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Profile in Public Integrity:

Amie Ely

Director, National Association of Attorneys General



Amie Ely is director of the [National Attorneys General Training and Research Institute's](#) (NAGTRI) [Center for Ethics and Public Integrity](#) as well as NAGTRI program counsel. She is staff liaison for the [National Association of Attorneys General](#) (NAAG) [Law Enforcement and Prosecutorial Relations Working Group](#).

How did you first become interested in the public integrity field?

After law school, I completed two judicial clerkships and then spent seven years as a federal prosecutor. These experiences made clear to me that it is incredibly important to be credible and careful as a litigator. While lawyers are, appropriately and necessarily, partisans of a sort, judges expect them to accurately represent the facts and to find and acknowledge statutory and case law that both support and undermine their legal arguments. More broadly, instances of clear “cheating”—a criminal defense attorney threatening a witness, a prosecutor intentionally withholding *Brady* material, a civil lawyer making a knowing misrepresentation to a court—undermine our expectation that people resolve disputes through the courts with agreed-upon rules. And if the system itself is attacked repeatedly in this way, to the point that there is a perception that it is no longer just, the Rule of Law suffers.

Public integrity, in my view, incorporates some of these same concepts. We elect officials whom we trust to exercise their discretion within the agreed-upon rules. If a public official “cheats”—by, perhaps, accepting bribes or hiding his or her economic interest in a certain outcome—the pact between the official and the citizens s/he represents is broken. The trust necessary for an effective government is violated. And democracy itself suffers. The same is true for other types of government employees who violate the trust placed in them—the sense that your government may be “corrupt” is corrosive.

How does your scientific background in psychology, neuroscience, and biology influence your work?

Science demands precision, curiosity, creativity, and tenacity—a willingness to dig deep to get answers. Those are all characteristics that are important for federal prosecutors as well. The scientific method itself—with a hypothesis that is either proven or disproven by evidence—is not so different from an investigation in which you gather evidence to determine whether a crime was committed and whether a particular individual committed that crime. While the tools are somewhat different—I traded in the electrodes I used to measure brainwaves in some of my undergrad work for grand jury subpoenas and search warrants as a prosecutor—the overall goal remains the same: both disciplines demand a search for the truth.

Now that I train prosecutors from around the country, I think about the best way to extrapolate concepts so that they apply more broadly, without overlooking the fact that there are sometimes clear differences in practice in different locations. So I have to try to figure out the best way to explain universal requirements while learning about and describing the specific rules of each state—something that, for me at least, requires a fair amount of precision and sometimes creativity. I’ve also become pretty heavily involved in training and research about forensic science issues and the ethical implications thereof, for which my undergraduate majors have a more direct application.

You currently lead the National Attorneys General Training and Research Institute’s (NAGTRI) Center for Ethics and Public Integrity (CEPI). What is your program’s role in the anticorruption community? What kinds of courses and trainings do you hold?

[CEPI](#) is a relatively new NAGTRI Center—it celebrated its first birthday in August of 2017—so we are still doing quite a bit of outreach to stakeholders in the anticorruption and ethics communities and developing our curriculum. NAGTRI is a branch of the National Association of Attorneys General.

We primarily provide training and research for attorneys general offices across the country in the areas of anticorruption enforcement and ethics. Our trainings are usually directed to specific audiences: typically, to one attorney general office (which we refer to as mobile training) or to the attorney general community as a whole (which we refer to as national trainings). This is the same model NAGTRI has used for about 10 years.

When possible, I’ve opened national CEPI trainings to other members of the prosecutor community in the United States and elsewhere. For example, at our second annual week-long Anticorruption Academy this summer, we had representatives from two other countries and a district attorney’s office; at our first Academy, we had a number of prosecutors from Brazil. We’ve also partnered with the U.S. Department of Justice to offer the Money Laundering & Asset Recovery Section’s terrific financial investigations seminar to a mixed group of federal and state prosecutors and investigators.

I think it’s important to encourage cooperation between corruption enforcers. For example, there might be situations where one venue might fit better than another for charges against a particular corruption target, so it can be important for different offices to work together. In addition, collaboration is important in a field like corruption where the law is still being developed. One takeaway from the U.S. Supreme Court’s relatively recent decision in *McDonnell v. United States* is that courts may give more weight to the concept of federalism now—the Court wasn’t keen about “the Federal Government ... setting standards of good government for local and state officials.” For that reason, I’ve argued that *McDonnell* can be read as a “call to arms” for state anticorruption enforcement—and something that makes it important to provide good training and resources to state prosecutors, and which may make joint state-federal investigations even more strategically beneficial in the fight against corruption.

There is a tremendous benefit to normalizing ethics and raising awareness about corruption and how to fight it.

What kinds of work are attorneys general offices doing to combat corruption?

Some offices have robust public corruption units that bring criminal cases against public officials. The Alabama Attorney General’s Office, for example, has a very strong Special Prosecutions Unit that successfully prosecuted the [Speaker](#) of the state’s House of Representatives for corruption last year and brought charges that led to the [state’s governor](#) resigning this year. The Georgia Attorney General’s Office’s Special Prosecutions Unit recently charged a high-ranking [agent](#) in the Georgia Bureau of Investigation. The Corruption and Government Fraud Bureau in New Jersey recently wrapped up a multi-year investigation that resulted in convictions of nine individuals and a company, all of which were involved in a [scheme](#) “to skirt laws enacted to prevent contractors from essentially buying public contracts with campaign contributions.” That office has also used some [inventive initiatives](#) to try to encourage whistleblowers. The New York Attorney General’s Office’s Public Integrity Bureau has brought a number of terrific cases, including one against a [city councilman](#) and another involving the investigation of the so-called “[Buffalo Billion](#)” case. These are just a few examples; there is great work being done by many attorneys general offices—some of which are actively building corruption units. I try to include information about this and other anticorruption work and ethics issues in the monthly [CEPI Newsletter](#).

Some attorneys general offices don't have criminal jurisdiction, so there have been some great civil enforcement actions. Several years back, the Indiana Attorney General's Office brought a terrific [civil RICO case](#) in federal court against much of the leadership of the town of East Chicago. And some of the attorneys general offices—like Michigan—have used their authority to [strip pensions](#) from corrupt officials.

Finally, many attorneys general offices provide important education on ethics and corruption matters. [The Idaho Attorney General's Office](#) is among those providing ethics training and advice to their elected officials. These efforts include holding trainings for new legislators to inform them of the laws and regulations governing their official work and providing legal advice to legislative bodies.

Centers like CAPI and CEPI not only lead training and research initiatives but also bring together anticorruption officials. What do you think is the most important function of organizations like ours?

It's hard to settle on one most important function. I think there is tremendous benefit to [normalizing](#) ethics and raising awareness about corruption and how to fight it—which are, in a way, two halves of the same coin. Making officials aware of the ethic rules that govern them should, for many, reduce the chance that they violate the rules, and normalizing compliance with ethics rules should improve our democracy. But for public officials who require the promise of punishment if they stray, having a well-trained, precise, professional, and aggressive group of prosecutors throughout the entire country is important. I'd argue that effective anticorruption enforcement is essential to democracy, as it helps build trust in government.