

2023 Annual Report of the Ohio Ethics Commission



The Ohio Ethics Commission

Merom Brachman, Chairman
Mark Vander Laan, Vice Chairman
Bruce E. Bailey
Megan Kelley
Marty Ross-Dolen
Elizabeth E. Tracy

Paul M. Nick, Executive Director

Welcome

A Message from the Executive Director

On October 4, 1974, the newly created Ohio Ethics Commission issued its first formal Advisory Opinion on a potential conflict of interest for an attorney who served on a local board of education and represented clients before state administrative agencies. Fifty years later, the Commission has published over 351 formal opinions (and thousands more informal and staff opinions) that guide public officials and employees across Ohio and protect the public from potential conflicts of interest.

This annual report for calendar year 2023 illustrates the broad application of the Ethics Law and the Ethics Commission's continuing work to aide compliance with the law and, when necessary, hold accountable those who violate it.

The Commission impacts citizens and officials in all 88 counties and at all levels of government: from the statewide elected officeholders to local officials and employees to those who sell goods and services to the government. Our four core functions – advice, education, financial disclosure, and enforcement – affect every citizen in Ohio by helping to ensure that governmental decisions and expenditures of funds serve the public interest, and not the private interests of those entrusted to make them.

Sincerely,
Paul M. Nick

About Us

The Ohio Ethics Law became effective on January 1, 1974. These laws set forth a code of ethics for public officials and employees, require financial disclosure requirements for certain public officials, and prohibit public officials and employees from:

- acting on conflicts of interest;
- selling goods or services to their own public entities;
- abusing public positions for private business opportunities.

The Ohio Ethics Commission is authorized to conduct investigations, render advisory opinions that offer immunity, provide a continuing program of education, receive financial disclosure statements, and make recommendations for future ethics related legislation.

The Ethics Commission is an independent, bipartisan commission, comprised of six members serving staggered, six-year terms. Commissioners are appointed by the Governor subject to confirmation by the Ohio Senate. Review current and past members of the Ohio Ethics Commission on our [Commission Members page](#).

Advisory

The Ohio Ethics Commission has statutory authority to provide guidance to both the public and private sectors. The application of the Ethics Law to specific facts provides a uniform state-wide application that ultimately protects everyone in Ohio from government wrongdoing. Those who comply with guidelines provided through the advisory process receive immunity; a valuable resource available to anyone in public service in Ohio! Responses to thousands of emails in 2023 were just the beginning of the tremendous work of the Advisory Attorneys last year as outlined below:

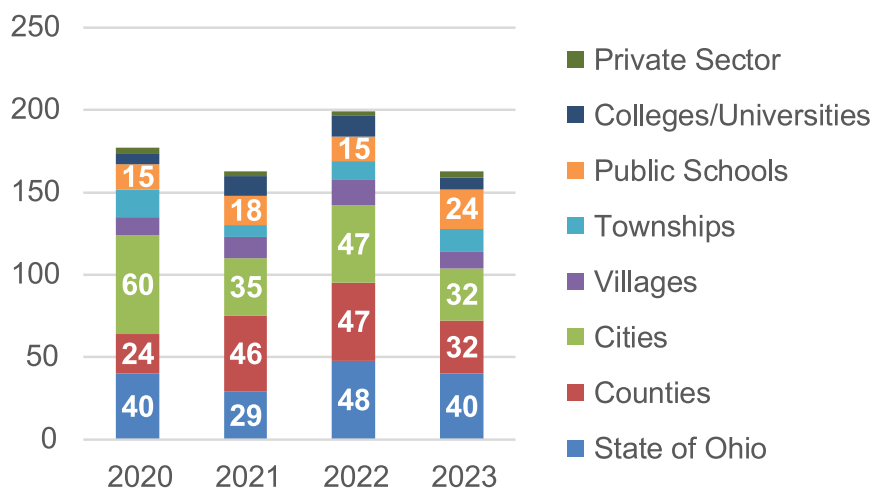
By the Numbers

- 170 written requests for advice
- 1,528 telephone communications
- All written requests issued within 17 days of receiving request
- Approximately 68 percent of advisory requests come from local governments, including counties, cities, townships, villages, and public schools

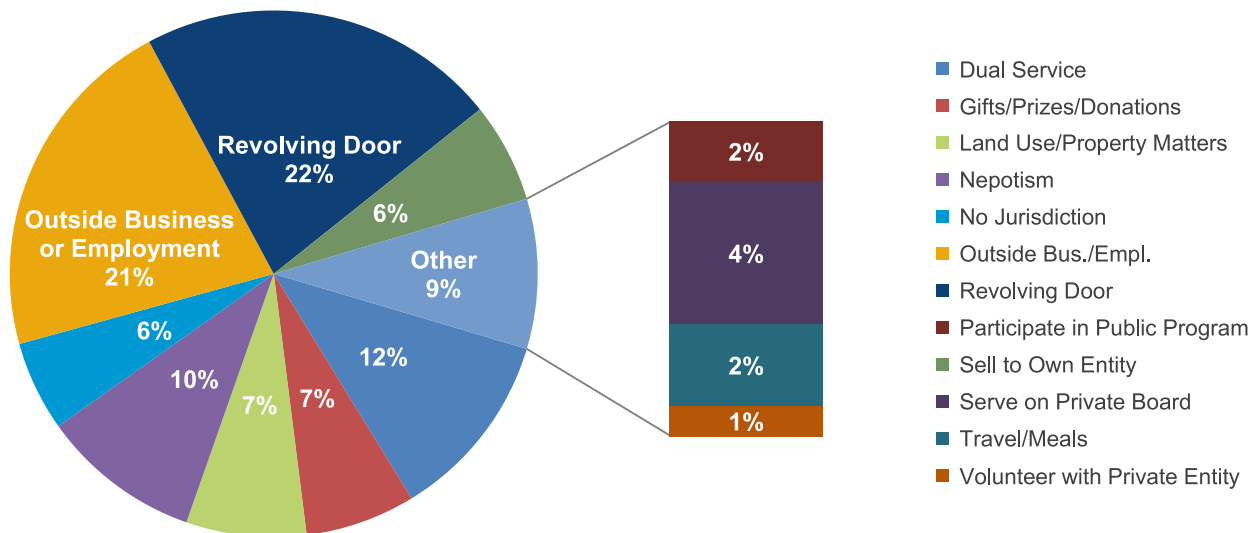
Did You Know? The Commission's [advisory function](#) is...

- Preventative – averts violations before they happen
- Reliable – provides immunity to individuals who receive opinions
- Accessible – all formal and informal advisory opinions available [online](#)

2023 Opinions Issued by Entity Type



2023 Opinions Issued by Topic



Investigations

The Ohio Ethics Commission is statutorily charged with investigating alleged violations of the Ethics Law and refers cases supported by substantial evidence for prosecution or alternative resolution. This important responsibility of the Ethics Commission holds accountable those who violate both the law and the public's trust. It also deters violations from public officials or employees and assures all Ohioans of their right to expect that government actions are for the public's benefit, not for the benefit of individual public officials or employees.

By the Numbers

- 168 cases investigated
- 1,241 telephone investigative inquiries
- 523 information requests or allegations of wrongdoing
- Closed 65 cases, including settlement and censure cases

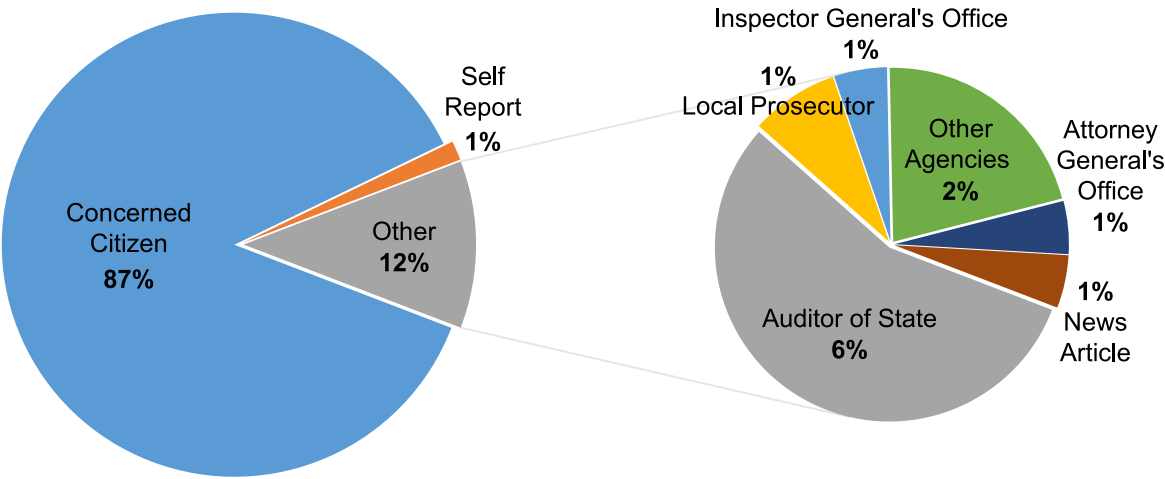
Investigation Trends in 2023:

- Securing things of value for oneself
- Securing things of value for a family member
- Nepotism
- Outside business/employment

Did You Know? The Commission’s investigative function is...

- A core function – responsible for investigating alleged violations
- Protective – assures the public of accountability
- Promotive – advances good government

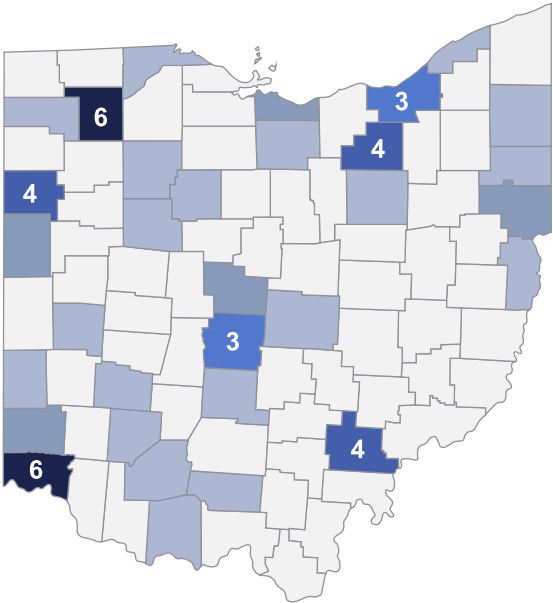
523 Documented Allegations Received in 2023



The Investigative Team considers information from any source, which alleges or indicates that a violation of Chapter 102 or Section 2921.42 or Section 2921.43 of the Revised Code may have occurred as an allegation. Allegations are reviewed at a preliminary level to determine whether the alleged violation falls within the Commission’s Authority. Once the Investigative Team determines there is a violation it is present to the Ohio Ethics Commission.

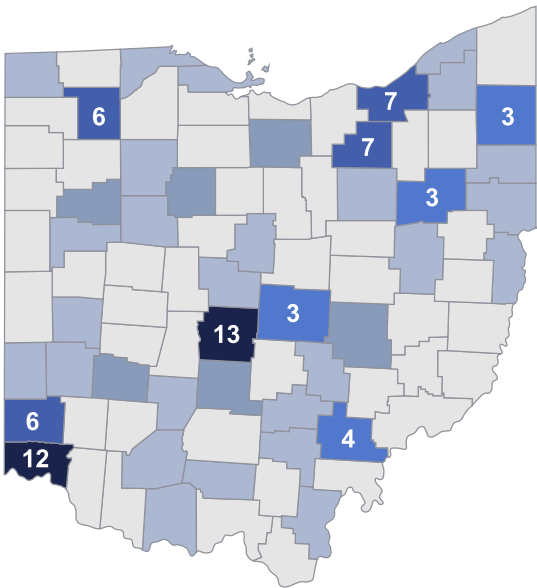
Top 7 Counties for New Investigations Opened in 2023

County	Cases
Hamilton	6
Henry	6
Athens	4
Medina	4
Van Wert	4
Cuyahoga	3
Franklin	3

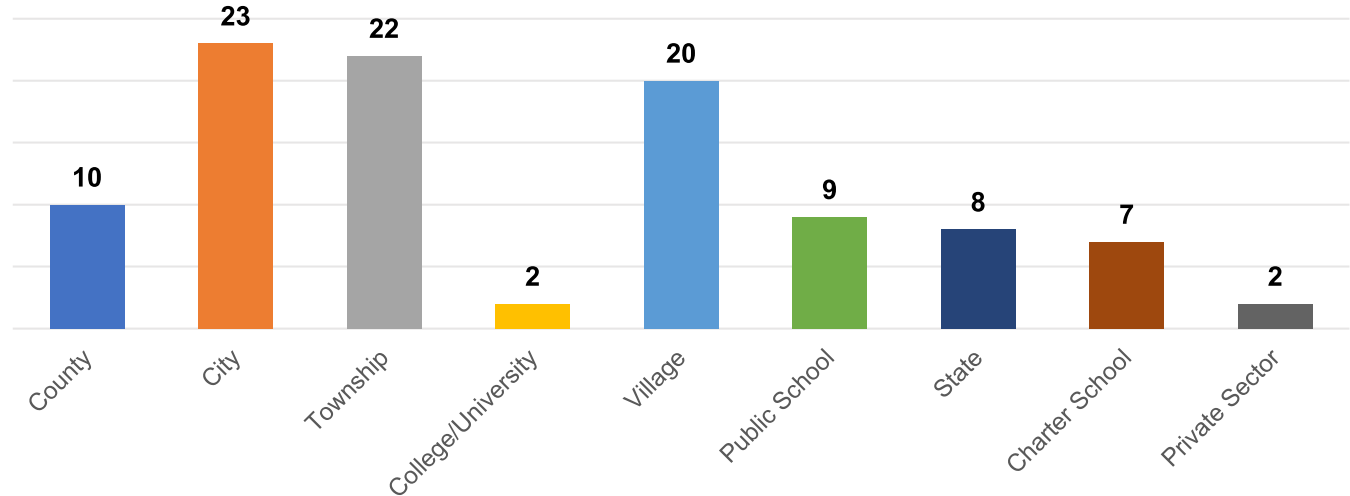


Top 10 Counties for Active Investigations at the End of 2023

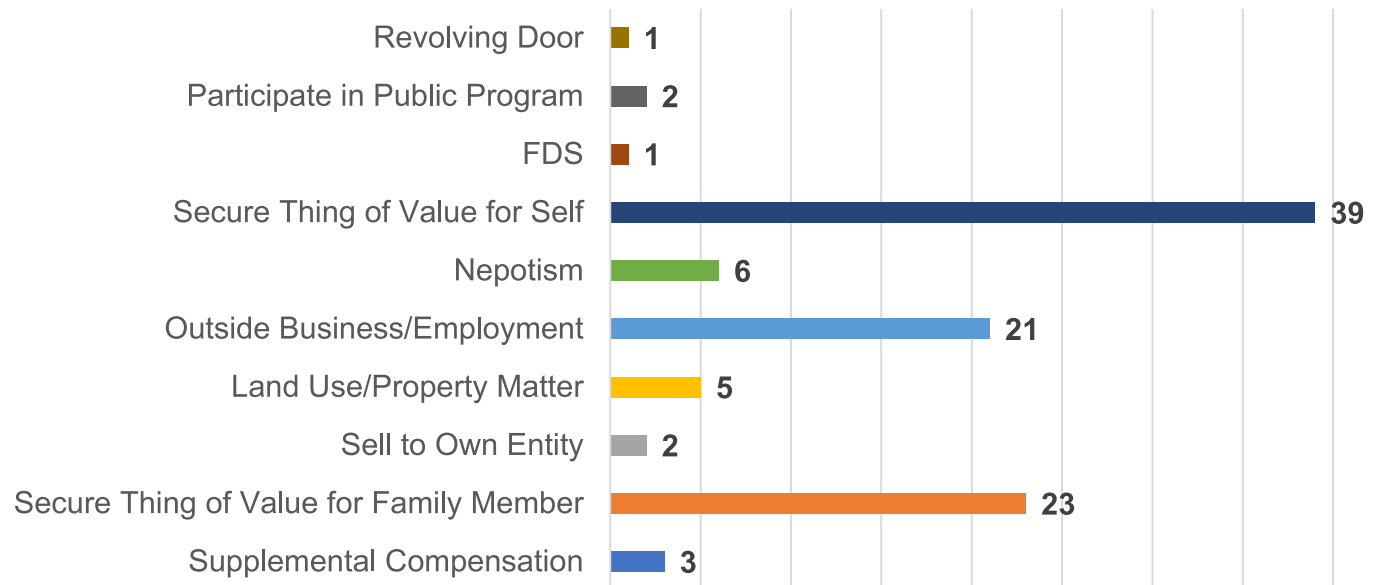
County	Cases
Franklin	13
Hamilton	12
Medina	7
Cuyahoga	7
Butler	6
Henry	6
Athens	4
Stark	3
Licking	3
Trumbull	3



All Active Investigations by Entity Involved



All Active Investigations by Topics



Education and Training

The Education and Training staff at the Ohio Ethics Commission seeks to turn complex legal requirements and prohibitions into easy-to-understand and accessible training opportunities. Thousands of learners took advantage of the numerous options offered by the Ethics Commission to learn more about the Ethics Law and feedback indicates that ethics training doesn't have to be tedious or dry! Here are some of the comments we received in 2023:

Quotes:

Webinars:	"I always enjoy the Ethics Commission's webinars. The quick pace, use of themes, a little humor, along with poll questions always help me stay engaged."
In-Person Sessions:	"Everyone truly benefits from the knowledge, effort, and fun you place in your presentations. Who knew Ethics training could be so fun?!"
E-Course:	"Your e-training is a great public service...it is as good as it could possibly be...all the work you do is not only not in vain, but incredibly beneficial."

By the Numbers

- 167 public appearances to nearly 15,000 people
- 41 webinars with nearly 5,000 electronic attendees
- Approximately 55,000 public employees and officials trained by the 2023 e-course
- More than 68,000 visitors to our website

Did You Know? The Commission's [educational function](#) is...

- Varied – speeches, webinars, e-courses, fact sheets, and more
- Proactive – provides information even before questions encountered
- Easy – no formal process for scheduling; just ask

Financial Disclosure

As it does each year, the Ohio Ethics Commission efficiently administered in 2023 the financial disclosure program as mandated by statute. Financial disclosure provides significant benefits for both filers and all Ohioans.

The financial disclosure form is a helpful tool in increasing awareness of potential issues filers may face while serving in their public role. The form helps filers identify potential conflicts between public roles and private lives which likely prevents violations of the law.

The public benefits from financial disclosure through the additional government transparency it delivers. Ohio citizens have the right to know that public officials and employees have the citizens' best interests in mind and not their own when making decisions in their public role. The disclosure form makes that information available in a very accessible way.

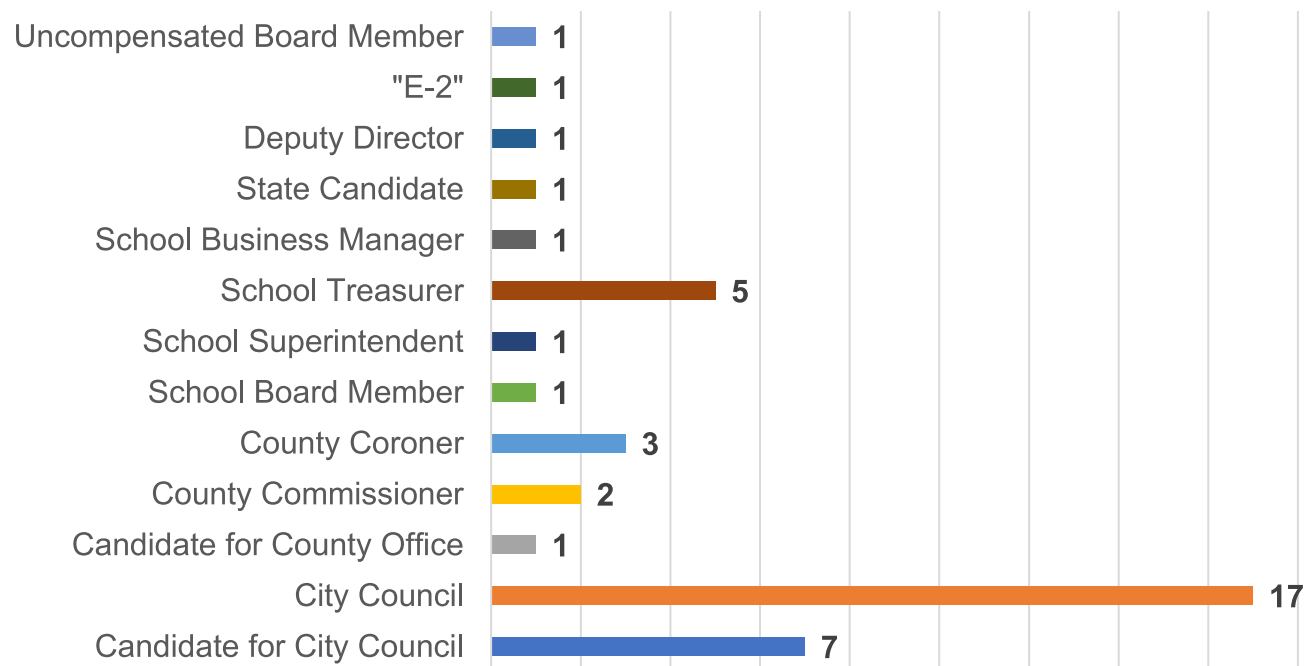
By the Numbers

- Nearly 9,000 statements filed with the Ethics Commission
- More than 98 percent of filers used the convenient online filing system
- Staff collaborates with nearly 1,300 different filing entities each year
- Confidential reviews are conducted for nearly 800 different entities and 2,400 filers
- The FDS program maintains a near 100 percent compliance rate, with 95 percent filing on time in 2023
- Most late filers were candidates for public office.

Did You Know? The Commission's [disclosure function](#) is...

- Efficient – online filing quick and easy
- Transparent – increases confidence in government openness
- Eye-opening – assists filers in identifying potential conflicts

2023 Formal Complaints Against Non-Filers by Position



Financial Disclosure Statement Complaints

Total Formal Complaints Brought by the Commission Against Delinquent State and Local Non-Filers in 2023: 41

- Complaints processed for failure to file a 2020 Financial Disclosure Statement: 1
- Complaints processed for failure to file a 2021 Financial Disclosure Statement: 19
- Complaints processed for failure to file a 2022 Financial Disclosure Statement: 21

Total referred for prosecution in 2023: 9

Complaints Pending in the Franklin County Municipal Court (Cases Referred to the Prosecutor's Office Prior to 2023): 53

Pleas and Convictions in Franklin County Municipal Court for Failure to File a Financial Disclosure Statement in 2023: 4

Dismissal of Charge for Failure to File a Financial Disclosure Statement in Franklin County Municipal Court at the Request of the Prosecutor in the Interest of Justice: 5*

*2 cases (one filer) were dismissed as a part of plea agreements, 2 cases (one filer) were dismissed for medical reasons as well as previous timely filing, and 1 case was dismissed because the defendant was in federal prison on unrelated charges.