

The Ethics Commission is comprised of (5) members appointed by the Ad Hoc Ethics Commission Appointment Panel, and with (1) of the serving members designated by the Panel as Chair. The Panel enjoyed the continued service throughout 2002 and 2003 of the Honorable Philip L. Sieve (Administrative Judge of the Wyandotte County District Court), Nick A. Tomasic (Wyandotte County District Attorney), and Thomas E. Standish (Wyandotte County Legislative Auditor).

The Ethics Commission is responsible to ensure training of all UG employees and officials; review, investigate and comment on any office and/or activity of the UG, as such pertains to ethical conduct and compliance with the Code; and, recommend ways to improve the Code to the UG Board of Commissioners.

2002-2003 Members:

- **Kerry Herndon** (Chair, January 2002 – July 2003)

Appointed in 1999 to serve a (4) year term representing the Piper area. In 2000 she was named Chairperson of the Ethics Commission and reappointed in 2001. She has lived in Kansas City, KS for (24+) years. Employed as an Environmental Scientist in the Superfund division of the U.S. Environmental Protection Agency in Kansas City, KS

Education:

- BA(s): English & German
- MA: Stephen F. Austin University: Geology & Biology.

- **Jim Ernst** (Member, 2001 - 2005)

Appointed in 1999 to serve a (2) year term representing the Turner area, and reappointed to serve a (4) year term commencing in 2001. Employed as a Product Consultant for Burke Inc. for (21+) years.

Education:

- Wyandotte High School
- BAS: Kansas State University: Communications

- **Sara Gillespie** (Member, 2001 - 2005)

Appointed in 1999 to serve a (2) year term representing the Argentine area, and reappointed to serve a (4) year term commencing in 2001. Employed as a substitute teacher in the Kansas City, KS, Piper, and Turner School Districts

Education:

- J. C. Harmon High School
- BAS: Emporia State University: Education

- **Loris Jones** (Member, January 2002 – July 2003)
Commenced her service as one of the original members appointed in 1999, and representing the Northeast Area. Retired educator, having taught (40+) years in District 500

Education:

- Sumner High School
- BAS: Pittsburg State University: Education
- MAS: University of Missouri-Kansas City: Education

- **Mark Mitchell** (Member, resigned December 2002 - 2003)
Commenced his service in 1999, having been appointed to serve out the unexpired term of Roger McLean in representing the Central Area. Residing in Kansas City, KS since 1967.

Education:

- Cheraw High School
- BA: Williamstown Bible College: Christian Ministry
- Working on a MA: The University of Kansas: Business Administration

- **Dr. Theodore Stolfus** (Chair, Introduced July 2003)
Background narrative currently not available.

- **Roy L. Robinson** (Introduced July 2003)
Background narrative currently not available.

- **Dr. Robert Baynham** (Introduced July 2003)
Background narrative currently not available.

Ethics Administration:

- **H. George Frederickson, Ph.D.** (Ethics Administrator)
Served as the Ethics Administrator for the UG since the advent of the Ethics Program.

Dr. Frederickson is the Edwin O. Stene Distinguished Professor of Public Administration at the University of Kansas since 1987. The Ethics Administrator serves as the executive agent of the Ethics Commission and is the primary focal point for the coordination and conduct of ethics investigations and training.

- **Mike Manske** (Assistant Ethics Administrator, 1/02 – 10/02, 8/03 – 12/03)
Participated with the Ethics Administration of the UG since its implementation in 1998. Mr. Manske is a former prosecutor, City Attorney, and practicing attorney, and is currently employed as a full-time professor at Washburn University, teaching in the areas of law, criminal justice, and political science. Mike has been the principle investigator and administrative support staff for the Ethics Program. Mike is currently a doctoral student in Political Science at the University of Kansas.
- **David Matkin** (Ethics Instructor, Introduced September 2003)
Joined the Ethics Administration staff in September 2003 in order to assist in continued ethics sessions for the UG fire department. David is currently a Ph.D. student at the University of Kansas, studying Public Administration. He holds an MPA from Brigham Young University. David has (5+) years of experience in training and implementing government programs at the State and Federal level.

Unified Government Ethics Training

Includes (2) activities:

- **Basic Ethics:** Provided to all newly hired employees, as well as elected officials. Basic training includes a review of the ethics code, a discussion of why we have an ethics standard, testing of ethics principles using fact pattern scenarios, and instruction on how the ethics commission and ethics administration work, including how to file an ethics complaint.
- **Continued Ethics:** takes place (3) years after the employee's basic training or last continued ethics training. This training is used to update employees and officials on current ethics issues and reinforce prior training.

Statistical Review of Ethics Trainings in 2002-2003:

Basic Ethics Training:

- 2002: 100 (3 sessions)
- 2003: 115 (6 sessions)

Continued Ethics Training:

- 2002: 160 (10 sessions)
- 2003: 274 (10 sessions)
- 325 (10 sessions: Fire Department)

Actions Taken by Ethics Commission

2002:

Creation of the UG Ethics website was completed. Ethics Commission was hopeful that it would create a more visible face to the public and provide an accessible outlet for making available meeting minutes, agendas, and a current version of the Ethics Code.

Draft change to Ethics Code was submitted to Unified Government Commission. The proposed change was sent in December 2002 and was in regard to current language in the Ethics Code which prohibits all “officials” from running for public office. The Ethics Commission seeks to change this wording to allow appointed members of various boards and commissions to take a leave of absence if they want to pursue an elected position in the Unified Government.

2003:

The major concern was the development of an ethics program in the Board of Public Utilities. The Ethics Commission was active in making recommendations as to the BPU’s progress. The BPU ratified an ethics policy to be implemented on January 1, 2004 and created their own distinguish ethics commission. The UG Ethics Commission was supportive of a BPU ethics program, and supportive that the policy reflected much of the same standards put forth in the UG Code of Ethics. However, the UG Ethics Commission recommended that they serve as the commission for the BPU and sent correspondence to the BPU on this matter. In as much as the BPU created their own ethics commission, the UG Ethics Commission sent correspondence to the UG Board of Commissioners requesting that the division between the UG Ethics Commissions responsibility over all ethic concerns in the UG and not over the BPU be made publicly explicit. Ethics Program was nominated for the American Society for Public Administration’s Public Integrity Award. Letters of recommendation were received by Mayor Carol Marinovich, County Administrator Dennis Hays, District Attorney Nick Tomasic, Past Lieutenant Governor and Secretary of Commerce for the State of Kansas (1995-2003) Gary Sherrer. As of the writing of this document, no news has been received as to the award status.

Ethics Investigations: Initiation of Investigations:

The telephone hotline remains the most popular communication method through which contacts were made. The hotline is maintained in the Office of the Ethics Administrator, and consists of a

confidential answering machine which is remotely accessed every 48 hours (necessary since the office is not otherwise staffed, nor is telephone reception available during normal working hours). In order to increase access with the Office, the answering machine message was changed at the beginning of the year to advise callers about the confidentiality of their calls, as well as providing the Assistant Director's home telephone number in case their call was not returned within 48 hours.

2002-2003 Hotline Contacts:

- Hotline Contacts: 195
- Hang-ups, computer messages: 139
- UG Customer Complaints: 13
- Actual Complaints Investigated: 41

Contacts received by verbal report is less than those received by the hotline, and generally occur at the end of an ethics training session. There were (6) complaints initiated through verbal complaint. Total numbers of telefax, mail, and e-mail initiated complaints is (4).

Disposition of Investigations:

Of the contacts received during the year, (70%+) are "unclear reports" in which no action could be taken. These represent calls to the hotline, recorded on the answering machine by time and date, but comprised of various types of calls for which no action could be taken: calls were terminated without message (dial tone or hang up indicated), or recordings where the caller's message is unintelligible (garbled or inaudible). In many cases, these "unclear reports" disposed of as "No Action-Insufficient" represented complaining witnesses that failed or refused to make written statements. Although anonymous complaints received investigative attention, most resulted in no finding for lack of credibility or merit.

A response was made to all other contacts received, and in the case of requests for advisory opinions or other information, 100% of these contacts received favorable resolution. A large portion of the allegations are found to be complaints that are resolved through a referral to another agency either within or without of government. The Ethics Administrator and Assistant Ethics Administrator staff each allegation with Tom Standish (Legislative Auditor) and in cases where time allows, these cases have all been discussed with the Ethics Commission and report given in monthly Ethics Commission meeting when matter is of public record.

The single largest and most complex investigation had to do with the Office of the County Assessor. (Check on the title of this office). Based on hotline contacts, the Ethics Administrator and his staff, working with officials from the Unified Government, investigated allegations of several violations involving several people of the Code of Ethics. The investigations and associated personnel actions has clarified to employees in the Office of the County Appraiser, the precise meaning of conflicts of interest the misuse of public property (employee time) and actions that constitute conflicts of interest and the misuse of public property. The Ethics

Commission was kept regularly informed during the course of these investigations.

Attendance at Ethics Training for 2002 is estimated from average attendance records. Hotline Contact Numbers for 2002 are estimated from minute's reports, 2001 annual report, and 2003 phone log.