

Oklahoma Ethics Commission

November 2011

Interviewer: Dr. Linda Mason, Coordinator of Grant Writing Assistance, Oklahoma State Regents

Interviewee: Marilyn Hughes, Executive Director of the Oklahoma Ethics Commission

Q: Marilyn, would you tell us your name and what you do?

A: My name is Marilyn Hughes and I am the Executive Director of the Oklahoma Ethics Commission. I have been since 1987, so it's been a long tour.

Q: Tell us what the Oklahoma Ethics Commission's purpose is.

A: Well, let me give you a little history to get to the purpose. It began as a statutory commission and oversaw statutes, but in 1989 there was a study commission formed to look at making it a constitutional entity. And, it passed by a citizen's initiative, 2-1, in 1990. The first members of the constitutional ethics commission assumed office in '91. There are five members. It's made up of appointees of the Governor, the President pro tempore of the Senate, the Speaker of the House, the Chief Justice of the Supreme Court, and the Attorney General. Those members serve from all five congressional districts, no more than one from each one. And there cannot be more than three from a political party. They have the authority, and this is their purpose, to adopt civil penalty ethics rules governing state campaigns, and the conduct, ethical conduct, of state officers and state employees, and to adopt civil penalty ethics rules for violations of those rules.

Q: So, the people of Oklahoma are protected from misconduct by the work or the investigation or reports to and then follow-up from the Oklahoma Ethics Commission.

A: That's certainly the goal, and that's been its history that it has looked into misconduct through the years and enforced, either through reprimands or through district court, violations of those rules.

Q: The people that are subject to conduct for the state are who?

A: They're all state employees, and that includes all state agencies, the legislature, even the judicial, and it includes higher education.

Q: So, it includes all higher education colleges and universities that are state institutions.

A: Yes, it does. It does not reach the Vo-Tech level or the school level, but it includes everything that is above Vo-Tech.

Q: So, students who are conducting research and are paid by their institution from institutional funds or grant funds are state employees?

A: They would become state employees, yes.

Q: And are subject to ethical conduct.

A: Subject to the ethical conduct rules, such as misuse of office, either granting compensation, extra privileges, or exemptions for someone that they weren't entitled to; accepting things of value from vendors above the limit per calendar year, which is \$100 for a state employee; they could not contract with their own state agency they serve other than for their employment.

Q: Would you give an example of how students may want to be aware of the Oklahoma Ethics Commission?

A: Well, I think everyone in a position with the state, and you and I have been talking about health care, and that's a really ripe area for receiving things of value to encourage use of a particular drug, or being given free things to encourage use of a product. When you're in research, you are using items that have been sold to the state and you need to be cognizant of the fact that you are subject to influence and you are using taxpayer money and you need to keep yourself separate and apart from those kinds of influences that are common in the public sector.

Q: Students tend to use a lot of social media. Is that part of the ethical conduct standards, of how to use social media, or how to use communication?

A: I would say that it depends on how they used it. I don't think the rules specifically speak to that. The rules speak to conflict of interest. Are you doing something that is in your own private interest or the interest of someone else, as opposed to the interest of the public, your public position. And, you always have to remember that you are a public employee, not in the private sector.

Q: So, students who are conducting research and being paid by an institution that is a state institution are working for the public.

A: Yes, they are. As we have talked about, even if they are receiving federal funding for the research, the funding came to the state, and then is paid to the students. So, it is state money; it is taxpayer money that is being paid to them, and they're subject to the rules.

Q: That's very interesting. Thank you for being with us. We appreciate the information. How could students contact you if they had questions or anyone contact you if they had concerns?

A: We are on the Internet. Our website is www.ethics.ok.gov We are in the basement of the state capitol. All of our information, of course, is online, but you're welcome to call us, come by and see us, e-mail us with questions. We're glad to help out.

Q: One last question. Can anyone report a concern of ethical misconduct anonymously?

A: Yes. The Ethics Commission can open an investigation based on anonymous information if it's with a unanimous vote. If it's with a signed and verified information, such as a complaint, they can do it on a majority vote. But, many times they are of one mind and will open it on a unanimous vote.

Q: Thank you so much for being with us!

A: Thank you very much for asking.