpit to push for reforms was a significant benefit to the cause. But, in the end, it was not enough.

The Senate has squelched meaningful reforms for the past two years. Even a watered-down bill died in the Senate last session.

And last week, senators rejected meaningful reforms once again. As before, the apparent stumbling block was a proposal to create an independent investigative panel.

Ethics complaints now are investigated by ethics committees in the House and Senate, meaning that House and Seante members essentially are investigating their own peers. Under the bill sponsored by Senate Judiciary Chairman Larry Martin, R-Pickens, a restructured State Ethics Commission similar to the one approved in the House, which would have been charged with investigating legislators.

But many senators balked at the change, claiming that problems with lawmakers overseeing their own have been in the House, not the Senate. A majority of senators voted to replace Martin's proposed independent panel with one that featured lawmakers and members of the public.

Martin couldn't stomach the changes and voted against his own bill, saying it no longer included independent oversight. He said the final bill "was so unacceptable I couldn't even vote to send the blooming thing to the House, knowing that I would have a chance to amend it later."

While Martin says the effort to toughen ethics laws that haven't changed in 20 years is not dead, it is "on life support. "

The brazenness of senators who openly hijacked proposals to allow an independent commission to review ethics complaints is stunning. It sends the message that many senators consider themselves a privileged class whose actions relating to their public service should not be subjected to scrutiny by disinterested investigators.

Claims that the problems lie in the House, not the Senate, are preposterous. Nothing about senators makes them immune from ethical lapses. They have the same capacity for breaking the law as House members.

What is needed in both houses is transparency and accountability. The public deserves to know where elected officials get their money and where potential conflicts of interest exist.

And when lawmakers are accused of ethical violations, the public needs the assurance that those accusations will be investigated thoroughly without bias or favoritism.

The problems with the current system are not merely hypothetical. Last fall, in the most prominent case of ethical malfeasance, House Speaker Bobby Harrell, one of the most powerful politicians in the state, resigned from office after pleading guilty to public corruption charges.

But Harrell had used all his influence to dismantle the investigation that led to his indictment. If not for the intervention and tenacity of S.C. Attorney General Alan Wilson, he might never have been indicted.

We hope this is not the end of the struggle to enact meaningful ethics reforms. This effort is too important to allow a few senators to derail it.

And while some senators smugly contend that they are capable of policing themselves, we are left to wonder how many offenders managed to evade punishment.

The State: Why don't half of SC senators want outside eyes looking closely at their activities?
Cindi Scoppe
February 17, 2015
http://www.thestate.com/opinion/opn-columns-blogs/cindi-ross-scoppe/article13956947.html#storylink=cpy

LET'S HOPE THAT half of our senators simply consider public confidence in government unimportant, or else that they are incomprehensibly arrogant and self-absorbed. Or both. Because otherwise we'd have to conclude that they're corrupt, or at least close enough to the edge that they are terrified that anyone who gets a chance to look over their shoulders will find something our senators don't want found.

That part about looking over their shoulders is the most important thing to keep in mind after 25 senators voted a week ago to kill a plan to let an independent panel review their compliance with the ethics law: No one was proposing to take away senators' authority to decide whether their colleagues violated the law. Please read that again: No one was proposing to take away senators' authority to decide whether their colleagues violated the law.

The proposal that they defeated simply would have assigned the State Ethics Commission to investigate their compliance, and decide whether there was reason to hold a hearing. The Senate and House Ethics committees still would have held those hearings, and still would have been free to declare their colleagues innocent. Of course, they would have had to do that in public, and the investigative report would have been public.

Most of the 25 senators who voted to neuter S.1 say they are actually the ones who want reform, because they went on to vote for the neutered bill, while those who wanted independent review voted to kill it. Perhaps it makes them sleep better at night, believing that. But there simply is no legitimate reason not to have independent investigations, and every reason to have them — at least if you want the public to trust the government just a little bit. In fact, the people who are committed to reform were the 20 who voted against the neutering; most of them went on to vote against the neutered bill.

Want proof? The ring-leaders of the neutering, Senate President Pro Tempore Hugh Leatherman and Ethics Chairman Luke Rankin, argue that the current system works just fine. As evidence, they note that former House Speaker Bobby Harrell — the most prominent of many poster children for reform — wasn't a senator (pause, to let that logic sink in), and that it was the Senate Ethics Committee's investigation and hearing that led then-Sen. Robert Ford to resign in 2013, and plead guilty to Harrell-style crimes earlier this year.

What they won't explain, because it is something that cannot be explained about a committee that does its work in secret, is how we know that the committee didn't have other problem senators it declined to act against.

Many ethics neuterers will tell you they are happy to have independent review; they just wanted to create a separate body to review legislators instead of assigning that duty to the State Ethics Commission, which oversees statewide and local officials. Although that's horribly duplicative and reeks of special treatment, it might not be a terrible solution, since the governor and the attorney general would appoint five of the nine members. Except: The other four members would be legislators.

If you've ever watched commissions made up of both elected officials and members of the public, you see the problem: No matter how many other people also serve on the commission, no matter who they are, everyone else defers to the elected officials.

I asked some reformers if they couldn't just tweak that plan and have legislators appoint non-legislators to serve on the duplicative, special-treatment panel, and they said they offered, but got no takers. That's because, as I noted in a

recent column, legislators think of themselves as a persecuted minority, which faces challenges that the rest of us could not possibly understand; if outsiders must investigate them, they must be in the room to explain things to them.

The neuterers said they needed to create this new body because the State Ethics Commission can't handle all of the work it has now, and besides, they're not so sure about its competence.

And they're right: The commission can't handle its workload. That's because the Legislature has refused to give it enough money to hire the investigators and auditors it needs to do the job. So that's a problem that is entirely within the power of legislators to fix.

I also have questions about some of the commission's decisions, but the plan that the neuterers defeated would have reconstituted the commission, allowing legislators to appoint half the members of its governing board; one presumes that the new board could have made some personnel changes.

I'm sure there are senators who would have been happy to allow the independent review but voted for the faux reform because that was the only way they could see to get past the ethics debate and move on to other matters they consider more important. But the fact is that the Senate could have passed a real reform bill and moved on to other matters if those senators, along with the ones who supported independent investigations, had been willing to force a vote, rather than allowing the debate to drag on interminably. They weren't, and that makes them complicit.

All this matters not just from a standpoint of accountability. The Senate agreed to a parliamentary maneuver on Thursday that allows the ethics bill to be revived if supporters can get the votes for reform. That gives the co-conspirators a chance to redeem themselves. If they want to be part of a government that serves the public instead of those who govern — and I am absolutely certain that at least a few of them do — they need to seize that opportunity.

The Post and Courier: Redouble ethics reform efforts
Editorial
February 17, 2015
http://www.postandcourier.com/article/20150217/PC1002/150219434

This is supposed to be the year of ethics reform, with the example of former House Speaker Bobby Harrell still fresh in the Legislature's collective mind.

But don't tell that to the state Senate, where a comprehensive ethics reform measure stalled after hours of debate on Wednesday

The bill, proposed by Sen. Larry Martin, R-Pickens, would provide independent investigation of ethics complaints against senators.

It would clarify which complaints are minor enough to be considered by the Senate Ethics Committee, and which should go to the local solicitor or the state attorney general for criminal review. It would bolster income disclosure requirements to help identify potential conflicts of interest.

In short, the bill recognizes that the current system fails to provide the necessary accountability and oversight. It may not be a perfect plan, but it's a step in the right direction.

Unfortunately, some senators want to stay right where they are.

Indeed, the message from Senate President Pro Tempore Hugh Leatherman, R-Florence, seemed to be that the Senate's current ethics system works just fine:

"Can you tell me what, if anything is wrong with our current ethics law?" the senator asked.

Well, nothing, except that it doesn't provide adequate oversight or accountability; fails to ensure the independent, objective investigation and adjudication of legislators charged with ethics violations; and largely leaves voters in the dark about possible conflicts of interest. And the current ethics law treats legislators differently than any other elected official in South Carolina. Other officials go before the State Ethics Commission, not panels comprised of their colleagues.

To suggest that the Senate doesn't have a potential problem with ethics simply because Mr. Harrell was a member of the House avoids the issue. Both chambers have the same sort of in-house ethics system, and neither is adequate to the task.

If senators weren't ready to endorse Sen. Martin's bill last Wednesday, they also refused to approve a plan by Sen. Luke Rankin, R-Conway, to have legislators remain in charge of policing their members.

"I don't regard it as a repudiation of ethics reform," said John Crangle, executive director of the state chapter of Common Cause. "I think they will do something."

Lynn Teague, who has worked on ethics issues for the state League of Women Voters, is also hopeful. "The House has done a lot of good work," she said.

Ethics bills approved by the House eventually will make their way to the Senate for its consideration. That ensures that the Senate will get another chance at reform during the session.

There is also the issue of public trust to consider, as Senate Majority Leader Harvey Peeler, R-Gaffney, observed just before the session began.

Mr. Harrell's resignation after pleading guilty to misusing campaign funds cast a "cloud over the Statehouse," he said.

That pall can only be removed by meaningful ethics reform.

"If we can't get it done this year, we'll never get it done," Sen. Peeler said.

Reform advocates can't let Mr. Peeler's remark end up as the defining statement on ethics for this Legislature.

The State: Distracted legislating? Don't bog down SC ethics debate with extraneous issues
Cindi Scoppe
January 28, 2015
http://www.thestate.com/opinion/opn-columns-blogs/cindi-ross-scoppe/article13943594.html#storylink=cpy

LAST WEEK, House Democrats called for creating a redistricting commission to take senators and representatives out of the business of drawing their own districts, a process that has led to super-safe Democratic and super-safe Republican districts and poisoned our politics.

As Rep. Laurie Funderburk explained: "Gerrymandering has created a polarized legislature that seeks to root out moderates and replace them with politicians who only have to worry about winning their primaries. Reforming our redistricting process is critical to a more functional General Assembly and regaining the trust of the voters."

It's a great idea — one that I've liked since I first heard about it in 1991 from then-Sen. Joe Wilson, who had been trying to sell it to his colleagues in the then-Democratic-majority Senate since his election in 1984.

There's just one problem with the Democrats' proposal: They want it to be part of an ethics reform bill that we keep hoping the General Assembly will someday pass.

And they're not the only ones with extra-ethics ideas.

House Republicans dreamed up the idea last year of bringing the judiciary under the rubric of ethics reform, even though judges are prohibited from doing most of the things that ethics laws try to regulate. (House leaders have scaled back the plan, but they're still pushing a version that involves the judiciary.)

Some Senate Democrats insist on putting whistle-blower protections in the bill, to encourage state employees to report wrongdoing, most of which presumably would be done by their supervisors, most of whom are not elected officials.

Late last year, Gov. Nikki Haley added a third "essential" component to her description of ethics reform: In addition to requiring legislators to report their income sources and putting an independent body in charge of investigating legislators, she announced, ethics reform must require lawyer-legislators who sue the government to report the name of the agency and the payout. It's something that legislators arguably already have to do and, in any event, certainly doesn't merit big-three billing.

What all of these proposals have in common is that they amount to changing the subject. Muddying the water even. Offering extraneous proposals that, while perhaps perfectly reasonable, are not essential to, and in most cases not even related to, what we've been talking about for three years.

Which is this: We have an ethics law that does not require our elected officials to tell us enough about the sources of their income and does not provide sufficient review or penalties to convince them that they need to comply with the prohibitions we have on self-dealing. We have an ethics law that allows special interests to pour unlimited amounts of money into campaigns for or against candidates — in many cases determining who gets elected and who doesn't — without telling us who they are. (But you can be sure the beneficiaries of their largess know who they need to thank for getting them into office.)

The problem is that we don't have any early warning system that will catch ethical lapses when the proverbial slap on the wrist really is the appropriate response. The problem is that ethics violations are handled in secret, and in the case of the Legislature, they are handled by fellow legislators, who cannot help but fall into the "There but for the grace of God go I" trap when deciding whether what a colleague did was wrong.

The fact that too many of our lawmakers are too willing to put their personal interests ahead of the public interest has been made painfully obvious by former House Speaker Bobby Harrell. And former Sen. Robert Ford. And former Lt. Gov. Ken Ard. And former Gov. Mark Sanford. And even Gov. Nikki Haley, who as a House member tried to convince her fellow lawmakers and DHEC officials to come to the aid of the hospital that was paying her salary, and accepted more than $40,000 in consulting fees from a government contractor who hired her for her "good contacts." Her exoneration on allegations of illegally profiting from office underscored the problem even more clearly, because what we know that she did was not illegal. It was horribly unethical, and it was a clear case of putting her personal financial interests ahead of the public interest, and it should be illegal. But it wasn't and isn't.

The goal of an ethics law should be to prevent public officials from serving their own personal interests or the interests of their campaign donors at the expense of the public interest.

No law will completely accomplish this, because some people will break the law and not get caught, just as some people commit murder and never get caught. But by requiring full reporting of potential conflicts of interests, by outlawing some behaviors that involve conflicts, and clearly defining where the lines are, and by creating a muscular enforcement mechanism with serious penalties, we make it much harder for public officials to get away with putting their interests above ours, and less likely that they will try.

Until they manage to get that done, that's what our legislators need to focus on.

Our ethics problem has nothing to do with legislators drawing their own districts; that's a problem, but it's a different sort of problem. The problem is not that state employees fear they will be fired if they report wrongdoing; that's a problem, but it's a different sort of problem. It's not that judges are violating the judicial canons; that might or might not be a problem, but it's a different sort of problem than the one that has made ethics reform the focus of public

discussion for going on three years now.

I'm sure that some of the extraneous proposals reflect the kitchen-sink mindset: We're going to pass ethics legislation, so let's use this opportunity to get all those other proposals into law. I'm sure that others are poison pills, offered up in a cynical ploy to kill the legislation. But whether they are offered in good faith or not, the result is the same: They attract opposition, and with each new opponent, the chances dim of reforming our law.

And even if the side issues don't undermine support for the larger legislation into which they are inserted, they steal attention from the core issues, which means they increase the chance that lawmakers will end up passing something other than what they intended to pass. That's not just a theoretical problem: That's what they have done every single time they have touched the ethics law. Let's give them at least a fighting chance to get it right this time.

The State: Real ethics reform must end SC Legislature's self-policing
Editorial
January 27, 2015
http://www.thestate.com/opinion/editorials/article13943207.html

SOUTH Carolinians don't believe that legislators are looking out for the public interest instead of their own personal interests.

They don't believe it because legislators hide their potential conflicts of interest, leaving voters to speculate about what motivates them — often imagining many more and larger conflicts than actually exist.

They don't believe it because legislators police their own compliance with the law.

In secret.

And if that weren't problem enough, we've seen clear examples of those legislators' willingness to look the other way. Seen how the House Ethics Committee never questioned how then-Speaker Bobby Harrell was misusing campaign funds to cover personal expenses, even though his illegal expenditures go back years. Seen how it took years for the Senate Ethics Committee to finally decide to investigate then-Sen. Robert Ford's misuse of his campaign funds, even though we're told he had been warned for years.

This cannot continue. Public trust is essential to a free, self-governing society, and our legislators must act to restore that trust, by requiring themselves and their anonymous campaign supporters to disclose more, ending their secret self-policing, giving better investigative tools to independent investigators and providing harsher penalties for anyone who violates the law.

We are encouraged that leaders in the House and Senate seem to understand this, and are working on bills that would, to varying degrees, address these problems. Of course, they were doing that last year, and the year before, and that got us nowhere. This year must be different. Beginning this week.

Under S.1, up for debate this week in the Senate, the State Ethics Commission would be composed of four private citizens appointed by the governor and two each appointed by the House and Senate. The commission staff would investigate ethics complaints against all elected and appointed state and local officials — including legislators. If the commission found probable cause that a law was violated, it would make the investigative report public and send cases against legislators to the House or Senate committee for a public hearing. The commission would hold hearings for everyone else, as the current, gubernatorially appointed Ethics Commission does. Possible criminal violations would go to the attorney general.

Outside advocates want to eliminate any role for the House and Senate Ethics committees, and that would be ideal. But the fact is that if you have an independent investigation, whose results are made public, and the legislative committees are forced to hold hearings in public, you have 95 percent of the benefit of eliminating those committees — while eliminating a great deal of opposition. That is critical since some powerful senators oppose any sort of

reform, and managed to derail a similar plan last year.

H.3184, which the House plans to debate on Wednesday, follows the Senate model with one significant difference: The Supreme Court also would appoint members of the Ethics Commission. This is not nearly as problematic as last year's three-branch House plan, which was at best a negotiating ploy and at worst a poison pill. Under the new proposal, the judiciary's Office of Disciplinary Counsel would continue to investigate complaints against judges; the only role the Ethics Commission would play in judging judges would be to appoint the members of the Council on Judicial Conduct, which acts as judge and jury for judicial complaints and currently is appointed by the chief justice.

Having all three branches of government appointing members of the council would add a layer of independence, but this is an awfully convoluted way of accomplishing that. Even more importantly, we are troubled by the prospect of having ethics commissioners appointed by the Supreme Court, which could be called on to decide appeals of those commissioners' decisions. Unless House leaders can come up with a way to address that problem, they would be better off leaving the judiciary out of this proposal.

Yes, there are concerns about the judiciary — concerns that were highlighted by the Harrell case. But those concerns aren't about how ethics complaints are handled by the judiciary, which preceded the Legislature by decades in opening its disciplinary process to some public scrutiny; they're about the sort of conflicts of interest the Legislature creates when it maintains complete control over the appointment of judges.

Certainly there are problems of self-dealing throughout government. But no one in our government has anywhere near the power that the Legislature has — power to act in the public interest or in the interest of individual legislators. No one in our government has such a secretive and potentially self-protecting method of dealing with self-dealing as the Legislature. And no one else in our government has the power to change the law, to reduce the temptation for officials to look out for themselves at the expense of the public. The Legislature has that power. It must use it. And it must act now.

The State: How not to improve SC ethics law
Cindi Scoppe
November 20, 2013
http://www.thestate.com/opinion/opn-columns-blogs/cindi-ross-scoppe/article13829516.html

THE ETHICS reform proposal that Gov. Nikki Haley started campaigning for last week fails to eliminate several flaws in our current law, and some of its solutions leave much to be desired.

But it does address the two most glaring problems with the law — requiring elected officials to report the sources of their income and empowering an independent entity to investigate legislators' compliance with the law — and as such it would go a long way toward getting our state out of the nation's ethics cellar. Which makes Sen. Vincent Sheheen's response to the governor's campaign so troubling.

"Today, Nikki Haley held a press conference to talk about ethics reform in South Carolina," a news release from his gubernatorial campaign began. "From covering up the Social Security number hacking scandal to flying with campaign staffers in a state owned plane, Nikki is the last person who should be talking about ethics reform."

Wow.

I suppose that sort of non sequitur makes some sense from a campaign perspective, as it reminds people of our governor's ethical imperfections. But from a governing perspective — and one of the things that I've always admired about Vincent Sheheen is that he cares about governing, much more than the governor has tended to — it is completely wrong.

It suggests that reform should be pursued only by the pure of heart. In fact, our government, as a creation of human beings, must rely on imperfect vessels.

It certainly is fair to call Ms. Haley a hypocrite, or to point out that the things she seeks to outlaw are things she herself has done. But I'd rather have a hypocrite who's trying to get our laws right than a saint who isn't.

The email went on: "Our state deserves real ethics reform. And we deserve a governor who doesn't constantly blur the lines to serve political agendas."

Those are both very good points. But they address two completely different issues.

The first is about what sort of law the Legislature passes — or doesn't pass — in the coming session. The second is about whom we elect as governor a year from now.

Personally, I'd like to have both. At this point, I think Mr. Sheheen would make a better choice on the "governor who doesn't constantly blur the lines" thing. And the ethics plan that Ms. Haley is pushing might be our best shot at real ethics reform. In fact, while Mr. Sheheen wants to focus more on correcting other shortcomings in our ethics law, the main provisions that Ms. Haley is pushing are changes he supports.

The news release urged people who agreed with the ethics reform/no-blurred-lines argument to "add your name to our petition."

I clicked the link to find out what sort of demands voters were being asked to make of the governor for trying to outlaw some of the actions that she has practiced and to amend provisions of law that have accrued to her benefit. When I did, I found a "petition" that repeated the charges of the news release, concluded that "our state deserves real ethics reform" and asked people to agree by providing their contact information to the Sheheen campaign.

Which is to say that this was a cheap campaign gimmick.

Certainly, Mr. Sheheen isn't the only one engaged in cheap campaign gimmicks. Ms. Haley does it all the time. But that doesn't make it right. Must I play mother and ask, "If your friends were going to jump off a cliff, would you want to do that too?"

And really, that's the problem here: this pervasive idea that all's fair in political campaigns.

It's not. Especially not when the candidates are elected officials, and the line between elected official and candidate is obliterated.

It simply is not acceptable to block good legislation that we need just because you're afraid your political opponent might be able to take some credit for it. It is not acceptable for the Republicans in Washington to do that. It is not acceptable for the Democrats in Columbia to do it.

Certainly, there are some Democrats at the State House who oppose real ethics reform because … well, because they oppose real ethics reform. There are Republicans who oppose it for the same reason — some openly, as the Senate's fringe Republicans did this spring in helping block passage, some not so openly, as I think is the case with some in the lower chamber who voted for the half-reform measure the House passed, secretly hoping the Senate would kill it.

But contrary to the narrative that the Haley campaign is pushing, based on my own tweets during a Senate debate in May, Mr. Sheheen is not among those Democrats who oppose ethics reform. (Mr. Sheheen had voted against keeping the Senate in session over the weekend, which might have provided time to get an ethics bill passed this year. He told me later that he was afraid the long weekend would have resulted in senators sabotaging his extremely important bill to abolish the Budget and Control Board, which I think was a bad judgment call but certainly not the same as opposing ethics reform.)

No, Mr. Sheheen's sin on ethics is that he has bought in to the politically convenient idea that if legislation doesn't address the ethical problems he considers most worrisome, or isn't as tough as he would like, then it's not worth passing.

There are times when that approach to legislating is correct. But with rare exceptions, it breaks the cardinal rule of politics, and pretty much any human endeavor: Don't let the perfect become the enemy of the good.

Beyond that, it's hard to make that case against ethics legislation that is focused on issues that the leading good-government groups (Common Cause and the League of Women Voters) consider most important, and it's hard for a Democrat to make the case that Republicans have made inadequate a bill that is supported by other left-of-center groups such as the AARP and the Coastal Conservation League.

Although Gov. Haley has made it her priority, this is not her legislation. It belongs to those good-government groups on the left and citizens groups on the left and right, and to former Democratic Attorney General Travis Medlock and former Republican Attorney General Henry McMaster and the other members of the ethics review commission that the governor appointed but that included members who would not be counted among her supporters. It belongs to most of the state's newspaper editorial boards, which have been advocating these sorts of reforms for years.

Yes, we deserve a lot better than the Senate Judiciary Committee's reform package. But the way to get better is to join with other reformers to strengthen the bill — not to attack the efforts of the person who's best able to focus public attention on the need for reform.