

**The University of Chicago Harris School of Public Policy**  
**Fall 2023**  
**Government Program Oversight: Keystone of Contemporary Democratic Accountability**  
**PPHA 33660**

*Instructor:* Joe Ferguson, Lecturer, [jferguson@uchicago.edu](mailto:jferguson@uchicago.edu)

*Time:* Thursday, 3:00 - 5:50 pm

*Location:* Keller XXXX

*Office hours:* Thursdays 12-2p, Keller Conf. Rm 3107 (and alternatively via Zoom or in-person by appointment)

***Course Description***

Policy is the product of numerous factors and inputs and routinely is fashioned in response to political imperative while being subject to political constraint. Whether policy as devised achieves its intended objectives (when stated) and delivers the promised results to us, its ostensible beneficiaries typically hinges less on the wisdom of the policy and more on the efficacy of its implementation through government programs. That implementation does not occur in sunlight, but rather through the electorally unaccountable administrative state operating at the federal state and local levels of government. This class is about how government holds itself accountable both internally and to the public through our elected leaders holding the administrative state to account for achieving policy objectives effectively, efficiently, economically, and with integrity.

Since the founding, American governance has been structured to balance authority to act with the imperative of accountability needed for sustained democratic legitimacy. However, the constitutional checks and balances established in the 18th century are alone insufficient to meet the complexities and magnitude of the modern administrative state. We will explore different models and mechanisms of similarly electorally unaccountable government oversight bodies at federal and local levels both generally and with consideration of special policy and subject fields. We will begin by with foundational concepts of government structure: checks and balances, federalism, the growth of the administrative state, and the organization of local government institutions. We will then explore specific oversight mechanisms, principally the Inspector General function, conducting work through the paralleling but at times synergistic duality of investigation – administrative and criminal – through which corruption and misconduct is identified and redressed, and performance audit and evaluation of government programs. This will take us into paralleling accountability mechanisms and functions. We will engage current, real-world challenges facing government oversight professionals through class discussions and written assignments. Expect that at most weekly sessions there will be a guest speaker familiar and practiced in oversight and the use of the work of oversight bodies such that by the end of the course you will have a broad and varied exposure to the ecosystem and types of practitioners in government as well as aligned good government not for profits entities.

*Expectations, accommodations, assignments, and grading*

The class will meet once weekly for a 3-hour seminar. All students are expected to come to class fully prepared to discuss all the readings, and one time in the quarter, all students will be asked once during the term on a rotating basis to be prepared to introduce the assigned readings and themes to begin class discussion.

The instructor will be available for regular office hours on Thursdays from 12-2p in Keller Center Conf. Rm. 3107 as well as on Zoom or in person by appointment. Individuals and small groups are

equally welcome and encouraged to schedule time.

The syllabus may be subject to minor changes as we go to accommodate the evolving schedules of guest speakers, which we will have in nearly all classes after the first two weeks of introduction to the field. In no event will you have less than a week's notice to any change in the syllabus (including modifications to reading assignments).

Please do not hesitate to contact the instructor with questions about disability accommodations or for support in accessing other university-wide resources.

Grading will be based equally on two factors: (1) seminar participation (50%) and (2) completion of a policy analysis report (50%). Seminar participation will include: introducing class discussion of the readings in one course session during the quarter; making regular contributions to the course Canvas site discussion board; and thoughtful contributions to class discussion generally. Students are expected to submit a minimum of three Canvas posts over the quarter; more than three posts are welcome and will be factored into the seminar participation portion of the grade. Especially welcome are posts that raise at least a day prior to class critical questions thought to warrant discussion in class. Completion of the policy analysis report will be done in three phases at times marked on the syllabus below, with two rounds of feedback from the instructor. The final report should be between 2,500 and 4,000 words.

Plagiarism of any part of any written submission will result in a failing grade in the course. Your basic rules of thumb should be to not place any text you did not write or prompt the writing of yourself into your paper without clearly referenced quotations, and to cite all your sources such that any reader could locate them without difficulty. If you have any doubts about what this means, talk to the instructor. (Use of AI/LLM? Let's talk about it during the first class.)

### Readings

Books for purchase at the Seminary Coop and on reserve in Regenstein Library:

- Robert Behn, *Rethinking Democratic Accountability*, Brookings Institution, (2001)
- Paul C. Light, *Monitoring Government, Inspectors General and the Search for Accountability*, Brookings Institution (1993)
- Frank Aneshiarico and James B. Jacobs, *The Pursuit of Absolute Integrity: How Corruption Control Makes Government Ineffective*, UChicago Press (1996)

To pre-empt the impact of any lag in securing these texts, the first week's readings be posted digitally to the course website. All other required readings will be made available on the course website. Those that are accessible through open-source platforms, as most will be, have the links supplied below.

### Schedule

#### **Week 1 (September 28): Structural Accountability Challenge in the Modern Administrative State**

##### **Readings:**

1. Alexander Hamilton, John Jay, and James Madison, "The Federalist Papers," Nos. 51, 70, 78 (1787–1788). <https://guides.loc.gov/federalist-papers/full-text>
2. Woodrow Wilson, *Political Science Quarterly*, Vol. 2 No. 2 pp. 197-222 (June 1887). <https://www.jstor.org/stable/2139277?origin=crossref>
3. Robert Behn, *Rethinking Democratic Accountability*, Brookings Institution (2001) Chapters 1-2

- (pp. 1-39); Ch. 5 (pp. 81-102)
4. Thomas Merrill, *The Chevron Doctrine, Its Rise and Fall and the Future of the Administrative State*, HarvardU Press (2022) Ch. 1-2 (pp. 10-54)

## **Week 2 (October 5): The Origins, Structure and Principles of the Inspector General Model of Oversight and Theories of Accountability**

### **Readings:**

1. Paul C. Light, *Monitoring Government: Inspectors General and the Search for Accountability*, Brookings Institution (1993) Chapters. 1-3 (pp. 11-57); Ch. 9, (pp. 175-200)
2. Robert Behn, *Rethinking Democratic Accountability*, Brookings Institution (2001) Chapters 3-4 (pp. 41-80)
3. Association of Inspectors General, *Principals and Standards for Offices of Inspector General*, (Green Book) (2014), <https://inspectorsgeneral.org/files/2014/11/AIG-Principles-and-Standards-May-2014-Revision-2.pdf>
4. Municipal Code of Chicago, §2-56, Office of Inspector General [https://codelibrary.amlegal.com/codes/chicago/latest/chicago\\_il/0-0-0-2599756](https://codelibrary.amlegal.com/codes/chicago/latest/chicago_il/0-0-0-2599756)
5. Inspectors General Act of 1978 (as amended),
6. U.S. Government Accountability Office, *Inspectors General: Independence Principles and Considerations for Reform* (letter), June 18, 2020, <https://www.gao.gov/assets/gao-20-639r.pdf>

## **Week 3 (October 12) : Government Performance Auditing**

### **Readings:**

1. Robert Behn, *Rethinking Democratic Accountability*, Brookings Institution (2001) Ch. 6 (pp. 103-119)
2. City of Chicago Office of Inspector General, Audit and Program Review Section 2023 Audit Plan (Jan. 2023), <https://igchicago.org/wp-content/uploads/2023/08/Audit-and-Program-Review-Section-2023-Annual-Plan.pdf>
3. Rules of the City of Chicago Office of Inspector General Rules and Regulations (2018), pp. 20-22, <https://igchicago.org/wp-content/uploads/2023/07/OIG-Rules-and-Regulations.pdf>
4. Government Accountability Office, General Account Standards (Yellow Book), as amended in 2021), <https://igchicago.org/wp-content/uploads/2023/07/OIG-Rules-and-Regulations.pdf> (scan)
5. Department of Homeland Security Office of Inspector General, “FEMA Did Not Implement Controls to Prevent More than \$3.7 Billion in Improper Payments from the Lost Wages Assistance Program,” (September 2022), <https://www.oig.dhs.gov/sites/default/files/assets/2022-09/OIG-22-69-Sep22.pdf>
6. City of Chicago Office of Inspector General, “Chicago Police Department Overtime Controls Audit, (October 2017), <https://igchicago.org/wp-content/uploads/2023/08/CPD-Overtime-Controls-Audit.pdf>

## **Week 4 (October 19): Inspector General Investigations - Malfeasance and the Integrity Trap**

### **Readings:**

1. Paul C. Light, *Monitoring Government: Inspectors General and the Search for Accountability*, Brookings Institution (1993) (Ch. 8, pp. 149-74)
2. Frank Anechiarico & James Jacobs, *The Pursuit of Absolute Integrity, How Corruption Control Makes Government Ineffective*, UChicago Press (1996), Ch. 1 (pp. 3-17); Ch. 6 (pp. 75-92); Ch. 9 (pp. 139-150); Ch. 11-12 (pp. 173-208)

## **Week 5 (Oct. 26): Evaluations and Cooperative/Collaborative Engagements\***

### **Readings:**

1. Chicago Police Accountability Task Force Report, (April 2016) [https://chicagopatf.org/wp-content/uploads/2016/04/PATF\\_Final\\_Report\\_4\\_13\\_16-1.pdf](https://chicagopatf.org/wp-content/uploads/2016/04/PATF_Final_Report_4_13_16-1.pdf)
2. Chicago Procurement Reform Task Force Report, (November 2015), <https://www.chicago.gov/content/dam/city/depts/dps/PressReleases/ChicagoProcurementTaskForcepdf.pdf>
3. O'Hare 21 Integrity Monitoring Program materials

## **PAPER PROPOSAL & OUTLINE WITH PRELIMINARY BIBLIOGRAPHY DUE BY FRIDAY OF WEEK 5 (October 27, 2023)**

## **Week 6 (Nov. 2): Consumers and Relational Models of Collaboration and Cooperation**

1. Robert Behn, *Rethinking Democratic Accountability*, Brookings Institution (2001) Chapters 7-9 (120-175)
2. City of Chicago Office of Inspector General Department, "Red Light Camera Installation Audit," (May 2013) <https://igchicago.org/wp-content/uploads/2023/08/Red-Light-Camera-Audit.pdf>
3. City of Chicago Office of Inspector General, "Red Light Camera Program Review," (October 2014)
4. City of Chicago Office of Inspector General, "Chicago Department of Transportation Traffic Signal Planning Audit" (June 2020), <https://igchicago.org/wp-content/uploads/2023/08/CDOT-Traffic-Signal-Planning-Audit.pdf>

## **Week 7 (Nov. 9): Special Challenges and Responses - Police Accountability Oversight**

### **Readings:**

1. *State of Illinois v. City of Chicago*, 17 CV 0620 (N.D. Ill.) Consent Decree, <https://www.chicago.gov/content/dam/city/sites/police-reform/docs/Consent%20Decree.pdf>
2. *Chicago Police Department* "Consent Decree Compliance Dashboard," <https://home.chicagopolice.org/statistics-data/data-dashboards/consent-decree-compliance-dashboard/>
3. City of Chicago Office of Inspector General, "Review of the Chicago Police Department's Gang Database, (April 2019), <https://igchicago.org/wp-content/uploads/2023/08/OIG-CPD-Gang-Database-Review.pdf>
4. Walter Katz, "Beyond Transparency: Police Union Collective Bargaining and Participatory Democracy." *SMU Law Review* 74:3 (2021), <https://scholar.smu.edu/cgi/viewcontent.cgi?article=4886&context=smulr>
5. Municipal Code of Chicago §2-80, "Community Commission for Public Safety and Accountability." [https://codelibrary.amlegal.com/codes/chicago/latest/chicago\\_il/0-0-0-2600394#JD\\_Ch.2-80](https://codelibrary.amlegal.com/codes/chicago/latest/chicago_il/0-0-0-2600394#JD_Ch.2-80)
6. Sharon Fairley, "Survey Says?: U.S. Cities Double Down on Civilian Oversight of Police Despite Challenges and Controversies." *Cardozo Law Review De Novo* (2020). [https://cardozolawreview.com/wp-content/uploads/2020/01/FAIRLEY.DN\\_2019.pdf](https://cardozolawreview.com/wp-content/uploads/2020/01/FAIRLEY.DN_2019.pdf)
7. Criminal Justice Testing Center, National Institute of Justice, "A Landscape Report on Measuring Community Sentiment and Perceptions of Safety and Law Enforcement," (June 2023), <https://cjtec.org/files/649dd48bbebc1>

## PAPER FIRST DRAFT DUE BY FRIDAY C.O.B. OF WEEK 8 (Nov. 17, 2023)

### Week 8 (Nov. 16): Special Challenges and Responses, Pt. 2 - Public Emergencies

#### Readings:

1. City of Chicago Office of Inspector General, “Audit of the Chicago Department of Public Health COVID-19 Contract Tracing Program: Data Privacy and Cybersecurity” (2021). <https://igchicago.org/wp-content/uploads/2021/04/OIG-Audit-of-CDPH-COVID-19-Contact-Tracing-Program.pdf>
2. City of Chicago Office of Inspector General, “Chicago Department of Public Health COVID-19 Contact Tracing Program: Data Privacy and Cybersecurity Audit Follow-Up” (2021). <https://igchicago.org/wp-content/uploads/2021/12/Chicago-Department-of-Public-Health-Covid-19-Contact-Tracing-Program-Data-Privacy-and-Cybersecurity-Audit-Follow-Up.pdf>
3. Office of Inspector General for the U.S. Department of Labor, “Pandemic Response Oversight Plan” (2022). <https://www.oig.dol.gov/public/oaprojects/Updated%20Pandemic%20Response%20Oversight%20Plan%202022%20for%20Publication.pdf>
3. Office of Inspector General for the U.S. Department of Health and Human Services, “CDC Found Ways To Use Data To Understand and Address COVID-19 Health Disparities, Despite Challenges With Existing Data” (2022). <https://oig.hhs.gov/oei/reports/OEI-05-20-00540.pdf>
4. Department of Homeland Security office of Inspector General, *FEMA Hurricane Maria Disaster Management Report*, (Sept. 2022), <https://www.oig.dhs.gov/sites/default/files/assets/2022-10/OIG-22-77-Sep22.pdf>
5. Department of Homeland Security Office of Inspector General, “DHS Does Not Have Assurance That All Migrants Can Be Located Once Released Into the United States,” (September 2023), <https://www.oig.dhs.gov/sites/default/files/assets/2023-09/OIG-23-47-Sep23-Redacted.pdf>
6. City of Chicago Office of Inspector General, “Audit of the Department Family and Support Services Outreach to Encampments of People Experiencing Homelessness,” (August, 2023), <https://igchicago.org/wp-content/uploads/2023/08/Audit-of-DFSS-Outreach-to-Encampments-of-People-Experiencing-Homelessness.pdf>

### Week 9 (Nov. 30): Proactive Transparency and Data/Reinventing Public Engagement in Government and Considerations about Metrics for Success

1. City of Chicago Office of Inspector General Information Portal, <https://igchicago.org/information-portal/>
2. Pandemic Response Accountability Committee Data and Interactive Tools, <https://www.pandemicoversight.gov/data-interactive-tools>
3. Oversight.gov
4. John Hudak and Grace Wallack, *Sometimes Cutting Budgets Raise Deficits*, Center for Effective Public Management, Brookings Institution (2015), <https://www.brookings.edu/wp-content/uploads/2016/06/CEPMHudakWallackOIG.pdf>
5. Paul C. Light, *Monitoring Government: Inspectors General and the Search for Accountability*, Brookings Institution (1993) Ch. 10 (pp. 203-223)
6. Robert Behn, *Rethinking Democratic Accountability*, Brookings Institution (2001) Chapters 10-11 (pp. 176-217)
7. Michael E. Horowitz, Chair of the Council of the Inspectors General on Integrity and Efficiency, Testimony before the U.S. House of Representatives Committee on Oversight and Government Reform Subcommittee on Government Operations concerning “Overseeing the Overseers: Council of the Inspectors General on Integrity and Efficiency @

10 Years,” (Sept .2019), [https://oig.justice.gov/sites/default/files/2019-12/t190918\\_0.pdf](https://oig.justice.gov/sites/default/files/2019-12/t190918_0.pdf)

**FINAL PAPER DUE C.O.B FRIDAY DECEMBER 8, 2023**