

Oversight and Enforcement of Public Integrity

A state-by-state study



New York



SYNOPSIS

The New York State government is at a crossroads when it comes to corruption, after a string of high-level corruption convictions prompted public outcry and elevated ethics reform on the public agenda. The Empire State has a substantial anti-corruption system including multiple ethics commissions, inspectors general at state and local levels, a powerful state comptroller's office, and several corruption-focused prosecutorial units. However, state oversight laws and institutions are pervaded with weaknesses and loopholes, and lag behind those of New York City, as well as comparable states, in areas such as campaign finance, legislative ethics, and local government oversight.

BACKGROUND

Both New York State and New York City have a long history of corruption, from colonial era scandals to the machine politics of 19th-century Tammany Hall to the \$500 million "CityTime" contracting fraud in New York City at the turn of the 21st Century.¹ A 2015 Monmouth University poll that found New York was viewed as the most corrupt state by the highest proportion of Americans (12%).² A 2015 FiveThirtyEight analysis revealed that New York has the highest absolute number of convictions for federal public corruption crimes,³ which reveals both the latent corruption and, perhaps, the local U.S. Attorney's offices' commitment to its eradication.

From 2000 to 2015, 33 state legislators left office due to criminal or ethical issues (although not all of the criminal conduct was corruption-related).⁴ The powerful leaders of both state chambers, Senate leader Dean Skelos and Assembly speaker Sheldon Silver, were both convicted of corruption offenses in 2015, although their convictions were overturned in 2017.⁵ Skelos was the fifth straight senate leader to be charged with such crimes.⁶

In 2013, New York Governor Andrew Cuomo—whose two immediate predecessors, Eliot Spitzer and David Paterson, faced scandals for misconduct in office—convened a so-called Moreland Commission to "root out corruption in politics and government."⁷ The Commission's preliminary report, released December 2013, describes an "epidemic of public corruption that has infected this state."⁸ The report recommended stricter financial disclosures by public officials, legislative transparency measures, reform of the campaign finance system, creation of an independent election enforcement agency, and the revision of criminal statutes to give state prosecutors more legal tools in corruption cases. Responding to similar concerns, New York State's District Attorneys Association convened a White Collar Crimes Task Force, which produced a comprehensive report in 2013 that detailed suggested changes to laws and policies concerning the prosecution of white collar crime.⁹ The report suggested the criminalization of undisclosed self-dealing, as well as significant changes to public integrity laws governing bribery and official misconduct.

In 2014, Governor Cuomo disbanded the Moreland Commission to Investigate Public Corruption, an action roundly criticized by, among other sources, a lengthy *New York Times* report.¹⁰ However, in 2014, the State strengthened anti-corruption laws, by both increasing penalties and adding the new offense of "corrupting the government."¹¹ A year later, the legislature passed some limited ethics reforms for legislators,

At a Glance

Population, 2017: 19,849,399

Capital: Albany

Largest City: New York City

**State Integrity Index Grade,
2015:** D-

**State Integrity Index Ranking,
2015:** 31st best

**BGA-ALPER Integrity Index
Ranking, 2013:** 23rd best

**Per Capita Federal Public
Corruption Conviction Ranking,
2003-13:** 29th highest

including changes to their required disclosures of outside income and financial interests, travel expenses, and the personal use of campaign funds.¹²

In 2017, the Manhattan District Attorney Cyrus Vance Jr. faced his own ethical complaints after decisions not to charge high-profile persons. First, the office did charge media mogul Harvey Weinstein after an allegation of groping. Both Weinstein and his lawyer had contributed to the DA's election campaign. Second, the office made the decision not to pursue charges against Ivanka Trump and Donald Trump Jr. over allegations that they misrepresented to buyers and potential buyers the number of condominiums sold in the Trump SoHo project. The Trump siblings' lawyer was also a contributor to the DA's campaign. This prompted District Attorney Vance to ask CAPI to conduct an independent investigation into his campaign policies. The [report](#), released by CAPI in 2018, offered recommendations (then adopted) including applying blind fundraising standards, refusing contributions from persons with actual or potential conflicts of interest, and enforcing a strict division between the DA's campaign staff and the DA's Office. Once again, New York City could become a leader in public integrity if other DAs decide to pursue the campaign finance recommendations for district attorneys adopted by the Manhattan District Attorney.

Despite—or perhaps because of—its history of graft, New York City (and to a lesser degree New York State) has been at the forefront of many anti-corruption reforms that have been adopted by cities and states nationwide. The New York City Department of Investigation, established in 1873, was the first dedicated anti-corruption agency in the United States and among the first worldwide. Many other cities such as Chicago and Philadelphia have emulated its model of inspectors general with strong investigative powers. New York City also pioneered a strong public campaign finance program based on matching grants in 1988, since used as a model by the state of Connecticut and cities such as Miami and Los Angeles.¹³ After many calls by New York State reform advocates to follow suit, the state legislature approved a one-time trial of public financing for one race in 2014 for the State Comptroller alone.¹⁴ The incumbent candidate, who won the race, critiqued the program as poorly written and declined to participate.¹⁵

New York is at the forefront of criminal justice reform as well. After the high-profile death of Eric Garner, an unarmed civilian who died at the hands of police, Governor Cuomo signed Executive Order 147 in 2015, which requires the Attorney General to investigate and prosecute incidents where unarmed civilians are killed by law enforcement.¹⁶ Attorney General Eric Schneiderman in turn established the permanent Special Investigations and Prosecutions Unit (SIPU), consisting of veteran prosecutors, to carry out this mandate and thereby remove the potential conflict of interest of local DAs prosecuting cases involving local police. Additionally, in order to increase transparency, the Attorney General's Office must to produce a report if it or the grand jury chooses not to indict the officer involved in the incident.¹⁷

New York State's corruption issues have received unusual attention from scholars and activists, due to the state's position as a financial, cultural, and intellectual hub. Factors commonly cited as contributing to corruption in the state include: the concentration of power—particularly budgetary discretion—in the “three men in a room” (governor, senate majority leader, and assembly speaker); the lack of strong state-level enforcement agencies; the “LLC loophole” that donors can use to elude campaign finance restrictions; weaknesses in State anti-corruption laws compared to their federal equivalents; strong gerrymandering to protect incumbent legislators; and the lack of press coverage of Albany.¹⁸ Since the high-profile convictions of the Senate leader and Assembly speaker in 2016, the legislature moved to monitor outside income of state legislators who, prior to this new law, could collect unlimited amounts of outside income.¹⁹ As part of the Ethics Reform Legislation, the legislature also passed measures designed to strip pension benefits from public officers convicted of a felony.²⁰

In the most recent iteration of the State Integrity Investigation, New York ranked 31st of the 50 states, with

a letter grade of “D-.”²¹ The state’s middling rank reflected a strong variance across the several categories of the study. For example, New York ranked first in both internal accounting, due to its powerful Comptroller’s Office, and state civil service management, due to its active oversight of asset disclosures by public officials. However, the state ranked in the bottom three nationwide in four categories: procurement, judicial accountability, electoral oversight, and state budget processes.

Transparency and Civil Society

New York’s open government initiatives, such as the Office of the State Comptroller’s [Open Book New York](#) and the Office of the City Comptroller’s [Checkbook NYC](#), have been lauded as national models. The Department of State’s [Committee on Open Government](#) coordinates open government policies statewide. The State Office of Information Technology Services maintains a wide-ranging open data portal, [Open New York](#), which includes sections on [state data](#), [state spending](#), [public health](#), and [sexual assault on college campuses](#). The state earned a high “A-” grade for citizen access to state spending data in a 2016 U.S. Public Interest Research Group survey.²² A 2013 Sunlight Foundation report gave New York an impressive “A” grade for the quality and accessibility of its [online portal](#) for tracking laws and bills maintained by the state legislature.²³ Although the 2015 State Integrity Investigation gave the state a failing grade in the category of public access to information, the state ranked 12th nationwide.²⁴

New York State has many reform-oriented civil society organizations. The New York Public Interest Research Group ([NYPIRG](#)) and the [League of Women Voters](#) of New York State have both championed state ethics reforms such as public financing of campaigns, closing the “LLC loophole,” redistricting reform, and strengthening ethics enforcement institutions. [Citizens Union](#), founded in 1897, has long pushed for ethics reforms at both the state and city level, including the above issues as well as budgetary transparency and police oversight. [Reinvent Albany](#) advocates for open government reforms. The free market-oriented [Empire Center](#) maintains [See Through NY](#), a project to make state data more accessible. The [Brennan Center for Justice](#) at New York University School of Law is a leading voice for campaign finance reform and redistricting reform nationwide. The [Hugh Carey Institute for Government Reform](#) at Wagner College advocates for legislative reforms in New York State to make government more effective, honest, and inclusive. And, of course, the state is home to [CAPI](#), a resource center housed at Columbia Law School for the offices and practitioners that compose the public integrity community.

OVERSIGHT STRUCTURE

New York State Ethics Commissions

The [New York State Joint Commission on Public Ethics](#) (JCOPE), created by the [Public Integrity Reform Act of 2011](#) (PIRPA), handles investigations, enforcement, and training related to New York’s public ethics laws. Its jurisdiction includes all State executive and legislative officers and employees, as well as lobbyists, candidates, and public benefit corporations. It has the power to subpoena documents and call witnesses, as well as to conduct public hearings. It can initiate its own investigations and issue advisory opinions, administrative sanctions, and fines. Its annual budget is roughly \$4.3 million.

JCOPE oversees financial disclosures filed by public officials, candidates, lobbyists, and public benefit corporations under its jurisdiction. The Commission is responsible not only for auditing and managing such disclosures, but also for making them available to the public. JCOPE has 14 members: six appointed by the Governor and the Lieutenant Governor, three by the President of the Senate, three by the Speaker of the

Assembly, one by the Minority Leader of the Senate, and one by the Minority Leader of the Assembly. The Governor selects the chair.

Although reform advocates lauded the creation of JCOPE as a step in the right direction, many have called into question the office's lack of independence safeguards and criticized the office as insufficiently transparent, too timid in its enforcement actions, and too vague in its ethical guidelines.²⁵ A review commission, described below, also found fault with many aspects of JCOPE.

The [New York Ethics Review Commission](#), established under PIRPA and appointed by the Governor and State Legislative leaders, released a [final evaluation of JCOPE and the LEC](#) in November 2015. The report declined to make many concrete recommendations about structural reforms but urged both commissions to increase transparency, improve training efforts, and better integrate technology to make disclosures more accessible by the public.²⁶ The Review Commission also recommended legislation to change the controversial rule allowing a minority of JCOPE commissioners to veto a JCOPE action.

The [Legislative Ethics Commission](#) (LEC), created by the [Public Employees Ethics Reform Act of 2007](#), oversees administration and enforcement of ethics laws for legislators, state legislative candidates, and employees of the legislative branch. The LEC has nine members: each of the four legislative leaders appoints one legislator and one non-legislator; a fifth non-legislative member is appointed jointly by the Assembly Speaker and Senate Majority Leader.

The eleven-member [Commission on Judicial Conduct](#) is responsible for hearing and adjudicating complaints about judicial ethics. The Commission may open investigations into the misconduct of state and local judges upon the receipt of a complaint, hold hearings, and collect documentary evidence. Subject to review by the Court of Appeals (the state's highest court), the Commission may recommend penalties including admonishment, censure, forcible retirement, and removal from office. Judges may also be impeached through a legislative process or removed by a two-thirds vote of both houses. The Commission does not issue advisory opinions, although it does release an annual report describing the complaints and actions taken by the Commission.

Inspectors General

The [New York State Inspector General](#) conducts investigations of corruption, fraud, waste, and mismanagement. The Inspector General, who is appointed by the governor, has jurisdiction over officers and employees of the state executive branch, as well as private entities "doing business" with the state, which includes contractors and subcontractors. The office has a full range of police powers and can conduct audits, subpoena documents, and collect witness testimony. It has roughly 60 staffers and an annual budget of approximately \$6 million.

The office also issues policy recommendations to government offices within its jurisdiction, which then have 90 days to report to the governor about their progress in implementing such reforms.²⁷ In addition the office conducts training on ethics and compliance for public officers.

The Port Authority of New York and New Jersey, a quasi-public body jointly managed by both states, has an [Office of the Inspector General](#) with responsibility to detect, investigate and deter fraud, corruption, waste, and abuse with respect to employees, or other individuals or organizations doing business with the Port Authority who attempt to corrupt or unlawfully interfere with Port Authority operations.

Similarly, the Metropolitan Transportation Authority (MTA) has an [Office of the Inspector General](#). The MTA

is a public benefit corporation that manages the New York City subway and bus systems as well as commuter railroads and related infrastructure in several nearby counties (including two Connecticut counties, under contract). The Inspector General's Office has units dedicated to investigations, audit and analysis, and intake and intelligence. The office has responsibility for ensuring the efficiency and integrity of MTA operations. The office has the power to issue subpoenas, collect witness testimony, and audit official records. The office may issue recommendations and refer cases for prosecution.

A few other State agencies that administer public benefits and services have inspectors general as well, including the [Office of the Medicaid Inspector General](#), the [Office of the Welfare Inspector General](#), the [Office of the Inspector General of the Unified Court System](#), the [Office of the Workers' Compensation Fraud Inspector General](#), and the [Office of Special Investigations](#) within the Department of Corrections. Those offices also pursue waste, fraud, misconduct and corruption through investigations, audits, and public reports.

Other Oversight Institutions

In 2015, the State Assembly created the Office of Ethics and Compliance, to provide guidance and education to Assembly members and their staff regarding ethical rules and obligations.²⁸ The office also provides recommendations on how to strengthen ethics rules, working in tandem with the ethics counsel of the majority and minority conferences in the Assembly.²⁹ In June 2017, however, the office's director quit – citing frustration that the position's only responsibilities were training legislators and their staff and not participating in crafting ethics reform.³⁰ As discussed above, the legislature did pass a new bill, the [Ethics Reform Legislation](#), in 2016, which requires new disclosures for lobbyists and political consultants, requires pension forfeiture for officials convicted of corruption, and limits outside income for legislators.

The [Office of the New York State Comptroller](#) has strong enforcement powers. Besides directly managing state finances and acting as trustee of the state retirement fund, the office oversees the fiscal operations of local governments (including New York City) and conducts audits of state agencies and public benefit corporations. The office also conducts training and provides technical assistance to increase government efficiency and reduce opportunities for fraud.

As in other states, corruption offenses in New York State are typically prosecuted at the federal level, by the Offices of the United States Attorney for the [Southern](#), [Eastern](#), [Western](#), and [Northern](#) Districts. The dedicated public corruption units of the Southern and Eastern districts, both based in New York City, led many of the State's recent corruption cases, in collaboration with city and state partner agencies.

At the state level, the [New York State Office of the Attorney General](#) handles enforcement of the New York Penal Law as it applies to public corruption throughout the state. The specialized prosecutors of the [Public Integrity Bureau](#) often collaborate with the State Comptroller's Office to pursue fraud and corruption. As discussed above, in 2015 the Attorney General created [SIPU](#), a permanent special prosecution unit, to investigate and prosecute cases where a law enforcement officer causes the death of an unarmed civilian, or where there is a significant question as to whether the civilian was armed and dangerous.

At the local level, locally elected district attorneys pursue criminal cases. Each of the 62 counties in New York State, including the five boroughs that constitute New York City, has a DA with jurisdiction over violations of the New York Penal Law. Many of these districts have public integrity units, including [Albany](#), four New York City boroughs ([Manhattan](#), [Brooklyn](#), [Queens](#), [the Bronx](#)), the two Long Island counties of [Nassau](#) and [Suffolk](#), and [Erie County](#), which includes the city of Buffalo. In total, New York State has the most prosecutorial units dedicated to public integrity of any state.

NEW YORK CITY WATCHDOGS

The [New York City Department of Investigation](#) is arguably the nation's most robust anti-corruption agency, with a staff of roughly 500. The Department investigates corruption, fraud, waste, mismanagement, and ethics violations concerning New York City employees and officials, beneficiaries of government assistance from the City, and those "doing business with the City" (including contractors and subcontractors). The Department also conducts training on these topics and makes recommendations to improve efficiency. The Department has strong enforcement powers including the ability to subpoena documents, conduct audits, call witnesses under oath, conduct searches and seizures, make arrests, and refer cases for prosecution. The commissioner who leads the Department is appointed by the mayor and confirmed by the City Council.

The [New York City Conflicts of Interest Board](#) handles the enforcement of ethics violations in New York City, as contained in [Chapter 68 of the City Charter](#). The Board manages annual disclosures by City officials, adjudicates potential conflicts of interest and other ethical violations, and provides training and advice on ethical issues. The five members of the Board are appointed by the mayor and confirmed by the City Council.

Other New York City offices related to the oversight and enforcement of public integrity include the [Campaign Finance Board](#), [Civilian Complaint Review Board](#) (police oversight), the [Commission to Combat Police Corruption](#), the [City Comptroller's Office](#), [the Inspector General for the NYC Department of Education](#), and the [Public Advocate](#) (ombudsman).

OTHER MUNICIPALITIES

Rochester, the third-most populous city in New York State, maintains an [Office of Public Integrity](#), empowered to conduct investigations and audits to determine fraud, waste, and corruption among city officials and those doing business with the city.

Yonkers, the State's fourth-most populous city, has an [Office of the Inspector General](#) with a full range of investigative powers, as does the smaller city of [Mount Vernon](#), on New York City's northern border.

LAWS OF PUBLIC INTEGRITY

New York's [Penal Law](#) catalogues state crimes, while the [Public Officers Law](#) lays out the obligations of public servants.

Penal Law:

Bribery

The Penal Law punishes both the giving and receiving of a bribe as a felony and creates three levels of

criminal liability depending on the size of the bribe and the position of the officials involved. Successful conviction requires more than a mere attempt to bribe or the simple solicitation of a bribe; either the parties must have entered into a *quid pro quo*, or the briber must have believed that the bribe will have its desired effect.³¹ Note that an official's inability to carry out his end of the bargain is no defense to bribery.³²

[PL §§ 200.00 to 200.04](#) Bribery of public servants.
[PL §§ 200.10 to 200.12](#) Receipt of bribes by public servants.

Unlawful Gratuities

The New York Penal Law also punishes the giving or accepting of gratuities to public servants. If the gratuity is for having committed a permissible act, it is punished as a misdemeanor; if the gratuity is provided for having violated his duty as a public servant, it is punished as a felony.

[PL §§ 200.20, 200.22](#) Rewarding public servant for misconduct (e.g. giving a public servant a gratuity for having violated his duty).
[PL §§ 200.25, 200.27](#) Receipt of rewards for misconduct by public servant.
[PL § 200.30](#) Giving of unlawful gratuities to a public servant.
[PL § 200.35](#) Receipt of unlawful gratuities by a public servant.

Defrauding the Government

The New York Penal Law also specifically prohibits public servants from fraudulently obtaining or using property or services belonging to New York or a political subdivision of the state. Defrauding the government is punished as a felony. Note that at least one lower court has held that the term 'property' is to be read more expansively in this context than in others.³³

[PL §195.20](#) Defrauding the government by a public servant.

Official Misconduct

The New York Penal Law prohibits public servants from either knowingly engaging in an unauthorized exercise of official functions or knowingly foregoing an activity required by office, with intent to obtain a benefit or deprive another person of a benefit. Violations of official codes of conduct, such as Rules of Judicial Conduct and the Code of Ethics set forth in the Public Officers Law, constitute Official Misconduct, which is a misdemeanor.

[PL §195.00](#) Official misconduct

Enterprise Corruption

Under New York's version of the federal [RICO statute](#), enterprise corruption entails the intentional and knowing participation in a criminal enterprise, by participating in a pattern of criminal activity, maintaining an interest in the enterprise, or advancing the affairs of the enterprise. Enterprise corruption is punished as a felony.

[PL §460](#) Enterprise corruption

Corrupting the Government

The 2014 "Public Trust Act" created a criminal offense of "corrupting the government" under which a public servant (or an accomplice thereof) "engages in a scheme constituting a systematic ongoing course

of conduct with intent to defraud the state” or one of its subdivisions, to obtain a benefit, and thereby wrongfully obtains such a benefit. This offense may constitute a felony ranging from class B to class E.

The act also created the similar crime of “public corruption,” applying to public servants who use their office to commit theft of public property or creation of a fraudulent scheme. For purposes of sentencing, a public corruption conviction will increase the degree of the predicate offense by one category.

[PL §§ 496.01 to .05](#) Corrupting the government
[PL §§ 496.06 - .07](#) Public corruption

Larceny by Extortion

New York’s larceny law contains a provision on larceny by extortion, which includes compelling or inducing another person to give up property by instilling a fear that non-compliance would result in an adverse action, or neglect of duty, by a public servant.

[PL §155.05](#) Larceny by extortion

Public Officers Law:

The Public Officers Law is primarily enforced by JCOPE and the LEC, but the commissions may refer violations to the District Attorney in whose jurisdiction the violation occurred for prosecution as a misdemeanor. Of note, New York State’s definition of conflict of interest is relatively broad, barring state officers, employees, and legislators from obtaining “any interest, financial or otherwise, direct or indirect, or engag[ing] in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest.” (Public Officers Law, [Art. 4, §74](#)).

[EC §67](#) Fees of public officers, public officers may be criminally and civilly liable for charging fees for official obligations.
[EC §73](#) Disclosures of interest, two-year “revolving door” ban on lobbying by former legislators.
[EC §74](#) Conflicts of interest.
[EC §75](#) Bribery of members of the legislature.
[EC §76](#) Receipt of bribes by members of the legislature.
[EC §77](#) Receipt of unlawful gratuities by members of the legislature.

Lobbying Regulation:

The “Lobbying Act” contains many of the statutes regulating lobbying in New York State.

[LEG §1-c](#) Definition of lobbying and lobbyist.
[LEG §1-h](#) Reporting requirements.
[LEG §1-m](#) Prohibition on gifts.
[LEG §1-o](#) Penalties.
[LEG §1-p](#) Enforcement.

ILLUSTRATIVE CASES

People v. Flanagan, 28 N.Y.3d 644 (2017): Convictions of high-ranking police officers were upheld for conspiracy in the sixth degree and official misconduct for the officers' decision not to pursue and, in fact, inhibit an investigation into stolen property taken from a high school because an influential donor's son had committed the crime.

People v. Gordon, 72 A.D.3d 841 (2010): Officers of the New York City Department of Investigation recorded a state assemblywoman agreeing to use her influence in the assembly to benefit a property developer's bid to buy city-owned property, in exchange for a house for the assemblywoman. The assemblywoman was convicted of accepting a bribe, accepting illegal gratuities, and official misconduct.

People v. Souvenir, 209 A.D.2d 455, 618 N.Y.S.2d 447 (1994): Defendant was convicted of official misconduct and bribe solicitation. The court determined that the benefit of the bribe need not actually be conferred but rather the defendant's state of mind is controlling in determining whether there is an "agreement or understanding" as required for conviction.

People v. Teitelbaum, 138 A.D.2d 647, 526 N.Y.S.2d 230 (1988): A court found defendant police officers guilty of soliciting a bribe (in the form of a sexual favor) from an offender found in possession of cocaine during a traffic stop. The court rejected defendant's argument that there was no direct evidence of an explicit agreement between the parties, finding that evidence that the defendants had told the narcotics offender that she would not be arrested if she accompanied them to an apartment, coupled with evidence that she then performed sexual acts on the police officers was sufficient. The court also held that the narcotics offender could be prosecuted as an accomplice.

People v. Charles, 61 N.Y.2d 321, 326 (1984): New York's highest court upheld a court clerk's conviction for bribery. The clerk had solicited a bribe from an undercover officer posing as a taxi driver. The clerk took the undercover officer into a locked restroom and agreed to have a ticket dismissed in exchange for \$100. Despite not having the authority to dismiss the ticket, the clerk was convicted of accepting a bribe in exchange for altering his official actions.

ANALYSIS

New York State's current approach to integrity contrasts with that of New York City in many ways, and the state would do well to emulate the City's approach to integrity and oversight issues. New York City's Department of Investigation is significantly larger and more independent than its state counterpart, the New York State Inspector General, and also has greater jurisdiction and more powers. For example, the former office has jurisdiction over City Council members, all City agencies, and recipients of City funds, while the latter office only has jurisdiction over State executive officers and employees and private contractors.

New York City's Campaign Finance Board has a well-established program of publicly-financed elections, which despite numerous efforts by good government groups has not been duplicated statewide. New York City's Conflict of Interest Board is a robust, well-financed public ethics agency that has no meaningful state-level counterpart; JCOPE has thus far not fulfilled its promise, although reforms to its structure and

practices would help. Moreover, local ethics enforcement in New York State outside of New York City is a major problem, with thousands of towns, cities, villages, and school and fire districts that do not have current ethics and conflict of interest codes or the means to enforce them. A statewide solution is needed to bring these municipalities current with workable ethics and conflicts codes and an enforcement mechanism for them. Perhaps the biggest integrity problem facing New York State right now—or at least the most high-profile problem—involves legislative corruption, as evidenced by the numerous state legislators convicted over the past few years. Despite modest ethical reforms passed by the legislature, including the limiting of outside income and the removal of pension benefits from public officers convicted of a felony, more work remains to be done at the state level.

There are also problems that New York State and New York City share, such as the inadequacy of New York's criminal laws on bribery and self-dealing. The legislature should act on the recommendations of the report of the New York State White Collar Crime Task Force (see note 9), including by amending the public servant bribery law to eliminate the requirement of an illicit agreement, and creating a law against undisclosed self-dealing.

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ENDNOTES

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CENTER FOR THE ADVANCEMENT OF PUBLIC INTEGRITY

The Center for the Advancement of Public Integrity (CAPI) is an anti-corruption resource center, the first and only of its kind to specialize in city and municipal governance.

Who Are We?

As the world continues its rapid pace of urbanization, cities are fast becoming the front line in policy innovation and development. Growing urban communities worldwide have increasingly demanded higher standards of integrity from their government officials and representatives. Rising to this mounting demand, leaders at the New York City Department of Investigation partnered with Columbia Law School in 2013 to create the center.

CAPI is an independent, non-profit resource center dedicated to bolstering municipal anti-corruption research, promoting essential tools and best practices, and cultivating a professional network to share new developments and lessons learned, both online and through regular conferences.

Our Mission:

CAPI aims to improve the capacity of public offices and practitioners to deter, identify, and combat corruption.

We work to:

- Build and support a vibrant community of leaders in the public integrity field.
- Develop tools and resources to help governments and practitioners fight corruption.
- Promote research and scholarship on important public integrity issues

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