

## **Highlights of Recent State Whistleblower Enactments (2006-2009)**

In the past three years, many states have taken steps to strengthen the protection for public employees who report misconduct by their agencies. Recent trends in state whistleblower protection laws include legal shields for reporting Occupational Safety and Health code violations, protections relating to disclosures of scientific and technical data, as well protections in the form of general free speech and “anti-gag” statutes.

- The following 16 states have improved their overall whistleblower law scores since 2006: **Arizona, Kentucky, Louisiana, Michigan, Minnesota, Nevada, New Jersey, North Carolina, Oklahoma, South Carolina, South Dakota, Tennessee, Virginia, Vermont, Washington and West Virginia;**
- **Minnesota and Washington** have adopted the first statutes in the nation protecting government scientists who disclose the agency’s suppression or manipulation of scientific and/or technical data;
- Twelve states have incorporated whistleblower protection provisions in to their Occupational Safety & Health codes for state employees: **Arizona, Kentucky, Michigan, Minnesota, Nevada, New Jersey, North Carolina, Oklahoma, South Carolina, Vermont, West Virginia and Wyoming;**
- In response to a 2007 U.S. Supreme Court decision denying government employees First Amendment protections while operating within the scope of their employment, **New Hampshire and South Dakota** have adopted free speech statutes for public employees. A total of twelve states now have implemented “anti-gag” statutes forbidding blanket non-disclosure orders;
- Ten states have had minor statutory changes to their laws but these changes have not adjusted their scores: California, Colorado, Connecticut, District of Columbia, Florida, Georgia, Illinois, Iowa, New Hampshire and Wyoming; and
- Twenty five states have not improved their state protections for public whistleblowers in the past three years: Alabama, Alaska, Arkansas, Delaware, Hawaii, Idaho, Indiana, Kansas, Maine, Maryland, Massachusetts, Mississippi, Missouri, Montana, Nebraska, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, Texas, Utah, and Wisconsin.

For more information on a particular state, visit the PEER website “State Watch” page and click on the state to see the individual state’s whistleblower law summary, detailed provision-by-provision report card and a description with citations to the state’s particular whistleblower statutes.