



Coalition for Integrity

Coalition for Integrity releases States with Anti-Corruption Measures for Public Officials (S.W.A.M.P.) Index 2020

November 18, 2020 – Coalition for Integrity released States with Anti-Corruption Measures for Public Officials (S.W.A.M.P.) Index 2020 today. The S.W.A.M.P. Index, first published in 2018, is a comparative scorecard which rates the 50 States and District of Columbia based on the laws and regulations governing ethics and transparency in the executive and legislative branches. The questions in the index relate to the scope and independence of ethics agencies, powers of those agencies, acceptance and disclosure of gifts by public officials, transparency of funding of independent expenditures, and client disclosure by legislators.

In this year's report, we asked two additional questions. One asked whether the state ethics agencies provided an avenue for complainants to submit anonymous complaints, and whether they kept complainant identities confidential. The second new question asked whether state campaign finance laws required disclosure of funders of political ads across all major forms of media – print, television and radio, and the Internet. Federal election law currently does not require disclosure of funders of Internet ads. nor does it apply to elections for state offices – for which nearly \$3 billion were raised in the 2020 elections alone. Therefore, it is necessary for states to enact transparency laws, and why we have compiled a comprehensive list of existing law.

The 2020 Index continues to reveal weaknesses in the statutory frameworks governing ethics and campaign finance transparency in all states.

- ▶ No state received a perfect score, and in fact, no state scored above 80.
- ▶ 35 states scored below 60.
- ▶ Michigan and Utah have no power to sanction ethical violations. Vermont and Virginia also cannot sanction violations and cannot even investigate complaints.
- ▶ 26 states with ethics agencies do not accept anonymous complaints, and do not keep the identity of a complainant confidential.
- ▶ Three states, Washington (80), Rhode Island (78) and the District of Columbia (76) land at the top of the score chart.
- ▶ There have been improvements since 2018, most significantly in North Dakota and New Mexico. North Dakota scored 0 in 2018 because it did not have an ethics agency or gift laws. It now prohibits gift acceptance from lobbyists, has an ethics agency which became operational in 2019 and which may impose legally authorized penalties. New Mexico also did not have an ethics agency in 2018 and now has an operational agency with the power to hold public hearings and impose fines on those who engage in ethical violations.

Shruti Shah, President and CEO of the Coalition, pointed out that “The 2020 S.W.A.M.P. Index showcases the wide variation in state ethics laws across the country and highlights gaps that continue to exist. It drives home the point that we must continue to demand that state legislators enact laws that promote integrity and transparency.”

“The 2020 SWAMP index provides examples of best practice that states can follow to improve their ethical framework and transparency.” stated Laurie Sherman, Policy Advisor to the Coalition.

Notes to Editors:

1. Our report including our findings and analysis can be found [here](#).
2. S.W.A.M.P. Index 2018 is available [here](#), and our 2019 Report on Enforcement of Ethics Rules by State Ethics Agencies is available [here](#).
3. There has been a drive among citizens and legislators in several states to improve ethics regimes. In Pennsylvania, the legislature last year considered changes to their gift laws. In Vermont, the legislature this year considered a proposal to create a Code of Ethics. The Coalition provided comments to these legislatures, as well as [North Dakota](#) and [New Mexico](#). All our advocacy can be found [here](#).
4. The Coalition for Integrity is a non-partisan 501(c)(3) [organization](#). We work in coalition with a wide range of individuals and organizations to combat corruption and promote integrity in the public and private sectors.

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