# Are Prosecutors Irrelevant?

# The Criminal Law's Minimal Role in Deterring Corruption

Kathleen Clark

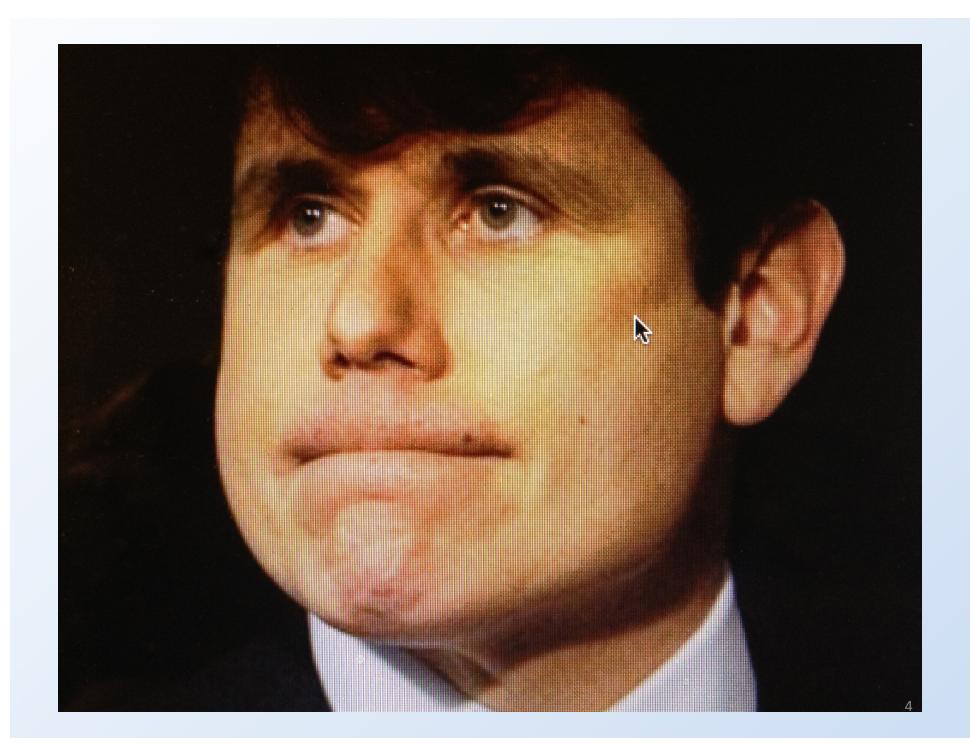
Washington University

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# **Public Corruption**

examples





### **Anti-Corruption Functions**

# PreventionResponse1 Train5 Report Misconduct2 Advice6 Investigate3 Disclose Finances7 Assess4 Review Disclosures8 Impose Sanctions

#### Thesis:

Criminal prosecution is relatively unimportant in deterring or preventing corruption

## **A Natural Experiment**

Two governments with the same

- Criminal anti-corruption statutes
- Prosecutors

but different levels of corruption

## **A Natural Experiment**

Two governments:

District of Columbia

Federal government

## Same Criminal Laws Apply

#### Prohibitions on

- Bribes
- Illegal gratuities
- Financial conflicts of interest
- Representational conflicts of interest
- Salary supplementation

#### Differences

#### Level of investment in:

- Training
- Advice
- Review of Financial Disclosures

## New Employee Orientation

A single sentence about ethics

Employees must "maintain a high level of ethical conduct."

# ETHICS MANUAL

DISTRICT OF COLUMBIA

JANUARY 27, 2012

#### Structural Reform

Board of Ethics & Government Accountability:

Bob Spagnoletti

• Laura Richards

Deborah Lathen

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