Utah Oversight Workshop

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go.levin-center.org/Utah
Utah Oversight Workshop

Jim Townsend and Ben Eikey
Levin Center for Oversight and Democracy
State Oversight Academy
January 26th, 2024
Go Lions!
Levin Center for Oversight and Democracy

- Workshops for Congress, state, international legislatures
- Videos, testimony, webinars, social media
- Research & Reports (50-state analysis, contract oversight, more)
- Conferences, panels & events
- State Oversight Academy

More: Benjamin.Eikey@wayne.edu

Pennsylvania Oversight Committee

North Carolina General Assembly Oversight Workshop

Wayne State Law School

DC Council Oversight Workshop

levincenter@wayne.edu
Agenda

• What is Legislative Oversight?
• Oversight Topics
• Recommended Best Practices
• Oversight Planning
What is Legislative Oversight?

The “eyes and voice” of the people

“It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice, and to embody the wisdom and will of its constituents.”

-- United States Supreme Court

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Cycle of Accountability

Problem/Outcome

Implemention

Oversight

Regulation

Legislation

Law

Eyes and Voice of the People

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## Routine or Event-Driven Oversight?

<table>
<thead>
<tr>
<th>Routine: &quot;cop on the beat&quot;</th>
<th>Event-Driven: &quot;firefighter&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program Outcomes</td>
<td>Scandal</td>
</tr>
<tr>
<td>Budgetary</td>
<td>Disaster</td>
</tr>
<tr>
<td>Contracts</td>
<td>Chronic Problems</td>
</tr>
<tr>
<td>Compliance</td>
<td>Escalating Problems</td>
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<tr>
<td>Deter Malfeasance</td>
<td>Long-term Investigation</td>
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Your Superpowers

- Legislator phone calls and emails get returned.
- Legislators can request investigations and reports.
- Legislator questions trigger research, reconsideration, change.
- Oversight can have as much, or more, impact as legislation.
Avenues for State Legislative Oversight

• Analytic Bureaucracies
• Appropriations Process
• Committees

• Administrative Rule Review
• Advice and Consent
• Monitoring Contracts
Origin of Investigation Topics

• Committee jurisdiction
• Leadership concerns
• Scandals, events, news, problems
• Reports (SOA Wiki!)
• Constituents
• Whistleblowers, advocacy groups
• Legislator concerns
• Lawsuits
• Agencies
• Sunset Provisions
• Personal experience
• Oversight plan, long-term vision
Examples of Topics

• Pension funds
• Prison operations
• Foster care

• Disaster response and mitigation
• Lobbying disclosures
• Contract mismanagement
• Infrastructure
South Carolina

House Legislative Oversight Committee
- Full Committee plus five subcommittees
- Video archive and minutes of all meetings
- Public input form, plus info on testimony submission
- Restructuring recommendations for agencies
- Seven-year agency reviews
South Carolina

House Legislative Oversight Committee

- Transparency report to citizens
  - Purpose, findings, and recommendations
- All reports available online since 2014

Recommendations for Strengthening Oversight

• Joint oversight committee with balanced party membership. E.g., Michigan SJR O, 2022
• Bipartisan approach to topics, inquiry, witnesses, questions, etc.
• Interim opportunities.
• More follow-up (e.g., hearings) on reports.
Recommendations for Strengthening Oversight

Publish oversight data on website.

Partner with universities to enhance capacity.
Recommendations for Strengthening Oversight

Build a plan.

- What to investigate?
- How?
- Who?
- Timeline?

For additional resources, including bill language: https://www.levin-center.org/state-lawmakers/state-oversight-resources/

levincenter@wayne.edu
Oversight Planning

Oversight planning can and should be undertaken at any of these levels:

• Entire legislature
• House/Senate
• Caucus
• Committee
• Investigation

For additional resources: https://levin-center.org/state-oversight-academy/state-oversight-resources/
Civility in Oversight

When conducting an inquiry,

• Focus on process over personalities.
• Poor results are not always the agency personnel’s fault.
• Remember that building effective partnerships with agency personnel is often a better path to meaningful change than misusing oversight as a disciplinary tool.
• Build a positive culture by expecting agency personnel and members from the other party are also pursuing information and problem solving in good faith.
• Let the facts be the guide.

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## Oversight Plan

<table>
<thead>
<tr>
<th>Topic</th>
<th>Subtopic</th>
<th>Factual Question</th>
<th>Avenue(s)</th>
<th>Routine/Event Driven (Required Resources)</th>
<th>Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reentry</td>
<td>Economic Opportunity</td>
<td>How does the state incorporate the previously incarcerated into the workforce?</td>
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**Avenues:**

- Analytic Bureaucracies
- Appropriations Process
- Committees
- Admin Rule Review
- Advice and Consent
- Monitoring Contracts
Thank you!

For more information, contact:

Ben Eikey, Benjamin.Eikey@wayne.edu
State Oversight Resources: https://www.levin-center.org/state-lawmakers/state-oversight-resources/
State Oversight Workshops: https://www.levin-center.org/state-lawmakers/oversight-workshops/