

Establish High Standards of Ethical Accountability

It is time for comprehensive ethics reform to end the corruption that erodes the public's faith in elected officials and undermines communities' civic engagement.

The Challenge: New York State does not have the tools available at the state level to effectively prosecute public corruption.

The Solution: Strengthening the “Scheme to Defraud” statute by clearly articulating the standard of conduct required of public servants in New York State will enhance accountability and keep proceedings at the local level.

The Challenge: The inconsistency of New York State bribery laws provides a free pass to corrupt individuals who attempt to obtain benefits or contracts from public officials.

The New York State Court of Appeals ruled that in cases of bribery of a public officer, it is only a crime if the money is given in an explicit exchange for something from the other party. Giving money or services isn't enough without a clear agreement.



The Solution: Simply rooting the Bribery Involving Public Servants law in an “intent to influence” would harmonize public servant bribery with New York’s other bribery laws – namely Commercial Bribery, Sports Bribery, and Labor Bribery.

“Intent to influence,” is the common language for defining bribing. It relies on an exchange in which the individual offering the bribe *intends to influence* the actions of the recipient.

The Challenge: There is currently no statute preventing dishonest lawmakers from awarding government grants to their family members with the intent of diverting those same funds for improper or personal use.

The Solution: New York State must enact a clearly articulated statute that prohibits elected officials from funneling government grants to friends and supporters and from arranging “kick-backs” in exchange for political support.

The Challenge: Candidates can evade campaign finance regulations by accepting “personal” gifts and loans of any amount and then transferring those funds into their campaign coffers.

The Solution: Campaign finance rules should include required reporting by every candidate for public office and their spouse or domestic partner on personal gifts or loans during the 12 months preceding their announced candidacy for office.



New York State Law Enforcement Council

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