

**Statement to the Committee of the Whole on Resolutions 060772;
060773; 060774; 060775; and 060776 Regarding Confirmation of the
Five Nominees to the New, Independent Board of Ethics**

November 14, 2006

To the Committee of the Whole:

The members of the current Philadelphia Board of Ethics (reconstituted by Executive Order 001-04 in August 2004), regret that they are unable to appear before City Council to testify on Resolutions 060773 – 060776, regarding confirmation of the five nominees to the new, independent Board of Ethics. Nevertheless, the current Ethics Board respectfully requests that the Committee of the Whole accept the Board's unanimous support of the confirmation process for the five nominees to the new, independent Board of Ethics.

In early 2004, the Ethics Committee of the Philadelphia 21st Century Review Forum recommended that the Philadelphia Home Rule Charter be amended to create a new Board of Ethics with all necessary adjudicatory and enforcement powers. Both the Chair and Vice Chair of the current Ethics Board were members of that Committee. All members of the current Ethics Board has advocated that an independent Ethics Board with enforcement powers be created to replace the current Board since it was reconstituted in August 2004. The current Board has always supported the legislative process necessary to produce an independent Ethics Board. Our support for an independent Ethics Board was first expressed in a statement issued on September 22, 2004, and was later expressed in the form of testimony presented to the Committee on Law and Government almost exactly a year ago, on November 16, 2005.

The current Board understood that the legislative process would take time. In the interim, we have worked to build a foundation for a robust ethics program, which we knew that one day, the new, independent Ethics Board would continue to build upon.

We have created a Citywide Ethics Training Program, which provided ethics training to 16,224 city officials and employees in the first ten months of operation. This ongoing initiative will provide ethics training to most of the city's workforce by the end of 2006. No other city in the country has trained as much of its workforce over a similar time period as we have already trained in Philadelphia. We have created an Ethics Board web site that is a powerful resource for anyone who seeks to learn more about the ethics rules; recent ethics legislation; or about the current Board's activities and operation. The current Board facilitated the distribution of the Philadelphia Code of Ethics to every city official and employee in July of this year, as required by the same ordinance that contains the powers and duties for the new Ethics Board. We have also rendered advisory opinions to those seeking guidance on the ethics rules and conducted a review of conduct that raised an appearance of impropriety.

The current Board supports this penultimate step in the legislative process necessary to establish the new Ethics Board – the confirmation of the Mayor’s five nominees to that new Board by a majority of the members of City Council. We applaud Council for scheduling this confirmation hearing promptly. The five nominees to the new Ethics Board are highly qualified candidates with diverse backgrounds and experiences. We urge Council to vote on the nominees quickly in order to move Philadelphia further along the road to a new, independent Board of Ethics as swiftly as possible.

Once the new Ethics Board is installed, we will work with it to ensure a smooth transition of the city’s ethics program from one Board to the next. To that end, we will submit a report to the new Board and to the Administration that will describe our work over the past two years and will include our recommendations to the new Board and to the Administration.

Respectfully submitted,

Charisse R. Lillie, Esq., Chair
Daniel P. McElhatton, Esq., Vice Chair
Romulo L. Diaz, Jr., Esq., Member