Enhancing Legislative Oversight in California

California Legislature Oversight Training Workshop
Ben Eikey and Elise Bean
Levin Center at Wayne Law

February 8, 2022
Levin Center at Wayne State University Law School

- Oversight Workshops for Congress & State Legislatures
- Oversight Resources (videos, testimony, webinars, etc.)
- State Oversight List-Serve: Benjamin.Eikey@wayne.edu
- Research & Reports (50 state, contract, etc.)
- Conferences & Events
The State of Oversight in U.S.

50-state study by WSU Center for Urban Studies (2019)

California’s Results

• Overall Institutional Capacity for Oversight: **High**

• Overall Use of Institutional Capacity for Oversight: **High**

https://levin-center.org/state-lawmakers/oversight-in-the-50-states/
Levin Center Reports and Portraits in Oversight

State Legislative Oversight of Emergency Contracts Related to COVID-19:
Three Case Studies
October 2020

Legislative Oversight of State Government Contracts
April 2021
Constitutional Basis of Legislative Investigations

“A legislative body cannot legislate wisely or effectively in the absence of information.” --McGrain v. Daugherty (1927)

“It is the proper duty of a representative body to look diligently into every affair of government .... It is meant to be the eyes and the voice, and to embody the wisdom and will of its constituents.” --Trump v. Mazars (2020)

Investigations help produce informed decisions on:

--Legislation  --Program operation
--Spending     --Procurements
Your Super Powers

• Legislator phone calls and emails are returned.
• Legislator questions trigger research, reflection, reconsideration, change.
• Oversight can have as much impact as legislation.
  • Examples to share?
Recommendations

• Joint oversight committee with a balance of party membership.
• Annual, bipartisan priority-setting oversight vision
  • Questions, report, hearing, agreed-on plan, follow up
• Appropriations mechanisms to ensure compliance with audit recommendations.
• Bipartisan process for hearing design
• Contract oversight
  • Initial contract language, detail data required from contractor to agencies and the public.
  • Include price of oversight within initial contract.
  • Assign contract oversight to a committee, or several.
  • Focus on high risk, pricey, large contracts.
Levin Center Workshops

Pennsylvania Oversight Committee

NCOIL Summer Meeting

CSG West Annual Meeting
Investigation Scenario

• Look up “CaliAirParts email 2-7-2022” and read the message.
• Initial thoughts?
• Structure using four phases of an investigation
Questions?
Thank you California Legislature!

For more information, contact:

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