Using Oversight to Effect Change

Council of State Governments West
Legislative Oversight Working Group

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Levin Center at Wayne Law

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Levin Center at Wayne State University Law School

- Oversight Training
- Research and Reports
- Conferences and Events
- Student Activities
Checks and Balances in Action: Legislative Oversight across the States

Study by Wayne State University Center for Urban Studies

http://stateoversightmap.org/

Upcoming Levin Center Report

State Legislative Oversight of Emergency Contracts Related to COVID-19: Three Case Studies

November 2020
Who Investigates

- Committees
- Select Committees
- Individual Legislators

How Are Investigation Topics Chosen

- Committee jurisdiction
- Leadership concerns
- Scandals, events, news, problems
- Reports
- Constituents
- Whistleblowers, advocacy groups
- Legislator concerns
Course of an Investigation

• Fact-Finding
• Written Product
• Hearing
• Followup

Investigative Partners

• Committee and Personal Staff
• State Auditor
• Legislative Support Organizations
• Other Committees or Legislators
• State Agencies
• Outside Groups
Constitutional Basis of Legislative Investigations

“A legislative body cannot legislate wisely or effectively in the absence of information.” --McGrain v. Daugherty (1927)

“It is the proper duty of a representative body to look diligently into every affair of government .... It is meant to be the eyes and the voice, and to embody the wisdom and will of its constituents.”
--Trump v. Mazars (2020)

Investigations help produce informed decisions on:
--Legislation --Regulations
--Appropriations --Procurements

Examples of Investigations

• Pension funds
• Prisons
• Foster care

• Disaster response
• Lobbying disclosures
• Contract mismanagement
• Infrastructure
Power of a Phone Call

- Legislator phone calls and emails are returned.
- Questions can trigger research.
- Attention can trigger reflection, reconsideration, change.
- Oversight can have as much impact as legislation.

Measuring Good Oversight

- Quality of the Investigation
- Level of Bipartisanship
- Credibility of the Inquiry
- Policy Impacts
Legislative Oversight

• Investigations can find the facts.
• Investigations can bridge divides.
• Investigations can produce change.

2019 Levin Center Training of Pennsylvania Oversight Committee
Thank You, CSG!

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