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What is the subject/title of the entry? Accountability and transparency in government related to a public corruption investigation of state lawmakers taking kickbacks in exchange for grants to a private Christian college and a nonprofit organization incorporated by a lobbyist friend of a lawmaker.

Titles/headlines include: "More shoes to drop"; "Good money after bad"; "No place for games"; "Public exposure"; and "Taxpayers get slushed."

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Please give a brief explanation of issues discussed and the results achieved. (This space will expand as you type in your comments.)

A state representative who owns a popular local diner mysteriously abandoned his likely successful bid to become the top county administrator. A state senator devoted almost exclusively to his role in state government suddenly decides against a re-election campaign, shocking Northwest Arkansas' political world. The situation becomes clearer in early 2017 when federal prosecutors announce the then-former state representative entered a guilty plea to accepting a kickback in a scheme involving the state's General Improvement Fund, through which lawmakers gave themselves individual authority to dole out grants to organizations in the state. In the year-plus that has followed, our editorials have pressed for more accountability in government, standing for the proposition that the public trust must be considered a holy sacrament of representative government within public institutions. We've explored the power of secrecy and its vital antidote, transparency. And we've demanded a higher standard for public officials. Gov. Asa Hutchinson only recently announced he will no longer create a budget with General Improvement Fund money in it, at least temporarily ending this all-too-tempting "slush fund," as one of the accused referred to it. We will continue to push the Legislature to formally reject the practice and to ensure any future allocations for local needs happens only within a system designed for integrity and with measures to prevent individual lawmakers from asserting control of large sums.

EDITORIALS

More shoes to drop

Public corruption trial delayed to December

ANWA DEMOCRAT-GAZETTE
rkansans already know that one former state representative, Micah Neal of Springdale, has acknowledged his guilt in receiving kickbacks to direct large amounts of taxpayer dollars to projects at a small Christian college in his hometown.

That was and is a shock. But there's more.

Neal figures to play a prominent role in the prosecution's case against former state Sen. Jon Woods, Ecclesia College President Oren Paris III and consultant Randall G. Shelton, all of whom have been indicted in connection with their alleged roles in said kickback scheme. Neal's plea bargain in the case early this year includes a requirement that he assist prosecutors in pursuit of their search for the truth of just how deep and wide illicit activities may have gone.

This week, we learned that the trial will be delayed until December, which isn't all that unusual. It seems trial dates are almost always bumped back at least once. But the real news this week came in a U.S. District Court hearing before Judge Timothy L. Brooks. Attorneys for the defense told the judge more indictments against other defendants are expected.

A lot of the records in the case remain sealed, but U.S. Attorney Kenneth Elser did not dispute the defense's comments about the indictments.

Regular readers will remember Neal's transgressions and the accusations against the other men stem from allocation of tax dollars known as General Improvement Fund money. In basic terms, Wood and Neal are accused of accepting payments for arranging the assignment of several hundred thousand dollars to the college. Shelton, prosecutors allege, was a go-between in the arrangement benefiting the college.

Wood, Paris and Shelton are scheduled to stand trial together.

We're glad to hear the news that the investigation into allocation of General Improvement Fund money is continuing. The so-called GIF money represents state tax revenue unallocated at the end of each fiscal year

and interest earned on state deposits. Each legislator is given a share and can direct it where he wants it to go as long as it goes to a nonprofit group or government entity.

The arrangement is a petri dish for public

official corruption.

How disappointing it is to learn that such a scheme exists, but anytime one person is given authority over large sums of public money, there is a great potential for abuse. In the wake of this case, the spreading of taxpayer dollars to pet projects of lawmakers has come to a halt, although only informally. It is our hope we've seen the end of such allocations.

With plenty of sealed records, it's certainly hard to know how far the investigation will go, but the nature of the accusations leaves us ready to encourage investigators to push ahead, to drill down as deep as they can go to examine whether similar arrangements have existed with other GIF money and other lawmakers.

Such abuses deserve to be rooted out and exposed.

As investigators pull on the thread to see what else is revealed in the unraveling, we want the indictments to go as far as they possibly can. To ask voters for authority only to abuse it for self-enrichment once in office is an affront to the public trust. Any lawmaker involved in that deserves to be prosecuted.

Were the men scheduled for December trial involved in such a scheme? That's impossible to know now, but come December, the evidence against them will be laid out. It will be worth the wait to find out.

WHAT'S THE POINT?

A kickback scheme involvement taxpayer dollars and at least one elected official is a demonstration of abuse of the public. We look forward to a December trial on the allegations.

EDITORIALS

Good money after bad

With court ruling, GIF practice should cease

NWA DEMOCRAT-GAZETTE

It's not cheating if you don't get caught."

How many times have we heard this misguided evaluation of morally dubious intent? Such thinking let's one off the hook for all sorts of failures, infractions or sins.

Not to get into the coaching debate, but the biggest public exposure of morally bankrupt practices could certainly be the once-upon-a-time football coach who crashed his motorcycle while giving his girlfriend a ride. You know, the girlfriend he had put on the payroll of a public university. You know, the coach who was married to someone else. You know, the coach who tried to cover it all up by lying to his employer.

So in all that time before it all came crashing down, was it not cheating? Did lying about it only qualify as lying once the lies were discovered?

OK, lets bring this down to a more reasonable level: If you're driving (not necessarily a motorcycle) 75 mph in a stretch of highway marked with a 60-mph maximum, is that breaking the law?

Of course it is.

Organizations around Arkansas that have relied on cash grants from the Legislature's General Improvement Fund face a similar quandary, but not one of their own making. The Arkansas Supreme Court has recently ruled it's unconstitutional for individual legislators to direct millions in surplus General Improvement Fund grants to pet projects through regional economic development offices. According to this newspaper's research, lawmakers have directed more than \$50 million to specific projects since 2013.

We've all gotten a lot more familiar with so-called GIF money since January, when we learned former state Rep. Micah Neal of Springdale pleaded guilty to accepting a bribe to use his influence as a lawmaker to direct GIF money to Ecclesia College, a private Bible college in Springdale, and an unrelated addiction treatment center. Three other men, including ex-state Sen. Jon Woods of Springdale, face fraud and other charges related to the case.

Folks in Central Arkansas have got-

ten familiar with the funding mechanism in part through litigation pressed by former Rep. Mike Wilson, who sued to have the GIF funding process ruled illegal. It was Wilson's case that led to the most recent Supreme Court decision.

The problem for several organizations is they've been counting on the

money pledged to them by lawmakers. Wilson has asked that more than \$2.5 million in the Central Arkansas situation be sent back to the state's treasury. An official who oversees disbursement

of the funding, however, said just shy of \$1 million is left from what now has been declared illegal allocations.

An example: More than \$50,000 is supposed to go to an organization working to build a monument to Arkansas Gold Star families on the state Capitol Grounds. These families are ones that lost loved ones in military service.

More court hearings are expected.

But really, how can our state government continue to follow funding decisions rendered through a process that has now been rendered unconstitutional, no matter how good the cause? If state government doesn't operate by the rule of law, exactly what can anyone expect of it?

In criminal court cases, the government is on occasion prohibited from shoring up its prosecution if evidence is obtained through legally questionable means. Such rulings declare that the "fruit of a poisonous tree" shall not benefit the government's case.

With GIF money now deemed unconstitutional by the state's highest court, can an argument be made to continue letting the money flow? In most if not all circumstances, our legal system would not allow anyone else to continue benefiting from resources obtained illegally. Why would this situation be different?

State legislators are not elected to become state disbursement agents. As we've witnessed, giving individuals control over large sums of money is a recipe for corruption. The farther the state gets away from anything that looks like General Improvement Fund allocations, the better.

WHAT'S THE POINT?

Now that the Supreme Court has ruled lawmaker-controlled, General Improvement Fund allocations to be unconstitutional, disbursement of the money should cease.

EDITORIAL

No place for games

Will corruption case be hurt by FBI agent's actions?

NWA DEMOCRAT-GAZETTE

When it comes to the Federal Bureau of Investigation, the well-groomed impression has long been one of professionalism and integrity. Not that our current president attempts to foster that, but his criticisms of the FBI are driven at least in part by his own political maneuvering.

By and large, though, the FBI maintains a reputation as a strong investigative force that's critical to the nation's enforcement of laws and security.

It's in the context of high regard for the FBI that we can only shake our heads when explanations and behaviors don't live up to that perception. We find ourselves shaking our heads in the investigation involving former state Sen. Jon Woods of Springdale and two other Northwest Arkansas men accused in a public corruption scandal.

Public corruption deserves a thorough and determined response from law enforcement. We can think of few violations of public trust more disgusting than when a public official abuses the office he holds for personal gain.

For almost a year now, the people of Arkansas have waited patiently as dribs and drabs of information have emerged about allegations regarding the state's General Improvement Fund program. For years, lawmakers have given themselves access to large sums of money with the idea that each lawmaker was somehow uniquely qualified to select pet projects deserving of grants. In short, Arkansans had the money forcibly removed from their incomes through taxation, and the state's 135 lawmakers then granted themselves authority to dole out the money as they saw fit.

Some of the money was used for purposes that could certainly be justified. Funds for volunteer fire departments to upgrade equipment, for example. But recent reporting has also shown a tendency toward projects with poor documentation and little success in achieving lofty goals of housing for poor veterans or funding for religious institutions the state had no business funding with taxpayer dollars. Sen. Bart Hester provided \$50,000 of your tax dollars to a Bentonville nonprofit marriage counseling "ministry" that had gained his favor because it worked to "keep two parents together, keep fathers in home." It probably didn't hurt that Hester also went to church with the ministry's leader. The group worked toward undoubtedly worthy goals, but doling out such sums with no standards for how the money is spent or what taxpayers are getting in return is just a bad way to do business. But from a lawmaker's perspective, what's not great about being able to dole out money to friends and favored entities? It's a modern version of Robin Hood, except the lawmakers took from everyone and gave to the favored.

The case involving Woods, however, goes beyond bad judgment and a flawed government program. If the allegations prove true, it's about a lawmaker working hard to enrich himself and others by manipulating

his grant-giving authority.

Former State Rep. Micah Neal of Springdale shocked and saddened his supporters last January with a guilty plea in federal court to allegations he accepted kickbacks in exchange for directing state grant money to Ecclesia College in Springdale. Woods, Ecclesia President Oren Paris III and Randell Shelton Jr., a consultant, each face trial next year in an alleged scheme involving about \$600,000 in state grants.

Now, back to the FBI involvement. The Woods/Paris/Shelton trial was slated to begin this month but has been delayed to April in part because of questions over the handling of 79 conversations recorded by Neal. Some recordings had been turned over to defense attorneys, but not those. Defense attorneys figured that out and wanted to know what explained the discrepancy. Such discrepancies have a way of damaging prosecution cases.

Then, on Dec. 18, one of the defense attorneys filed a letter in public court files. The letter, written by government attorneys, explained that an FBI agent had erased the 79 recordings from an FBI laptop computer. Why? The agent's explanation was this: He let his children play video games on the computer, which is a violation of bureau policy. Apparently to cover that infraction, the agent wiped the computer's memory clean before returning it to the bureau.

We sure hope those kids earned some serious virtual coins in their games. At least someone will have come out ahead in all this.

The original recordings by Neal still exist, so this isn't about the recordings so much as it is about the government's behavior. Is this what a professional investigation looks like? Allowing kids to play on an FBI computer that holds potential evidence?

Judge Timothy L. Brooks is none too happy about the release of those details and has ordered the defense attorney who filed them in public court documents to explain himself next month and, potentially, to be disciplined. Was it all a calculated effort to help a client? That will be for the judge to decide.

But the information is out there now, and it doesn't shore up confidence in the FBI, to say the least.

We applaud the bringing of charges when evidence demonstrates the possible abuse of public trust by a corrupt public official. We're hoping investigators continue to examine how lawmakers used General Improvement Fund grants and looking into whether other improprieties occurred. Wherever corruption exists, it needs to be revealed. The public deserves to know who bilked them and how.

Whether Woods and the two other men did that now won't be considered at trial until April at the earliest. And all because of video gaming and an FBI agent trying to cover up his misuse of bureau equipment?

Let's hope a battle to get answers in a case alleging public corruption won't be derailed by ineptitude. It's already been delayed by it.

WHAT'S THE POINT?

Erased recordings create mystery in the public corruption case against a former state lawmaker and two others. The public deserves to see this case efficiently and effectively prosecuted.

EDITORIAL

Public exposure

Government behind the veil is a bit shady

NWA DEMOCRAT-GAZETTE

Secrecy in government is as old as the establishment of such institutions among men. Nobody gave the idea of an informed public much sway in the days of monarchs who supposedly ruled by divine decree and certainly not in the realms of dictators. But since its founding, the United States has represented a people unified in certain beliefs and values, those self-evident truths so richly declared in our separation from a king.

Our roots, recognized years later by a gentleman named Abraham Lincoln, are in government of the people, by the people and for the people that our 16th president hoped would not "perish from this earth." But in expressing such hope, Mr. Lincoln acknowledged that it very well could. If it ever does, we'd bet secrecy will have something to do with it.

That, our fellow Americans, is why we go on and on sometimes about open government. Too much, for some people's taste, and we hear from them. But it is our conviction that secrecy in government runs counter to freedom.

Naturally, there are no absolutes. One Donald J. Trump isn't entirely off base when he speaks of a need to not broadcast to the world any future military or diplomatic plans of action involving our adversaries. Keep them guessing, right?

But the secrecy this and other newspapers eschew is the kind that pulls the shade on Americans knowing what their own government is up to. If you need a dramatization, go see Stephen Spielberg's *The Post*, which tells the story of newspaper battles to publish secret government documents that clearly demonstrated the American government had intentionally misled its people about the conduct of the Vietnam War.

"Only a free and unrestrained press can effectively expose deception in government," wrote U.S. Supreme Court Justice Hugo Black. "And paramount among the responsibilities of a free press is the duty to prevent any part of the government from deceiving the people and sending them off to distant lands to die of foreign fevers and foreign shot and shell."

Yes, in the bureaucratic concoction of government, secrecy must be an ingredient of the rarest sort.

The lofty ideals can, admittedly, get lost at the local level. It is hard to mentally connect a seemingly small infraction against open government in Arkansas to the principles that ensure government serves the people. If there is not open government about smaller things, one can hardly expect open government to be valued when it comes to the big things.

A Sebastian County judge a few days ago ruled email exchanged among Fort Smith city leaders constituted a meeting on issues that are "clearly matters

that should have occurred in a public setting." The judge sided with a citizen who filed two lawsuits against the city over emails circulated among city directors and the city administrator. In one, the judge ruled email exchanges over whether the Civil Service Commission should be dissolved violated

WHAT'S THE POINT?

Secrecy in government is relied upon too often and does not serve the public's interests.

the state's open government law. The city was also held responsible for a violation of the law arising from an email exchange over a legal settlement, ironically, of the first lawsuit.

Such exchanges by their very nature tend to shield from public view discussions of public policy matters that Fort Smith's residents have every right to witness.

Washington County officials teetered at least near the same line recently when County Attorney Brian Lester individually emailed all 15 members of the Quorum Court to gauge whether they wanted to discuss the legal settlement. The lawsuit involves the Quorum Court's rejection of a permit for an wedding barn and event center on Shaeffer Road. County Judge Joseph Wood "favors a compromise that benefits everyone involved," Lester wrote.

The Quorum Court denied the permit in what was rightfully a public meeting. Any discussions that might lead to reversal of that decision deserves to be in public, but Lester's email solicitation on whether the Quorum Court members wanted to discuss created potential for a decision without any public discussion at all. Rejecting discussion of the proposal is, in and of itself, a policy decision that should be carried out in full view of the public from which the Quorum Court gets its authority.

It is a short leap from what Lester was doing to the violation that occurred in Fort Smith. Both scenarios lack appreciation for the public's involvement.

Concerns about secrecy aren't just about government meetings. In the public corruption case against former state Sen. Jon Woods and two other men, a federal judge ordered reporters and the public out of a hearing and took testimony for hours in private. This in a case that has already involved a significant amount of secrecy.

It is hard to convincingly argue that one of the best ways to fight public corruption is to engage in secret court hearings and sealed records.

Advocates for open government have long declared that sunshine is one of the best disinfectants. Corruption and abuse of public trust happens in the shadows. And yet some of our neighbors who take elective office or serve in appointed positions somehow convince themselves that secrecy serves the public's interests. Most of the time, that's not true. It's serving someone's interests, but not the public's.

EDITORIAL

Taxpayers get 'slushed'

Case exposes purposeful lack of accountability

NWA DEMOCRAT-GAZETTE

The federal trial of Jon Woods will determine whether the former state senator from Springdale and his co-defendant are guilty of violating laws, but the testimony so far offers its own indictment of accountability in Arkansas government.

We and our readers are following reporter Doug Thompson's excellent day-to-day coverage of the trial, which is expected to last at least another week or two. Jurors will determine whether the men being tried did anything illegal, but it's clear Woods, other lawmakers and state government more generally have done a lousy job watching out for the people's interests.

Woods was indicted in March 2017, accused of a kickback scheme involving grants issued in 2013 and 2014 from the state General Improvement Fund. Two alleged co-conspirators — Randell Shelton, formerly of Alma, and Oren Paris III, former president of Ecclesia College — were indicted with Woods. Former state Rep. Micah Neal, of Springdale, pleaded guilty for his part in the scheme on Jan. 4, 2017.

The case presented so far details a loosely controlled state system — Neal called it a "slush fund" on the stand — in which, at a minimum, everyone involved ignored the cynical manipulation of weak controls for the purpose of spending tax dollars on a family-run private college that has no business benefiting from public money to begin with.

Some have admitted to corruption. Neal pleaded guilty to it and is helping with the prosecution's case against Woods and Shelton. Paris has also pleaded guilty to one count of conspiracy and will testify for the prosecution.

Ecclesia College "mentors effective leaders to strengthen the foundations of society through the life and values of Christ," according to the school. We respect any private school that wants to offer educational opportunities from a foundation of faith, but do not ask taxpayers to support it. Maybe it should be no surprise that Republican state lawmakers willing to support construction of a monument to the Ten Commandments on the state Capitol grounds would also be so eager to funnel tax dollars to this private, religious-based school.

This financially shaky institution should have never once been considered an appropriate expenditure of taxpayers dollars, yet so many lawmakers saw it, we suppose, as their God-given mission to shore it up through the General Improvement Fund program. That program was actually promoted as offering more accountability for the previous legislator-controlled grants, but what it really became was a sham providing camouflage for lawmakers who still pulled the strings. If a lawmaker wanted something funded, it happened. If the lawmakers didn't, you're out of luck.

According to testimony in court, it took no time for a representative of the Walton Family Foundation to recognize Ecclesia College wasn't everything its advocates wanted people to believe. The college hoped to earn some grants from the foundation, which is clearly smarter about its money than state officials are with taxpayers' dollars. "I wondered if it was economically viable," the Walton representative said regarding his thoughts after he toured Ecclesia at the behest of former state Rep. Tim Summers of Bentonville.

And yet legislators were more than ready to throw money at it. More than \$700,000. Why? There's no good reason other than perhaps the glee they must have felt at finally getting to spend some of Arkansas tax dollars on religion. Or, if the allegations in trial are true, because money was changing hands in multiple directions.

But wait, there's more. According to testimony, state employees at the direction of lawmakers worked on legislation to benefit Ecclesia and companies that recycle roofing shingles. Turns out Woods, Shelton and Paris had financial interests in a shingle recycling venture, according to court records.

WHAT'S THE POINT?

The public corruption case going on in federal court in Fayetteville has exposed a lack of accountability, which is essential for good government.

To keep this parade of ridiculous un-accountability going, we learn Ecclesia received a \$50,000 grant before it even applied for it. On a different one, it missed the deadline for applying but why not keep shoveling more money that way?

It may be that by grace one is saved, but our state lawmakers so willing to ship taxpayers dollars to this Bible college appear to have subscribed to the mistaken notion one can buy his way into Heaven. That's proof of a need for deeper study of Scripture, but not justification for propping up a private church school with taxpayer money.

Woods and Shelton may or may not be guilty of illegal acts. That's for the courts to decide. But it's clear from this court case that a whole collection of lawmakers — Neal, Bart Hester of Cave Springs, Bob Ballinger of Hindsville, Charlie Collins of Fayetteville, Jana Della Rosa of Rogers, Jim Dotson of Bentonville, Stephen Meeks of Greenbriar, Randy Alexander of Springdale, Michael Lamoureux of Russellville — and other state employees or elected officials were content to send money, through a system that lacks accountability, to an institution that wasn't and should not be the responsibility of Arkansas taxpayers.

The entire system was ripe for anyone who wanted to abuse it to easily find a way to do it. Fort Smith's Jake Files acknowledged doing it. Micah Neal has acknowledged doing it. And all these other folks stood by and allowed it to happen by embracing a give-away program in which lawmakers promoted themselves on the backs of Arkansas taxpayers.

If nothing else comes of all this, we hope everyone in Arkansas will recognize that not all bureaucratic red tape is bad. Formal processes and real oversight that takes spending decisions out of individuals' hands is a necessity to protect the people of this state from those willing to manipulate government to their own ends.

Gov. Asa Hutchinson recently said the General Improvement Fund is "history," but held out the possibility of a competitive grant program administered by the executive branch to help "communities in terms of their unique needs."

If that's the direction Arkansas government want to go, Job No. 1 will be establishing a system that guards against the abuses that apparently are so tempting when millions of dollars taken through governmental power are in play.

Everything that's becoming public now is a result of lax oversight by design of our state Legislature and by acquiescence of other state officials and employees.

Arkansas officials either need to be acutely accountable with taxpayer dollars or stop taking them from us.

