

Coalition for Integrity

States With Anti-Corruption Measures for Public officials (S.W.A.M.P.) Index: Note on Methodology

The Index of States With Anti-Corruption Measures for Public officials (S.W.A.M.P.) Index analyzes the laws of the 50 States and District of Columbia on ten questions relating to the jurisdiction and scope of ethics agencies, the powers of those agencies, acceptance and disclosure of gifts by public officials, transparency of funding independent expenditures and client disclosure by legislators. These ten questions are:

- 1) Is there an ethics agency, with the authority to conduct its own investigations, including public hearings and subpoena power?
- 2) Will the ethics agency accept anonymous complaints and is the ethics agency required to reveal the name of the complainant to the respondent?
- 3) Does the ethics agency have the ability to sanction, including personnel actions, injunctions, and fines?
- 4) Are the members of the ethics agency protected from removal without cause?
- 5) Are elected and appointed executive branch officials and legislators prohibited from accepting gifts from high-risk sources (lobbyists, lobbyists' principals, government contractors) in an aggregate of \$250 or more?
- 6) Are elected and appointed executive branch officials and legislators prohibited from accepting gifts from persons other than high-risk sources in an aggregate of \$250 or more?
- 7) Are elected and appointed executive branch officials and legislators required to publicly disclose gifts that they receive?
- 8) Does the state require reporting of contributors to independent spenders?
- 9) Does the state require the disclosure of the payors of political advertisements or other electioneering communications to appear directly on the communication made through print media, broadcast media (TV, radio etc.), and Internet-based media (Facebook, Twitter, Google, and other online platforms)?
- 10) Do legislators have to disclose client names as part of their financial disclosure reports?

Creating the Index

To create the S.W.A.M.P. Index, the Coalition for Integrity team produced detailed reports for all 50 states and the District of Columbia. Each report contains answers to the ten questions, along with citations and links to relevant statutes and regulations. After finalizing the reports, Coalition for Integrity used the Scoring Rubric (available on our website) to determine what score to assign each state for each individual part of each of our ten questions. Each question is worth 10 points for a total maximum score of 100 points.

Drafting the State Reports

Each state report went through four phases of drafting, revision and review involving two to three team members.

- For each state report, two team members formed a researcher-reviewer pair. The researcher made a first attempt at answering the ten questions, then passed on the draft state report to the reviewer.
- As part of the research process, we contacted the ethics agencies of several states to gain a fuller picture of their ethics regimes.

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- We received responses from 22 states during this phase.
- The reviewer independently examined the statutes underlying the answers and ensured that all information relevant to scoring was included in the answers. The researcher and reviewer together addressed the reviewer's comments until they fully agreed on answers to the ten questions.
- Once they agreed on the substance of the answers, the reviewer and researcher each scored the state ethics regime on their own, following the scoring rubric, before meeting to reconcile any differences of opinion.
- In addition, we engaged additional support for a citation review to confirm that the cites in each state report generally support the claims made about the state ethics regime, and that they follow a standard format.
- We emailed the 51 reports to the relevant agencies in each jurisdiction. Each agency was given the opportunity to comment on, but not independently approve or edit, the report for their jurisdiction. We received comments back from 34 states, and we incorporated the relevant comments in our state reports. This was ten more states than our 2018 report.
- Finally, we undertook a fourth round of quality control and review for the reports and scores to ensure consistent treatment.

Information Available Online

- Our complete Scoring Rubric with detailed information on our assigned scores
- Our complete Index Scoring Chart with the answers to our questions and corresponding scores for each state.
- A detailed report for each state and the District of Columbia with links to the relevant statutes and regulations that informed its contents.