

My name is Will Stevens, and I live in Shoreham, Addison County. I was appointed to the State Ethics Commission by the Senate's Committee on Committees in December 2024, a little over one year ago. I also served as a state Legislator from 2007-2014.

Why does Vermont need an Ethics Commission?

When they are fully staffed, effective Ethics Commissions:

- Act as bulwarks against shifting cultural norms
- Are blind to party status or interests
- Hold state officials and administrators accountable
- Set the standard for best practices in governance
- Act as consultants and manage situations before they become problems
- Act confidentially
- Help ensure the public's confidence in their elected leaders

Just like locks on doors, Ethics Commissions serve to keep honest people honest.

Let's break it down a little bit more:

Shifting Norms

In our everyday lives – and I'll use “prop bets” as an example, where athletes are paid to throw certain pitches, score fewer baskets, or shave the final score – the message seems to be, who does it hurt, and why should I care? Today we are seeing our cultural norms shifting, and people are noticing. They notice that questionable behaviors and attitudes don't seem to get much pushback and yield no meaningful negative consequences. “Hey, if they can do it, maybe I can too.” It's not an unreasonable reaction, but it feels like a race to the bottom; like lemmings following each other off the edge of a cliff. Ethics Commissions can provide predictability and, more importantly, security in stressful and uncertain times.

Partisan Interests

Ethics Commissions are interested in good governance, not partisan gain. It's typical that whatever party is in power feels like the Ethics Commission is “after” them, because the commission is, in fact, meant to be a check on unbridled power, regardless of the party in charge. It's just that simple. Ethical behavior should not be a partisan issue.

Accountability

In the present moment, especially at the national level, we are seeing a shift in how our representative democracy is both behaving and being perceived. We see our leaders flouting traditional ethical norms and pushing boundaries to see what they can get (or how far they can go)

by emphasizing a transactional “what’s in it for me” approach in which the winner wins, and the loser . . . well, who cares about losers?

While voters conceptually have the power to hold their elected officials accountable through the ballot box, sometimes a principled, outside or third-party perspective is needed to help with the balance of power – especially when questions of conflict of interest or self-dealing come up. Ethics Commissions offer that perspective in support of transparency and good governance.

Best Practices

An Ethics Commission acts as a principled advisor in a state like Vermont where the relationship between the public and their elected officials is like that of neighbors: what you do is more important than what you say. The Commission is not the morality police, it is the backstop for accountability and the arbiter of best practices. It is a partner, not an adversary. It is a good governance teammate in a setting where we hold each other accountable to do the best and to be the best, in service to our constituents, the citizens of Vermont.

Consultation Services

Outreach is an essential job of an Ethics Commission, and ethics training and education is a two-edged sword. The more outreach that’s offered, the more inquiries are received, which results in increased workload. That’s a good thing, because it front loads guidance, builds trust, and encourages communication. It becomes difficult, however, when the inflow overwhelms the staff. Whether the inquiries are legitimate ethical issues or matters more suited to HR, equity, fairness, or justice, a commission needs to respond quickly and accurately.

An Ethics Commission that is under-resourced gets caught in a downward spiral of being unable to conduct outreach and respond to inquiries in a timely fashion. If ethics representatives are trusted and responsive, leaders will be more willing to proactively come to them for clarification or guidance. This can actually make our leaders look good, if only by helping them avoid situations that could lead to complaints, bad publicity, or worse. More often than not, the absence of drama is a win!

Confidentiality

By design, the Ethics Commission works confidentially – especially at the earliest stages of its work. When early inquiries are handled confidentially, questioners can avoid public scrutiny over sensitive issues. Assuming that officials follow the commission’s guidance, they will know that the Ethics Commission will have their backs in cases of public concern.

Public Perception

After Watergate, which exposed corruption at the highest levels of government, a number of states reacted by establishing Ethics Commissions in their constitutions – which is to say, ethics and

ethical behavior had constitutional standing. That was about fifty years ago. Unlike other examples of Vermont's perceived "first to the post" exceptionalism, we were very late to the ethics game. Vermont adopted a statutory State Code of Ethics for the first time less than five years ago (in 2022). The last two meaningful pieces of ethics legislation became law without the Governor's signature. It is starting to feel like our State Code of Ethics is a performative façade. Does anyone care? It certainly doesn't feel like "Mission Accomplished!"

The reason I come before you today is because in 2024, when the Legislature passed Act 171 (which added municipalities to the Ethics Commission's portfolio and gave us future enforcement authority), it failed to provide the resources needed to adequately handle the additional responsibilities. Although we have the authority and responsibility to provide ethics training and consultation services and will soon have the authority to conduct investigations and hearings, we still have only one half-time director and one half-time administrative assistant. As a result, we have had to suspend our services to municipal officials. Last year, the Legislature's H.1 gave the Ethics Commission a one-year extension on our enforcement responsibility, acknowledging the stress that our under-resourced commission was under.

We are here today to ask you to support our request to the Appropriations Committee to fund two additional staff for the State Ethics Commission. Specifically, we want to add two full-time attorneys – one for legal counsel, who will be able to handle state affairs' eventual investigatory work, and one for a staff attorney, who will be dedicated to municipal affairs.

The goal of any Ethics Commission is to serve its constituents, and that's all we're asking for: a chance to bring Vermonters good governance for good value.

Finally, and as a matter of comparison only, here is some staffing information from other Vermont State commissions:

- Human Rights Commission – nine staff positions
- Office of Racial Equity – seven staff positions
- Vermont Truth and Reconciliation Commission – seven paid commissioner and staff positions
- Vermont Ethics Commission – two part-time staff positions

Right now, at this moment, our great state cannot afford not to fully staff our Ethics Commission.

Thank you very much.