

California's Mayor Problem

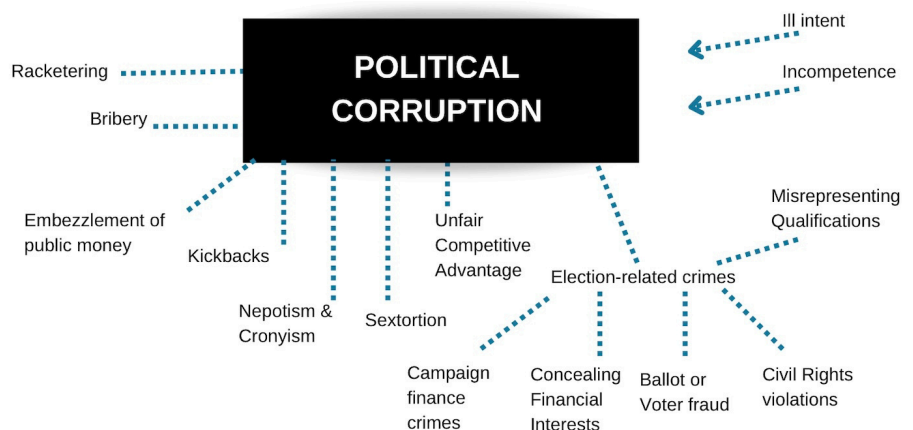
Mitigating the High Cost of Mayoral Corruption and Incompetence in California's Declining Cities

OVERVIEW

There is an evidenced correlation between corruption, incompetence, and municipal decline (Bozeman and Jung, 2022). This has been observed both in available literature, and anecdotally across the state of California. Moderate to large cities such as San Francisco, Oakland, Los Angeles, and Oxnard have all experienced municipal decline over the last decade, and this has occurred in tandem with rises in corruption perceptions, prosecutions, and incompetence evidenced through costly, preventable emergencies and litigation.

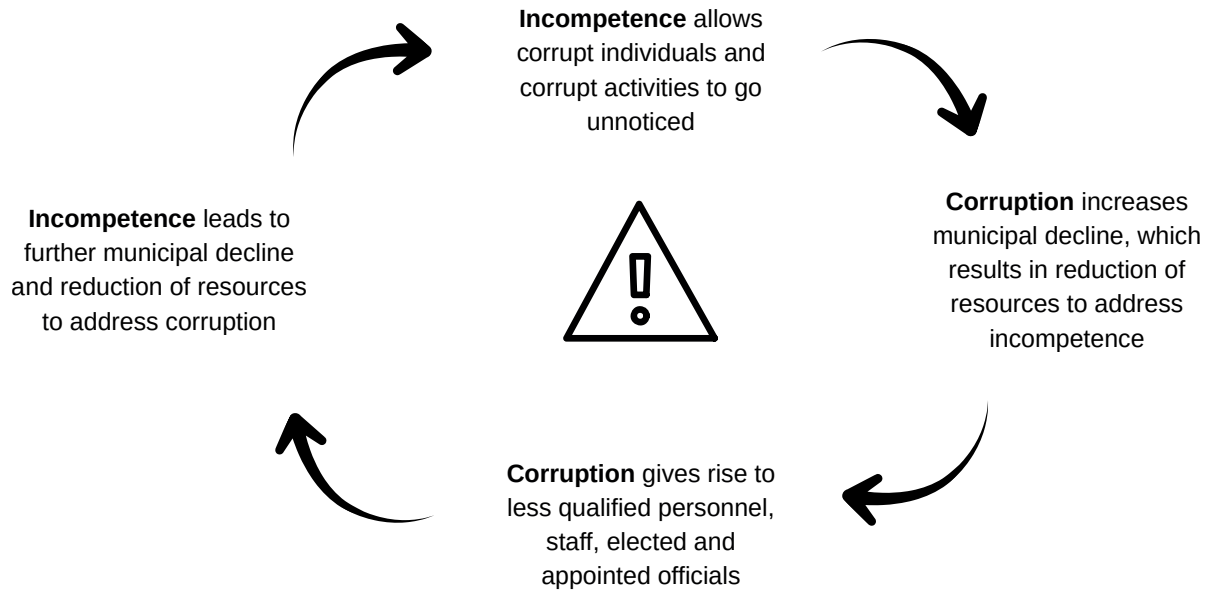
Certainly, the political corruption nexus has grown complex, and incomplete. It also fails to articulate the full scope of activities that may be considered either intentionally or unintentionally corrupt. There are arguments that any corruption - even that which arises from incompetence or misunderstanding - qualifies as prosecutable corruption; however, this fails to recognize that some types of corruption are legal, and that incompetence plays a formidable role in whether an intentional act of corruption could be found beyond reason of a doubt in court.

This Policy Brief examines the unique problem of mayoral incompetence and corruption within the nexus of political corruption, focusing on recent examples across the state of California, where the problem is particularly pervasive. It will highlight the influence of California's Mayor Problem on municipal decline. And, it will conclude with policy mitigations that are evidenced to address problems of corruption and incompetence at the local level.



THE CORRUPTION-INCOMPETENCE INTERFACE

Over time, the corruption-incompetence interface becomes an existential threat to the organization and can lead to municipal decline.



What defines a city in decline?

There is no single definition or metric that determines whether a city is in decline. Rather, a collection of symptoms lend themselves to the conclusion that a municipality is failing, and this is complicated by the natural ebb and flow of the various metrics. While the Southern and Western regions of the United States have somewhat recovered since 2022, California continues to hold numerous cities in slump, joining over half of America's cities experiencing the crisis (DeJohn, 2023). High office vacancies in San Francisco and Los Angeles have been key indicators of municipal decline in their regions, while population loss and persistent, high crime rates in Oakland and Concord are cited as evidence the city is failing. Regions of Southern California that have faced recent natural disasters have experienced escalated levels of decline due to poor crisis management. This included during the Palisades and Eaton fires, where numerous incompetencies and lack of emergency response redundancies presented themselves as evidence of decreased disaster services, which is a leading indicator that local government is failing. Most experts agree that defining a city as in a state of decline requires numerous metrics, such as is the case in the City of Oxnard, which has been experiencing several factors in tandem that are generally considered indicative of municipal decline. Oxnard offers us eight factors where declining metrics may indicate decline:

POPULATION DECLINE



DECLINING PUBLIC SCHOOL ENROLLMENT



DETERIORATION OF INFRASTRUCTURE



PUBLIC SERVANT SHORTAGES,
ESP. EMERGENCY PERSONNEL (E.G. POLICE, FIRE)

UNEMPLOYMENT AND POVERTY



VISIBLE SOCIAL PROBLEMS,
INCLUDING HOMELESSNESS AND DRUG OVERDOSES



REDUCTION IN CITY SERVICES



VACANT LANDMARKS AND CENTERS OF
COMMERCIAL ACTIVITY

CALIFORNIA'S MAYOR PROBLEM

California's mayor problem has been a pernicious and driving force behind municipal decline over the last decade. Numerous, high profile cases against mayors for charges including perjury, ethics violations, conflicts of interest, failure to meet residency requirements, and racketeering are just a few of the many charges that have faced, or are currently facing, mayors across the state.

RACKETEERING

Racketeering is engaging in illegal activity such as money laundering, extortion, or other types of fraud, and often involves organized crime. Racketeering is often associated with police corruption, and the connection to politicians is especially observed across the state of California due to the unique relationship between police services and moderate-to-large cities, as well as the increasing transition of police officers to elected office. California presently has multiple mayors who were formerly police chiefs or officers, with at least one currently embroiled in corruption allegations.

BRIBERY

Bribery is the exchange of money or gifts for an intended outcome from someone in a position of authority, and is among the most common forms of corruption by California's mayors. This is especially difficult to address as there are both legal and illegal forms of bribery. Perhaps the most simple example of a legal form of bribery is any lobbying activity, though other bribery is legal including moderate gift giving to elected officials. At least two mayors in California have been recently convicted of bribery, while other cities having faced corruption allegations over inappropriate gift giving in the past 20 years.

PERJURY

Any document signed under penalty of perjury by mayoral candidates or mayors in California become a liability to the individual mayors, and the overall public organization, should information contained in the document(s) be inaccurate. Some recent examples of perjury alleged against some of California's mayors include: misrepresenting financial interests within the jurisdiction, failing to disclose income generated within the jurisdiction, lying to meet qualifications, including residency requirements, and more.

ETHICS VIOLATIONS

California's mayors often unknowingly engage in ethics violations as a result of misunderstandings about their rights and obligations. These incompetence-related offenses join intentional ethics violations to create a leading charge against mayors across the state. Perhaps the most common ethics violation is when a mayor offers unfair competitive advantage by endorsing publicly or via social media certain businesses (e.g. restaurants, hotels, etc.) within their jurisdiction that have supported their election or cause.

California's mayor problem is often seen as a one-off event that requires minimal changes, or a change of leadership only. However, this is actually a broader problem observed across local California politics, where the incompetence-corruption interface has resulted in long standing and systemic problems that persist within the organization beyond removal of the problem mayor. The decline of many California cities that is observed today is a direct result of the California Mayor Problem.

POLICY CONSIDERATIONS AND RECOMMENDATION

Addressing the California Mayor Problem through regional policy mitigations is essential to preserve the solvency of municipal organizations, and to stop further decline. The California Mayor Problem is a contributing factor to municipal decline for two evident reasons: (1) mayors that engage in corrupt behavior either by ill-intent or incompetence risk costly legal challenges that waste taxpayer funds and divert city resources; and, (2) funds lost as a result of the California Mayor Problem lead to the reduction or elimination of vital community programming.

The potential consequences of ignoring this problem and resulting decline are too great to ignore. Cities must implement meaningful policy reforms to attack and prevent further damage. In recent years, California's cities have spent hundreds of millions of dollars addressing the myriad of results of incompetence and corruption, including addressing preventable public and private property damage, revising contracts due to unanticipated administrative and political turnover, and settling costly litigation.

1

A key measure cities may engage in to mitigate the increasing problem of incompetent and corrupt mayors is to convert to a ceremonial mayor system. Rather than electing a mayor at large, city council members would internally rotate mayor and vice mayor duties, which would potentially eliminate some political motives for corruption. The overwhelming majority of California's cities currently implement the ceremonial mayor system, evidencing its already existing popularity.

2

Increased organizational trainings at the local level - beyond state required ethics trainings - improve overall compliance with existing laws. Offering training sessions for potential candidates for public office in advance of nomination filing periods and election activity is an additional and innovative strategy to help candidates understand their rights and obligations as candidates, as well as the duties of the respective offices they seek.

3

Meaningful election reform that includes expanding upon the qualifications to hold certain offices that have a high degree of expertise or industry know-how can prevent corruption by reducing incompetence and limited knowledge of the laws and obligations of the position. Municipalities may consider initiating the process to convert certain positions from elected to appointed, such as City Clerk. This may fight California's Mayor Problem by placing more scrutiny on applications and paperwork submitted by candidates.

4

Improvements to local ordinances and internal organizational policies can be used to place more stringent controls on mayoral activity and election official's receipt of lobbying gifts and other spending. More clearly defined city council and mayor guidance and handbooks may also serve to improve the problem, as clearly outlining prohibited activities, such as endorsements of businesses or certain types of travel, may tightly control the activities of a mayor and subsequent fall out.



DISCLOSURES

HEATHER SCHMIDT CONSULTING SERVICES, and no individuals within it, were paid by any individuals or organizations in the creation of this Policy Brief.

CITATIONS

1 - Bozeman B, Jung J. The Corruption-Incompetence Nexus: Analysis of Corrupt US Mayors. J. Policy Stud. 2022;37(2):1-12. <https://doi.org/10.52372/jps37201>

2 - DeJohn, Jaclyn. "Cities Where Population Has Decreased the Most." SmartReads by SmartAsset, SmartAsset, 8 Nov. 2023, smartasset.com/data-studies/population-decline-2023.

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