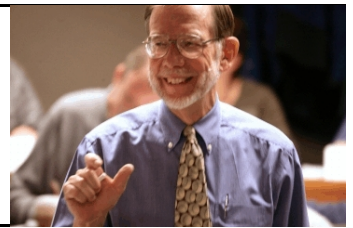


Bob

# Behn's Performance Leadership Report

An occasional (and maybe even insightful) examination of the issues, dilemmas, challenges, and opportunities for improving performance and producing real results in public agencies.



On why public officials and citizens should beware

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## The 'Egregious' IG Mentality

Laura Chick is looking for "some egregious something or other." Chick is California's inspector general for the \$50 billion the federal government is sending the state under the American Recovery and Reinvestment Act. Last summer, *Governing* magazine, in an article titled "**Laura Chick Is Watching**," reported that she is "hoping 'to find some egregious something or other—soon, fast, early—because I'm going to blast it out there.'"

For cops, auditors, and inspectors general, the good news is that there will always be bad guys. The bad guys will keep the good guys in business. But, should the cops be hoping to find muggings? Should auditors be hoping to find fraud? Should IGs be hoping to find egregious somethings? If they don't find them, they'll be looking for work. Still, should they actually wish for them? Should we?

I thought we citizens would wish for zero muggings. I didn't think that we wished for egregious muggings.

The theory, of course, emphasizes deterrence. Aggressive cops, auditors, and IGs will deter the bad guys. Unfortunately, in the pursuit of deterrence, the cops can get a little too aggressive. Sometimes, the nightsticks come out when they aren't really necessary.

Today, anyone with a cell phone can quickly tape such egregious deterrence. The video goes on YouTube and the 11:00 p.m. news, and soon stakeholder groups are protesting this official, and very public, mugging.

It is also possible to video tape an aggressive auditor or IG. Some of them want to be on YouTube and the 11:00 p.m. news. So they make it easy; they hold a press conference.

Sometimes, however, in pursuit of deterrence, an IG might just happen to blast a public employee a little too aggressively. To those with the IG mentality, however, such auditing nightsticks are all part of the game.

Several years ago, I was on a task force examining the management of a large public agency. We interviewed

all of the managers who reported to the agency director. One member of our group asked each of these managers how the director evaluated his or her performance. This question was embarrassing. People fidgeted. They avoided eye contact. The only answer that more than one manager offered was: "I guess if I keep my name out of the newspaper I'm doing a good job."

What incentives do the IGs create? Do they deter fraud and abuse? I hope so. But perhaps, just perhaps, they also encourage waste.

Last month, **Chick wrote California's governor, Arnold Schwarzenegger**, complaining that the state's Office of Historic Preservation was taking too long to approve the expenditure of federal stimulus funds: "Every day that a project is stalled is a delay in creating desperately needed jobs."

What incentives do IGs create? Do they deter fraud and abuse? I hope so. But perhaps, just perhaps, they also encourage waste. Could it be that some "needless hurdles" were created to prevent the recurrence of some long past "egregious something"?

Unfortunately, she told the governor, before construction can begin, "there are numerous hoops to jump through." **I'm sure that Captain Chick was shocked, shocked to find numerous hoops to be jumped through!**

Chick called the Recovery Act an "opportunity" to find "ways to streamline, eliminate needless hurdles, slash bureaucratic red tape and implement efficiencies." Thus, she wrote, "expert minds in state government must come together to find creative answers" to the backlog problem.

Expert minds finding creative answers: I'm all for it.

Still, I wonder where all those hurdles, red tape, and other efficiencies originally came from? Did some malicious bureaucrat sneak them into the

regulations without telling legislators or the governor? Or could it be—just perhaps; I'm only suggesting this hypothetically—that these now "needless hurdles" were created to prevent the recurrence of "some egregious something or other" that was uncovered by some long forgotten IG, who "blasted it out of there."

Chick made several suggestions for finding those expert minds: "modifying furloughs for key personnel" who were not working full time because of the state's budget crisis; "rehire on a short-term basis retired state employees and conduct an open-call for experienced volunteers"; and "transfer staff from other departments."

Suppose you are one of these expert minds detailed, perhaps, from the state's Department of Water Resources to the Office of Historic Preservation. Will you conclude that your job is to help, as Chick suggests, "find appropriate ways to move these projects forward and streamline clogged bureaucratic processes"?

Maybe. But, which of the many ways to move projects forward count as "appropriate"? Which of these ways might count as inappropriate? Which might be an "egregious something or other"? Who gets to decide?

Your expert mind might conclude that one particularly "creative" way to "streamline clogged bureaucratic processes" is very appropriate. Unfortunately, you also know that someone else—an auditor, an inspector general, or some other bureau cop—could reach the opposite conclusion.

Thus, you might decide that doing a good job simply means keeping your name out of the newspaper. After all, Laura Chick is watching. **B**

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