



Palm Beach County Commission on Ethics

Commissioners
Manuel Farach, Chair
Robin N. Fiore, Vice Chair
Ronald E. Harbison
Daniel T. Galo
Patricia L. Archer

Executive Director
Steven P. Cullen

RESPONSE

Commission staff is pleased to furnish the following in response to OPPAGA's Supplemental Information Request. This Response may also be found on the commission website, www.palmbeachcountyethics.com under the OPPAGA Review tab.

Section I: General Background Information

1. Copy of the Inspector General's employment contract as well as any other documents that the Inspector General Committee uses and/or receives to fulfill its ongoing responsibilities.

Response: The COE does not possess a copy of the Inspector General's employment contract. Palm Beach County Human Resources Department or the Inspector General may be able to provide this document. The COE does not have copies of any documents used or received in conjunction with IG Committee meetings. The IG website, <http://www.pbcgov.com/oig/meetings.htm>, contains a listing of past meetings, agendas, attachments (documents), minutes and videos.

2. Training acknowledgement forms for each commissioner.

Response: [Click here to view documents for item 2.](#)

Section II: Budget, Policies and Procedures, and Other Documents and Information

3. Methodology used to determine the cost savings associated with the commission's use of volunteer advocates (the commission's response to OPPAGA's preliminary information request cites an estimated cost savings of \$200,000 annually)

Response: Volunteer advocates have, to date, assisted staff with 12 cases. ([Click here to view document relating to volunteer advocate cases](#)) Several of these cases were significantly litigated and required a sizable expenditure of attorney time. One of those attorneys received a public service award from the Legal Aid Society of Palm Beach County for her work on these cases. ([Click here to view pro bono advocate award](#)) Staff estimates that there were between 750-1000 hours of attorney time expended at an estimated private attorney rate of \$275 per hour. A conservative estimate of savings of \$200,000 was, therefore, made.

4. Please describe proposed changes to increase the number of outside advocates available for probable cause hearings.

Response: Staff is in the process of making a direct appeal to Palm Beach County lawyers with trial experience to participate in the program. The Director of the Legal Aid Society of Palm Beach County is working with staff to create a program for the referral of lawyers seeking pro bono opportunities through the Society to the advocate program.

Section III: Monitoring and Performance Information

5. Please provide a list of advisory opinions by topic as referenced in the commission’s annual report.

Response: See data below.

2010-2011

<i>Subject Matter</i>	<i>Number Submitted</i>	<i>Subject Matter</i>	<i>Number Submitted</i>
Misuse of Position	11	Accepting Travel Expenses	5
Voting Conflicts	1	Gift Law	22
Conflict of Interest	1	Outside Employment	6
Prohibited Contracts	10		

2011

<i>Subject Matter</i>	<i>Number Submitted</i>	<i>Subject Matter</i>	<i>Number Submitted</i>
Advisory Board Waiver	1	Jurisdiction of the COE	8
Charitable Solicitation	20	Misuse of Office	21
Contingency Fees	1	Nepotism	1
Contractual Relationships	10	Outside Employment	6
Employee Discounts	4	Political Fundraising	2
Gift Law	45	Travel Expenses	3

2012

<i>Subject Matter</i>	<i>Number Submitted</i>	<i>Subject Matter</i>	<i>Number Submitted</i>
Advisory Board Waiver	1	Jurisdiction of the COE	2
Charitable Solicitation	2	Misuse of Office	24
Lobbyist Registration Ordinance	6	Outside Employment	2
Contractual Relationships	6	Political Fundraising	1
Gift Law	30	Travel Expenses	4

6. Please describe proposed changes to the commission’s methods for conducting and assessing ethics training.

Response: Staff has revised the training format to utilize a more interactive and example based format. A new PowerPoint presentation is being utilized for the training cycle that is currently underway. ([Click here to view the Power Point presentation](#)) Staff is beginning the training cycle now and will monitor how municipal employees react to the new format. Initial reaction to the trainings concluded over the past few days has been very positive. At the conclusion of the training, the participants are requested to complete a survey. ([Click here to view the survey](#)) We are collecting these forms for later statistical

analysis. The feedback received on a limited number of these forms to date is very positive.

Staff is exploring, with the cooperation of the county IT department and The Center for Applied Ethics at Palm Beach State College, making new video trainings and the possible "closed caption" broadcast of a training session to multiple recipients. Also under consideration is a central location training which would be capable of accommodating a large numbers of attendees. Staff is sensitive to sacrificing, however, the benefits of a personalized live training format which permits direct interaction and "Q&A" time.

7. Please describe additional proposed changes to how the commission solicits feedback on its performance of core functions. For example, will the commission implement other measures similar to the recent introduction of its survey of website usefulness?

Response: Staff has placed a user survey on the main page of the website and is in the process of collecting these data. Training surveys are also utilized for those using the web-based training modules. Live training surveys are being distributed as described above.


We are beginning work on a comprehensive rewrite of the website. In addition to maintaining the database characteristics of the current site, we want to create an interactive format capable of better educating a diverse population about the Code of Ethics and the COE. Interactive sites rely more upon examples, video clips and simple flow charts. It is also possible to imbed data gathering characteristics to assess which pages within the site are accessed frequently. We will be working with county IT services and possibly interns from the computer science department at Palm Beach State College on this project.

The Executive Director has conducted some research of the academic and empirical literature regarding the performance indicators of ethics commissions. Preliminary review of this material reveals that although researchers have applied "satisfaction metrics" to medical ethics commissions, there appears to be no organized or evidence based model by which local government ethics commissions are evaluated. By their nature, the success indicators of ethics commissions are highly subjective. We are in the process of seeking the assistance of a university based metrics expert for further evaluation of this issue.

Staff is in the process of evaluating whether a "judicial evaluation poll," similar to that utilized by judges, may be applicable to the adjudicatory functions of the commission.

Respectfully Submitted,

By:



Steven P. Cullen, Esquire
Executive Director
Palm Beach County Commission on Ethics