**GOVERNOR HOCHUL ANNOUNCES PLAN TO REPLACE JCOPE WITH NEW INDEPENDENT ETHICS AGENCY**

***New Entity Will Bring Independence and Integrity to Ethics Enforcement***

***Plan Includes Transparency and Confidentiality Reforms to Ensure Ethics Body is Beyond Reproach***

Governor Kathy Hochul today announced a plan to replace the Joint Commission on Public Ethics with a new, truly independent agency as part of the 2022 State of the State. This proposal will create a new ethics oversight body and institute new transparency and confidentiality reforms.

"It is clear that JCOPE is irreparably broken and has failed to earn the public's trust," **Governor Hochul said**. "We must replace JCOPE with a new, truly independent watchdog with real teeth. This new ethics agency will prioritize transparency and integrity, crack down on any wrongdoing, and ensure compliance and ethical governing throughout State government. New Yorkers deserve nothing less."

Recent events have called into question the independence of JCOPE. The public has lost its trust in JCOPE's ability to carry out its mandate to ensure compliance with the State's ethics and lobbying laws and regulations. Governor Hochul will propose legislation to repeal and replace JCOPE with a truly independent and effective ethics agency.

**Create New Ethics Enforcement Agency**

JCOPE's members are appointed by elected officials. This new entity will consist of a rotating board of five members made up of the 15 state-accredited law school deans or their designees. Members will select a Chair and abide by majority voting, eliminating the "Special Vote" practice that has crippled JCOPE's ability to operate.

**Improve Transparency**

Current transparency exemptions and practices contribute to the perception that JCOPE operates in secrecy and is not open and accountable to the public. JCOPE is exempt from the Freedom of Information Law and the Open Meetings Law, meaning that only limited documents are made publicly available upon request. JCOPE also now operates largely in executive sessions, which are not open to the general public. To improve transparency and trust in the integrity of ethics enforcement, the new oversight agency will be subject to FOIL and the Open Meetings Laws like other State agencies. In addition, all of the new body's votes after a finding a finding of probable cause will be public, including enforcement hearings, and all parties will be required to adhere to final determinations.

**Ban Outside Communications**

Under the Governor's plan, individual members of the new ethics body will be prohibited from communicating with outside parties regarding any potential or ongoing investigation. Should the Board find a member in violation of the new rule, that member would be subject to sanctions.

This bold proposal builds on the Governor's ongoing actions to improve transparency and restore public trust in government:

* **Term Limits and Outside Income Ban:** As the first proposal of the 2022 State of the State, Governor Hochul [announced](https://www.governor.ny.gov/news/governor-hochul-announces-plan-institute-term-limits-and-outside-income-ban-statewide-elected) a plan to institute term limits and ban outside income for statewide elected officials.
* **Ethics Trainings:** Governor Hochul [signed](https://www.governor.ny.gov/executive-order/no-10-updating-states-ethics-training-requirements) an Executive Order requiring all State employees to take an ethics training course upon hiring and regularly thereafter.
* **FOIL Reforms:** Governor Hochul [implemented](https://www.governor.ny.gov/news/governor-hochul-announces-major-transparency-improvements-state-government) reforms to the FOIL process to increase transparency with journalists and members of the public. The Governor also began requiring state agencies to identify and proactively post commonly requested data, to reduce the need for FOILs in the first place
* **Recusal Agreements:** The Governor and other senior members of her administration [released](https://www.governor.ny.gov/sites/default/files/2021-10/Recusal_Letters.pdf) the full recusal agreements they abide by.
* **Transparency Plans:** Governor Hochul directed more than 70 executive agencies and public authorities to release public transparency plans, which are publicly [posted online](https://www.governor.ny.gov/hochul-administration-transparency-plans).
* **Combating Harassment and Discrimination:** To improve the Executive Chamber's response to accusations of harassment and discrimination, Governor Hochul [retained](https://www.governor.ny.gov/news/governor-hochul-announces-anti-harassment-and-anti-discrimination-initiatives-executive) an independent outside law firm to investigate all claims in a fair, unbiased manner and created a new Human Resources department.