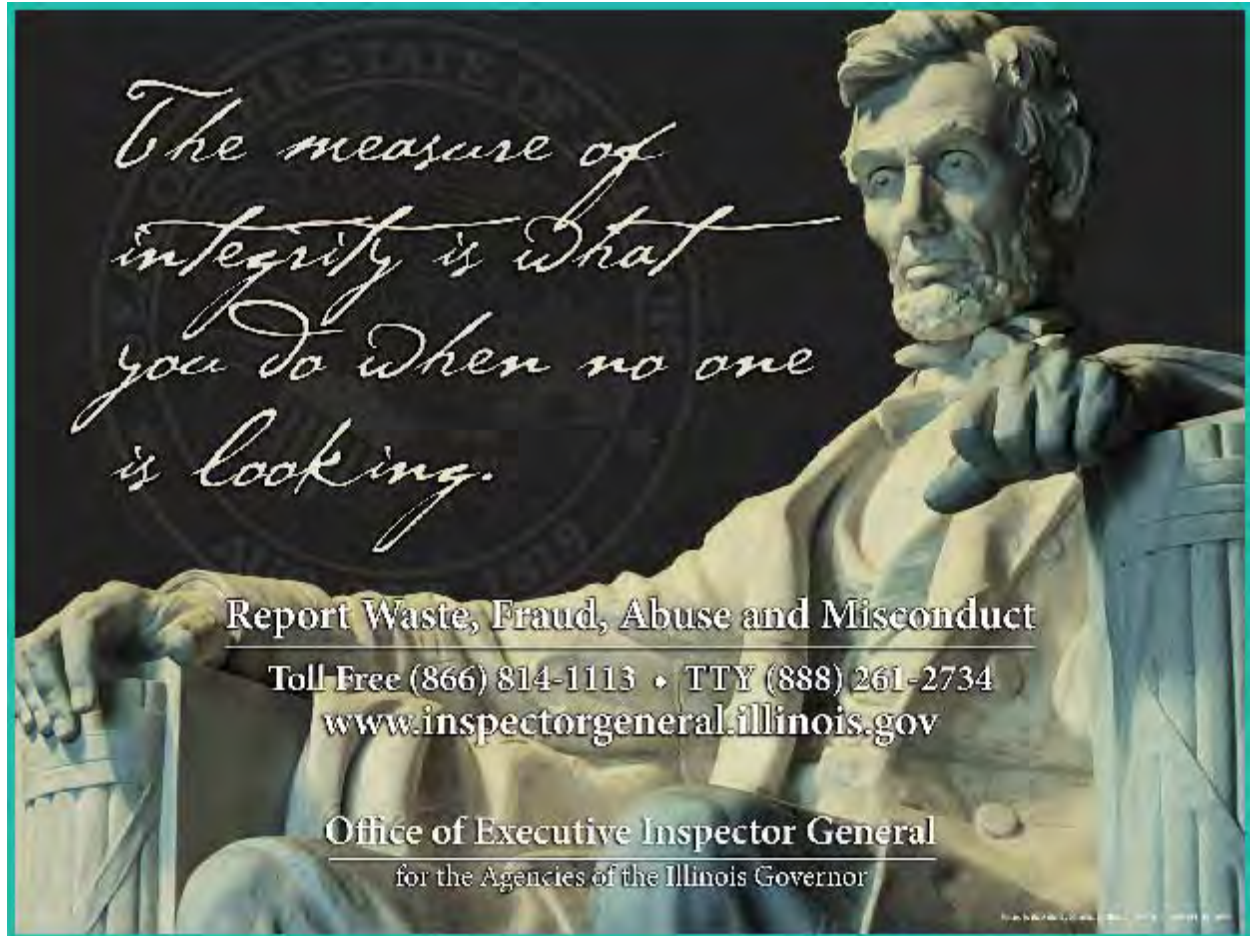


Office of Executive Inspector General for the Agencies of the Illinois Governor

E t h i c s | I n t e g r i t y | I l l i n o i s

ANNUAL REPORT | FISCAL YEAR 2009



Ethics | Integrity | Illinois

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AN INTRODUCTION TO THE OFFICE OF EXECUTIVE INSPECTOR GENERAL FOR THE AGENCIES OF THE ILLINOIS GOVERNOR (“OEIG”)

Established in 2003, the OEIG is an independent, non-partisan State agency dedicated to ensuring accountability in the operation of State government. OEIG authority and jurisdiction are set forth by Executive Order Number 3, Administrative Order Number 6, and by the State Officials and Employees Ethics Act (5 ILCS 430, *et seq.*, hereinafter, the “Ethics Act”). Together, they set out the OEIG’s mission to receive and fairly investigate, as appropriate, complaints of fraud, waste, abuse, and misconduct by employees of State agencies under its jurisdiction and those doing business with those agencies.

In addition to its investigative function, the OEIG is responsible for promoting and coordinating the State’s ethics initiatives for agencies under its jurisdiction, for conducting annual ethics training for State employees, for reviewing all hiring files of the State agencies under its ambit, and for determining whether certain former State employees may work for a vendor after the employee or a family member played a significant role in the vendor’s State contract approval.



Notably, the Ethics Act empowered State employees and the public to report wrongdoing and misconduct in the operations of State government to the five separate Offices of Executive Inspectors General. As the State’s chief ethics and misconduct watchdog, the OEIG has jurisdiction over approximately 160,000 State employees, in addition to the entities doing business with the State.

It had been a valid criticism that the Ethics Act fell short on building integrity and public confidence in State government because it did not permit public disclosure of the findings of the OEIG investigations.

Prior to Ethics Act revisions of August 2009, the OEIG had to operate under a strict statutory prohibition against disclosure of OEIG investigative reports and files to anyone other than an Ultimate Jurisdictional Authority (usually the Governor), the head of the agency affected by the misconduct, and to law enforcement agencies upon referral. The OEIG was not permitted to release case information to the public or to the legislature. Nor could we accept anonymous complaints, or initiate investigations on our own.

The consequence of those constraints was to preclude you – the public – from learning about the investigations conducted by this Office and the actions taken to address the identified misconduct.

Notwithstanding the constraints against full public disclosure, this Office, through the authority granted by the Ethics Act, continues to make significant progress in identifying, investigating, and initiating corrective action for misconduct.

In addition, to further assist the OEIG’s efforts, shortly after the close of Fiscal Year 2009 the first major revision of the Ethics Act was enacted by the Illinois General Assembly, bringing a number of major positive changes to administrative investigations of misconduct in the State of Illinois. The enactment of this revised legislation is another great step toward establishing accountability in the operation of State government.

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The revisions now allow the public release of Founded OEIG Final Investigation Reports in cases in which an employee is discharged or receives a disciplinary suspension of three days or more; in cases in which the OEIG disagrees with the discipline proposed by the subject's agency for Ethics Act violations; and as before, when an Ethics Act violation hearing is held by the Illinois Executive Ethics Commission ("EEC"). Founded Final Reports in these cases would be redacted and released by the EEC, which also has the discretion to release redacted Founded reports in cases where discipline of less than three days, if any, is imposed.

The revised statute also provides expanded protections for whistleblowers.

In addition, the revisions for the first time permit this Office to accept anonymous complaints and to self-initiate complaints. Further, under the revised Ethics Act the jurisdiction of the OEIG received a major expansion in two key subject matter areas:

Revolving Door

Under the Revolving Door Employment Restrictions of 5 ILCS 430/5-45, the OEIG is newly responsible for:

- Determining which State positions under OEIG jurisdiction are required to notify and receive clearance prior to accepting non-State employment, and,
- Determining whether said current/former State employee, spouse or immediate family member living with such person, is restricted from accepting employment with a non-State entity because of the personal and substantial involvement in a licensing decision, contract award, or change order by any of those individuals.

Hiring Monitor

Pursuant to 5 ILCS 430/20-20(9), the OEIG is now charged with the responsibility to review hiring and employment files of each State agency within its jurisdiction to ensure hiring compliance with *Rutan v. Republican Party of Illinois*, 497 U.S. 62 (1990), and with all other applicable employment laws.

Though some still may challenge whether ethical reform is achievable in Illinois government, I ask that you do not succumb to this cynicism. Change does not occur overnight – successful ethics reform will take time. It must be consistent, persistent, unwavering, but most important, supported and pushed forth by our State leaders and each and every citizen of the State of Illinois.

Clearly, the Ethics Act has launched an unstoppable movement towards restoration of accountability and ethical conduct in the operations of Illinois State government. From FY 2005 through FY 2009, this Office received more than 18,000 hotline calls and 6,200 complaints, resulting in 1,900 investigations and more than 450 Founded cases. For Fiscal Year 2009, 25% of our investigations substantiated the reported misconduct.

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In this light, you have my enduring and solemn promise that the OEIG will continue to perform its duties diligently and fairly, and without bias or influence from any source whatsoever, and that we will continue to pursue our investigations wherever and to whomever they may lead.

With your vigilance and assistance we can, and will, establish and maintain integrity and accountability in the operation of State government. Together, the OEIG and you absolutely can achieve a level of comprehensive ethical reform that cannot be subverted and will serve as a model to other organizations and municipalities.

James A. Wright, Esq.
Executive Inspector General

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PREFACE

This Annual Report for Fiscal Year 2009 reflects the activities conducted by the Office of Executive Inspector General for the Agencies of the Illinois Governor (“OEIG”), from July 1, 2008, through June 30, 2009.

The most valuable, yet most fragile, asset held by State government is the public’s trust. When it exists, those who govern do so most effectively and their service is accepted by the people of Illinois as being in their best interests. But once eroded, there is no greater cause for distrust, suspicion, and dissatisfaction.

Under this premise, it is important to view the number of complaints made to the OEIG in its proper perspective. Consider that despite the very large number of State business and personnel transactions occurring during Fiscal Year 2009, only 1,303 complaints were filed with the OEIG, a number comparable to that seen in prior years. The Executive Inspector General encourages the public to view this as indicative of the fact that the vast majority of the individuals who work for and with the State of Illinois do so with integrity, honesty, and a true appreciation of their responsibility to the people of Illinois.

The dual missions of the OEIG are to restore public confidence in the integrity of State government through the diligent, unbiased, fair, and responsible investigation of misconduct, and also to promote an ethical framework for the conduct of State business. However, achieving the investigatory goal is much simpler than rebuilding the public’s faith.

The citizens of Illinois, and in particular the employees of State government, deserve much credit for the success of OEIG efforts to date. Time and again over the years it has become evident to this Office that the overwhelming number of those who work for and do business with the agencies under OEIG jurisdiction not only take pride in their honest, hard work, but to preserve this work ethic will bravely step forward to report and/or provide evidence against those engaged in misconduct.

We recognize that speaking out against those who exploit government operations can be a daunting challenge. We further recognize that speaking out against co-workers and vendors engaged in misconduct has the potential to expose one to harassment and/or retaliation. But we want you to be totally confident that this Office will vigorously investigate alleged acts of retaliation made against whistleblowers and those who cooperate with our investigations. You do not stand alone in this all-out effort to root out misconduct and corruption.

But still, for all your help over the years, there has been little that the OEIG could show you to demonstrate the success of our joint efforts. From the December 2003 passage of the Illinois Officials and Employees Ethics Act (“Ethics Act”), until August 2009, State law prohibited any public disclosure of OEIG investigations. Despite this, the OEIG has been steadfast in its advocacy for the public release of all of our investigations.

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However, the legislative revision of the Ethics Act signed by Gov. Pat Quinn in August 2009 now permits the public release of some of our reports, under certain circumstances. We recognize this is not tantamount to the unconditional public release of all of our investigations, which we support. However, it is certainly a good step in the direction of full disclosure.

Notwithstanding whether our investigations are publicly released, this annual report offers a statistical view of the types and quantities of misconduct complaints made against Illinois agencies, officials and employees, and those doing business with the State, as well as of those complaints that have been substantiated through fair and thorough professional investigation.

This report also serves as evidence of the diligence and professionalism of this independent Office in investigating allegations of misconduct wherever and to whomever they lead. However, the OEIG's continued success toward satisfying its mission depends upon State employees' desire to work in an ethical environment, and having the courage to remain vigilant and to report misconduct no matter who the perpetrator.

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THE VISION

The Office of Executive Inspector General strives to identify, promote and attain the highest standards of ethical conduct, integrity, and accountability throughout State government.

THE MISSION

The Office of Executive Inspector General is an independent State agency dedicated to ensuring accountability in State government. The OEIG receives and fairly investigates complaints of fraud, waste, abuse, and misconduct, and recommends corrective action. In addition, the OEIG promotes and coordinates the State's ethics initiatives for the agencies under its jurisdiction.

The OEIG is an independent administrative investigation agency that works to detect, identify, eliminate, and prevent waste, fraud, abuse and corruption by employees of, and those who do business with, the entities under its authority. This includes the agencies, boards and commissions under the authority of the Governor, the Office of the Lieutenant Governor, and the State public universities.

The first major revision of the Illinois State Officials and Employees Ethics Act (5 ILCS 430, *et seq.*, hereinafter, the "Ethics Act") now permits the OEIG to accept anonymous complaints and to self-initiate investigations. As always, the OEIG will keep confidential the identity of a complainant to the fullest extent permissible under the law.

The OEIG receives many of its complaints through its toll-free Ethics Hotline, at 1-866-814-1113 (TTY 1-888-261-2734). Complaints also come to the office by facsimile transmission to 1-312-814-5479, and by personal and mail deliveries.

The OEIG has the authority to acquire information from any person or entity when relevant to its investigation, and when appropriate will issue subpoenas to obtain records and/or testimony. Under the Governor's Administrative Order No. 6 (Dec. 2003), State employees under OEIG jurisdiction have a duty to report misconduct and to cooperate fully in OEIG investigations. In order to facilitate the collection of information during its inquiries, trained and highly experienced investigators and attorneys interview witnesses, acquire documents, analyze financial records, conduct surveillance, perform forensic examinations of computers and electronic files, and utilize a variety of other sophisticated investigatory tools and techniques.

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BACKGROUND

The Office of Executive Inspector General (“OEIG”) was established by the Governor’s Executive Order 3 on January 23, 2003, as the primary Illinois agency charged with upholding responsible and ethical conduct in the administration of State business. With the December 2003 legislative enactment of the State Officials and Employees Ethics Act (5 ILCS 430, *et seq.*), the OEIG became empowered statutorily to investigate alleged violations of the Ethics Act and of any law, rule, regulation or policy by any State employee under its authority, including vendors and others doing business with an agency under OEIG jurisdiction.

The legislation also created separate and independent Offices of Executive Inspectors General for the other four State Constitutional officers: Treasurer, Comptroller, Secretary of State, and Attorney General. A statutory Legislative Inspector General also was created for the Legislature. This new Ethics Act outlined specific ethical rules and guidelines for State employees and State contractors to follow, and created comprehensive enforcement mechanisms.

In March 2003, the development of the OEIG began with a handful of employees. In the ensuing months the number of staff increased, as did the number of investigations. Since opening its doors in May 2003, the OEIG has received approximately 6,500 complaints and more than 18,000 hotline calls, and has conducted about 1,900 investigations. Currently, the agency has a workforce of more than 60 employees, including investigators, computer forensic examination experts, attorneys, paralegals, accountants, administrative professionals, and support staff. The OEIG has offices located in Chicago and Springfield, and has conducted interviews and investigations in nearly every county in the State of Illinois.

The OEIG has jurisdiction to investigate violations of law, waste, fraud, misconduct, mismanagement, misfeasance, nonfeasance, malfeasance, and Ethics Act violations by the Governor, Lieutenant Governor, employees of approximately 40 State agencies, the State public universities, and approximately 300 boards and commissions, plus the individuals conducting business with those entities. The OEIG also oversees annual ethics training for the State employees and appointees under its jurisdiction, and it operates a toll-free hotline (1-866-814-1113 / TTY 1-888-261-2734). During FY ‘09 approximately 158,000 State employees participated in the ethics training program offered under OEIG oversight.

The Executive Inspector General is James A. Wright.

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FY 2009 ACTIVITY OVERVIEW

This report examines OEIG activity in cases that fall into one of two statistical categories:

- 1) Complaints received and cases opened in Fiscal Year 2009, and
- 2) Cases opened in a prior fiscal year that continued into FY '09.

Complaints Received in FY '09

From July 1, 2008, through June 30, 2009, the OEIG received 1,303 complaints comprised of 1,598 allegations. Each allegation was reviewed to determine whether the complaint met OEIG criteria for investigation: jurisdiction over the subject and subject matter; identifiable complainants*; sufficient information to investigate; appropriateness; and a reasonably credible assertion. (*As of August 2009, the OEIG may accept anonymous complaints, therefore, an identifiable complainant is no longer necessary.)

During FY 2009, the OEIG opened 215 investigations, conducted 364 investigations, and concluded 184, with the remainder carried over to FY '10. Approximately 67 complaints were "Closed Without Report" for administrative reasons after it was determined that the subjects were outside OEIG jurisdiction, legal action was pending, or the agency affiliated with the subjects already had imposed discipline. Investigation was "Declined" on about 283 complaints for reasons that included anonymous complaints, duplicate cases, or allegations that failed to name an entity or subject under OEIG jurisdiction. Approximately 684 complaints were "Referred," most without OEIG investigative activity, to an appropriate State entity such as another Executive Inspector General or to another State governmental unit for follow-up action. Complaints involving criminal conduct were forwarded to criminal prosecutors or other law enforcement agencies.

Two points must be made. First, the State agency through which a subject is employed is identified even if the subject acted alone and without authority in the alleged misconduct. Secondly, it is noteworthy that 42 of 64 agencies/entities cited in this report showed a decrease in the number of allegations involving their employees and management compared to FY '08.

The decision to decline to investigate a complaint follows careful evaluation of the allegation and the regulatory framework that governs State employee conduct and OEIG activity. The greatest degree of deference is given to the complainant because it is the policy of this Office to conduct investigations whenever possible and not to turn away opportunities to do so unless presented with specific and compelling reasons. For example, Illinois statute precludes the OEIG from investigating violations more than one year old, absent special circumstances. When feasible, such allegations will be referred to State or outside officials for investigation. However, if another investigatory entity already has commenced its investigation, or if legal or grievance action is pending, the OEIG may decline to investigate to avoid conflicts between jurisdictions.

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| OEIG Activity Report: FY 2006 - FY 2009 | | | | |
|--|-------------------|-------------------|-------------------|-------------------|
| | FY '06 | FY '07 | FY '08 | FY '09 |
| Complaints | 1278 | 1270 | 1247 | 1303 |
| Allegations * | *** | 1615 | 1631 | 1598 |
| Investigations Opened | 622 | 209 | 186 | 215 |
| Investigations Completed ** | 564 | 357 | 245 | 184 |
| Investigations Conducted ** | 911 | 563 | 399 | 364 |
| Founded | 64 | 84 | 106 | 90 |
| Unfounded | 172 | 209 | 100 | 73 |
| OEIG Hotline - Completed Calls Received *** | 2920 | 2635 | 4696 | 8523 |

* Separate allegations were not counted in prior years.

** Includes partial investigations conducted prior to referral or other disposition.

*** The number of filed complaints is less than the number of Hotline calls because many callers make general inquiries or only seek agency referral and contact information.

Cases Opened in Any Fiscal Year, but Closed in FY '09

Overall, findings were issued in 163 investigations during FY '09. Note that some complaints ultimately are closed as Referred or Declined following brief preliminary investigation, but because some inquiry was necessary, they are counted as investigations even though no finding was issued. This includes investigation of complaints received during FY '09, as well as some continuing investigations commenced in a prior fiscal year. Of the investigations conducted in FY '09, 90 complaints were Founded and 73 were determined to be Unfounded. In each Founded case, a final summary report was issued to the agency involved, to the Ultimate Jurisdictional Authority, and in some cases to outside authorities. In Founded cases, the OEIG reports included directives for discipline, agency rule/policy creation or modification, or other corrective actions.

Generally, in each Founded case the disciplinary recommendations are made to the subject's agency and also are forwarded to the Governor, with follow-up action by the OEIG to determine what discipline, if any, was actually implemented. In addition, policy and work rule adoption and/or changes are recommended to an agency to prevent future misconduct or violations of law.

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The OEIG has been advised of the following disciplinary or corrective actions resulting from its investigations.

| Discipline | FY 2006 | FY 2007 | FY 2008 | FY 2009 |
|--|--------------------|--------------------|--------------------|--------------------|
| Discharged | 13 | 15 | 17 | 15 |
| Resigned | | 5 | 22 | 9 |
| Suspended | unk. | 16 | 29 | 19 |
| Made Restitution | unk. | 5 | 10 | * |
| Reprimanded | unk. | 19 | 32 | 43 |
| Change in Agency Policy and/or Training | unk. | 21 | 42 | 30 |
| Debarment / Contract Suspended | unk. | 0 | 0 | 2 |

* Note that the State agency employers of the subjects in 14 Founded investigations were directed to collect \$48,792 in restitution from those employees but have failed to do so. As of May 5, 2010, only \$165.47 has been reported to OEIG by one agency as having been repaid to the State.

Law Enforcement Referrals

Since July 2005, the OEIG, on its own initiative, has referred approximately 300 cases to outside law enforcement agencies and prosecutors for criminal investigation. Of those cases, 41 were referred to the Illinois district offices of the U.S. Attorney, the FBI, and to other federal law enforcement agencies; 74 were referred to the Office of Attorney General (“OAG”); 152 were sent to the Illinois State Police; and 18 to local law enforcement and prosecutorial agencies.

In FY '09, there were 79 law enforcement referrals, including: 20 to the OAG, 8 to federal prosecutors and the FBI, 37 to the State Police, 2 to county prosecutors, and 9 to other Executive Inspectors General and IG offices.

Overall, the list of receiving agencies has included: the Northern, Central, and Southern District Offices of the U.S. Attorney; Federal Bureau of Investigation; Illinois Attorney General; Illinois State Police Division of Internal Investigation; Illinois State Police; Cook County State’s Attorney; DuPage County State’s Attorney; Macon County State’s Attorney; U.S. Immigration and Customs Enforcement; and U.S. Marshal. Additional cases were referred to the U.S. Postal Service, Offices of Inspectors General for the City of Chicago, U.S. Department of Human Services, U.S. Department of Labor, Illinois Auditor General, and to the OEIGs for other State Constitutional Officers.

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Subsequent to the OEIG investigation of alleged Ethics Act violations (5 ILCS 420; 5 ILCS 430), in FY 2009, the Executive Inspector General referred six Ethics Act violation complaints to the Illinois Attorney General for review, requesting that the complaints be sent to the Executive Ethics Commission for Ethics Act violation hearings and sanctions. In FY 2009, the EEC conducted one hearing.

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FY 2009 Budget



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OEIG OPERATIONS

In FY '09, the Office of Executive Inspector General (“OEIG”), which operates offices in Chicago and in Springfield, was organized into investigative, legal, ethics training and compliance, and administrative compliance functions.

Investigative Function

When a complaint is registered with the OEIG, administrative and paralegal personnel in Chicago create a file and organize related documents to prepare the complaint for review by the OEIG Complaints and Compliance Unit. Initial research is conducted to assist in determining whether to open an investigation, and preliminary case details are entered into the OEIG case management system.

The complaint is scrutinized for criteria suggesting imminent risk to life or State property; abuse of minors or the elderly; and for issues regarding jurisdiction, timeliness, credibility, duplication, pending legal action, and criminal conduct, among other criteria. These considerations help determine whether to open a case, refer it to an appropriate governmental agency or law enforcement office, or decline to investigate the allegation. Only one manager’s approval is necessary to open an investigation, but any other disposition requires the unanimous agreement of a manager and the First Deputy Inspector General.

Under the State Officials and Employees Ethics Act (“Ethics Act”) and Administrative Order Number 6 of the Illinois Governor, the OEIG is responsible for investigating complaints of violations of agency policies and rules, State statutes, and violations of the Ethics Act by or involving any employee, agency, board or commission under the authority of the OEIG. This jurisdiction extends to vendors and others doing business with these entities.

The Ethics Act requires that in most cases an OEIG investigation must begin within one year of the most recent act of alleged misconduct. Complaints that do not meet the jurisdictional criteria are often referred for internal investigation to the State agency that employs or is doing business with the subject. When appropriate, such allegations also are referred directly to federal, State, or local prosecutors and law enforcement agencies. The former statutory restrictions on investigating anonymous complaints, or self-initiating cases, were lifted by a 2009 revision of the Ethics Act.

Once an investigation is initiated, the case is assigned to an investigation supervisor in Chicago or Springfield. At the same time a Deputy Inspector General, who is an attorney, assigns an Assistant Inspector General attorney to the case.

The investigative process requires interviews and the acquisition of documents or other evidence, and also may employ physical and/or video surveillance, expert forensic examination of electronic evidence, and other sophisticated investigative techniques.

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State employees under OEIG jurisdiction have an administrative duty to report misconduct and to cooperate fully with OEIG investigations. Those doing business with agencies under the Governor also must cooperate in an investigation. The OEIG has the authority to enter upon the premises of any State agency, board or commission within its jurisdiction to obtain evidence located there. This Office also issues subpoenas to require testimony and the production of evidence.

Investigation subjects and witnesses, and affected State agencies, have certain administrative rights that are explained to them as appropriate.

At the conclusion of a field investigation the case and evidence are reviewed to evaluate the factual sufficiency of the case, whether additional work is required, and whether any entity needs to be immediately notified of the evidence obtained to that point. Ultimately, the file is reviewed by OEIG attorneys for an analysis of legal sufficiency and for final review.

Legal Function

Completed investigations are assigned by a Deputy Inspector General to an Assistant Inspector General (“AIG”) for an analysis of the legal sufficiency of the evidence obtained, and of applicable rules, policies, and laws. The attorney reviews the file in all its particulars and with the assistance of paralegal personnel researches State agency rules, procedures and policies, contracts, operating agreements, audit and other reports, department manuals, State and federal statutes, and case law to thoroughly evaluate the often complex interactions between the sources of law that bear upon the conduct that was the subject of the allegation. The AIG also assists in the case throughout the investigation.

At the conclusion of this legal analysis, an Assistant Inspector General prepares a detailed preliminary report on the case, along with any recommendations for discipline and/or corrective action. These reports are sent to a Deputy Inspector General for further review and refinement, and when necessary, for consideration of policy advisories that may appropriately be made to the State agency at that stage. The deputies then prepare a draft Final Report that is sent to the First Deputy Inspector General and Executive Inspector General for final review and official case closure.

Administrative Review Function

Pursuant to an August 2009 partial revision of the Ethics Act, the OEIG for the first time is able to accept anonymous complaints and to self-initiate investigations. In addition, under the revised Ethics Act the OEIG will enforce its expanded jurisdiction over two key subject matter areas.

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Under the Revolving Door prohibitions of 5 ILCS 430/5-45, the OEIG is newly responsible for:

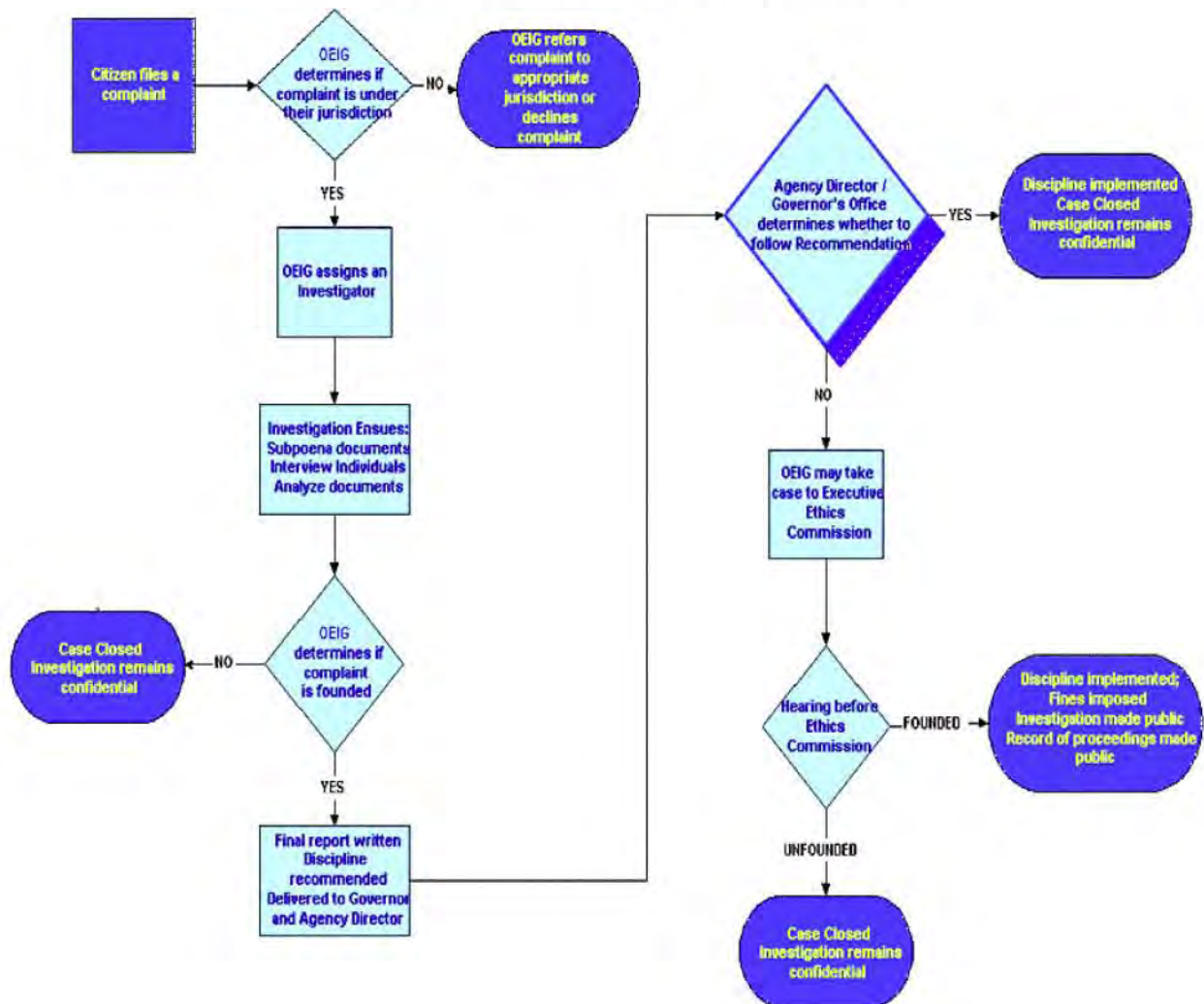
- Determining which State positions under OEIG jurisdiction are subject to the requirement that a State employee in a covered position notify this Office prior to accepting non-State employment, and,
- Determining whether said State employee or former State employee is restricted from accepting employment with a non-State entity because of the personal and substantial involvement in a licensing, contract award or change order by the employee, his or her spouse, or an immediate family member living with the covered employee.

Further, pursuant to 5 ILCS 430/20-20(9), the OEIG has been charged with the responsibility to review hiring and employment files of each State agency under OEIG jurisdiction to ensure compliance with *Rutan v. Republican Party of Illinois*, 497 U.S. 62 (1990), and with all applicable employment laws.

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What Happens to a Complaint? *



* In 2010, the OEIG instituted revised internal procedures that, when combined with the 2009 Ethics Act revisions, have changed the flow of complaints and investigations.

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TYPES OF ALLEGATIONS

The complaints submitted to the OEIG allege a wide range of wrongdoing. Many complaints allege more than one type of misconduct by an individual or entity. Some of the most prevalent types of allegations are:

- **Fraud**: These allegations include double-billing of the State, services provided by unlicensed providers, and similar allegations.
- **Misconduct**: For example, misuse of state property, failure to follow agency policy, and providing false information during an investigation.
- **Personnel**: These allegations range from an individual providing false information on their employment application to an individual being hired for a position for which they are not qualified.
- **Mismanagement**: Includes misuse of State dollars, waste, poor use of State labor force, and lack of necessary policies or policy enforcement.
- **Ethics Act Violations**: Such as violations of the Gift Ban Act, Prohibited Political Activity, Revolving Door Employment Prohibition, Retaliation, and Failure to Cooperate in an OEIG investigation.
- **Unethical Conduct**: Allegations of self-dealing in a State contract, and conflicts of interest.
- **Abuse of time**: Allegations of falsified time records and misuse of overtime or compensatory time.
- **Abuse**: Allegations such as misusing one's position with the State for personal gain.
- **Waste**: Misuse of State resources, such as lack of accountability practices for State property.
- **Theft**: Includes not only theft of State property, but of State funds, time, and resources.

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TYPES OF RECOMMENDED DISCIPLINARY ACTION

In most of the 90 founded complaints for Fiscal Year 2009, the OEIG recommended disciplinary action. These recommendations can be organized into six broad categories:

Discharge: Based upon the evidence, the OEIG may strongly recommend that the subject be discharged, as is commensurate with the extremely serious nature of the misconduct and violations. As part of this recommendation, the OEIG advises that any separation agreement reached with the subject should state that he or she “agrees never to apply for, nor to accept, employment with the State.”

Discipline: Recommend disciplinary actions ranging from reprimand or suspension, to demotion or discharge.

Policy Changes: Recommend that the agency create or strengthen a policy to explicitly prohibit a certain type of activity, that it enforce an existing policy, or that the agency conduct a certain type of training for its employees to teach them the appropriate behavior. These recommendations also might be given even absent a substantiated complaint.

Reimbursement to the State: In cases of abuse of State time or State resources, the OEIG may recommend that the State employee or contractor reimburse the State for the lost funds.

Vendor Debarment: Recommend that the vendor no longer be allowed to do business with the State.

Referral for Criminal Prosecution: For the most serious cases of wrongdoing, the OEIG directly refers the matter for criminal prosecution.

Resignations During Course of the Investigation: In some cases, the State employee being investigated by the OEIG may have resigned his or her position of employment during the investigation.

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*James A. Wright, Executive Inspector General • www.inspectorgeneral.illinois.gov***FY 2009****FOUNDED COMPLAINTS (BY AGENCY) ^{1 †}**

| Agency | FY '06 Complaints Founded | FY '07 Complaints Founded | FY '08 Complaints Founded | FY '09 Complaints Founded |
|--|--|--|--|--|
| Aging | 0 | 0 | 2 | 1 |
| Agriculture | 1 | 1 | 1 | 2 |
| Board of Education | 1 | 1 | 0 | 2 |
| Capital Development Board | 1 | 0 | 1 | 0 |
| Central Management Services | 7 | 6 | 3 | 1 |
| City Colleges of Chicago | 0 | 0 | 0 | 1 |
| Children and Family Services | 2 | 3 | 5 | 4 |
| Commerce and Economic Opportunity | 0 | 1 | 0 | 0 |
| Commerce Commission | 0 | 2 | 0 | 0 |
| Commission on Human Rights | 0 | 0 | 0 | 1 |
| Corrections | 3 | 2 | 9 | 7 |
| Department of Human Rights | 0 | 0 | 0 | 1 |
| Criminal Justice Information Authority | 0 | 1 | 0 | 0 |
| Eastern Illinois University | 0 | 0 | 0 | 1 |
| Emergency Management | 0 | 0 | 1 | 0 |
| Employees Retirement System | 0 | 2 | 0 | 0 |
| Employment Security | 4 | 4 | 10 | 4 |
| Environmental Protection Agency | 0 | 1 | 1 | 1 |
| Financial And Professional Regulation | 1 | 5 | 1 | 1 |
| Governor's Office | 0 | 2 | 2 | 1 |
| Governor's Office of Management and Budget | 1 | 0 | 0 | 0 |
| Governors State University | 0 | 0 | 1 | 1 |
| Guardianship and Advocacy Commission | 1 | 0 | 1 | 0 |
| Healthcare and Family Services | 0 | 0 | 0 | 1 |
| Historic Preservation Agency | 1 | 0 | 0 | 2 |
| Human Services | 21 | 20 | 35 | 25 |
| Illinois Law Enforcement Training Standards Board | 0 | 0 | 0 | 1 |
| Industrial Commission | 1 | 0 | 0 | 0 |
| Juvenile Justice | 0 | 0 | 1 | 2 |
| Labor | 1 | 1 | 2 | 0 |

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| Agency | FY '06 Complaints Founded | FY '07 Complaints Founded | FY '08 Complaints Founded | FY '09 Complaints Founded |
|--|---------------------------------|---------------------------------|---------------------------------|---------------------------------|
| Natural Resources | 2 | 4 | 2 | 2 |
| Northeastern Illinois University | 0 | 1 | 0 | 0 |
| Non-State Agency (e.g. city, county and federal government offices.) | 0 | 1 * | 0 | 1 * |
| Northern Illinois University | 0 | 1 | 0 | 0 |
| Office of the State Fire Marshal | 1 | 1 | 1 | 1 |
| Public Health | 1 | 1 | 4 | 3 |
| Revenue | 4 | 4 | 5 | 3 |
| Richland Community College | 0 | 0 | 0 | 1 |
| Southern Illinois University - Carbondale | 1 | 0 | 0 | 1 |
| State Police | 1 | 3 ‡ | 4 | 0 |
| Transportation | 5 | 10 | 9 | 11 |
| Truman College | 0 | 1 | 0 | 0 |
| University of Illinois | 1 | 2 | 0 | 2 |
| University of Illinois at Chicago | 0 | 0 | 0 | 0 |
| Vendor | 0 | 0 | 3 | 1 |
| Veterans Affairs | 1 | 3 | 0 | 2 |
| Western Illinois University | 0 | 0 | 0 | 1 |
| Worker's Compensation Commission | 0 | 0 | 2 | 1 |
| Grand Total | 64 | 84 | 106 | 90 |

¹ Note that complaints made against an agency employee are shown under the agency's name but may not involve allegations against the agency itself.

[†] This table consolidates information relating to all OEIG investigations conducted during Fiscal Year 2009, regardless of the year in which the complaint was received. Only agencies with Founded complaints are listed.

[‡] One complaint attributed in FY '07 to State Police as Founded was, in fact, Unfounded, but because an OEIG Final Report was issued the OEIG counted the case as substantiated. Generally, OEIG Final Reports are issued only in Founded cases.

* Subject was former State employee, but at time of investigation subject worked for a non-State agency.

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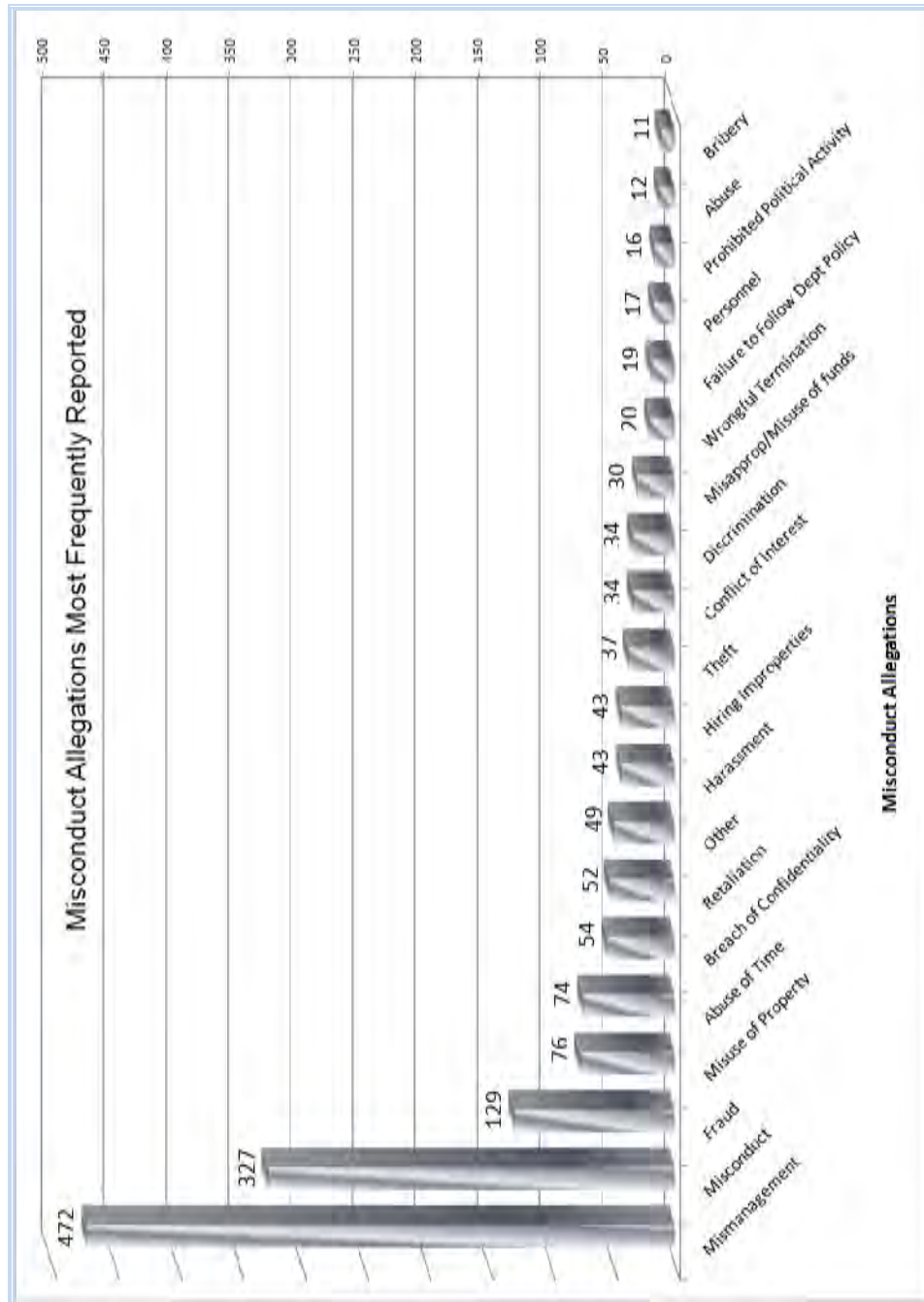
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FY 2009

Most Frequently Reported Allegations

(Total Allegations: 1,598)



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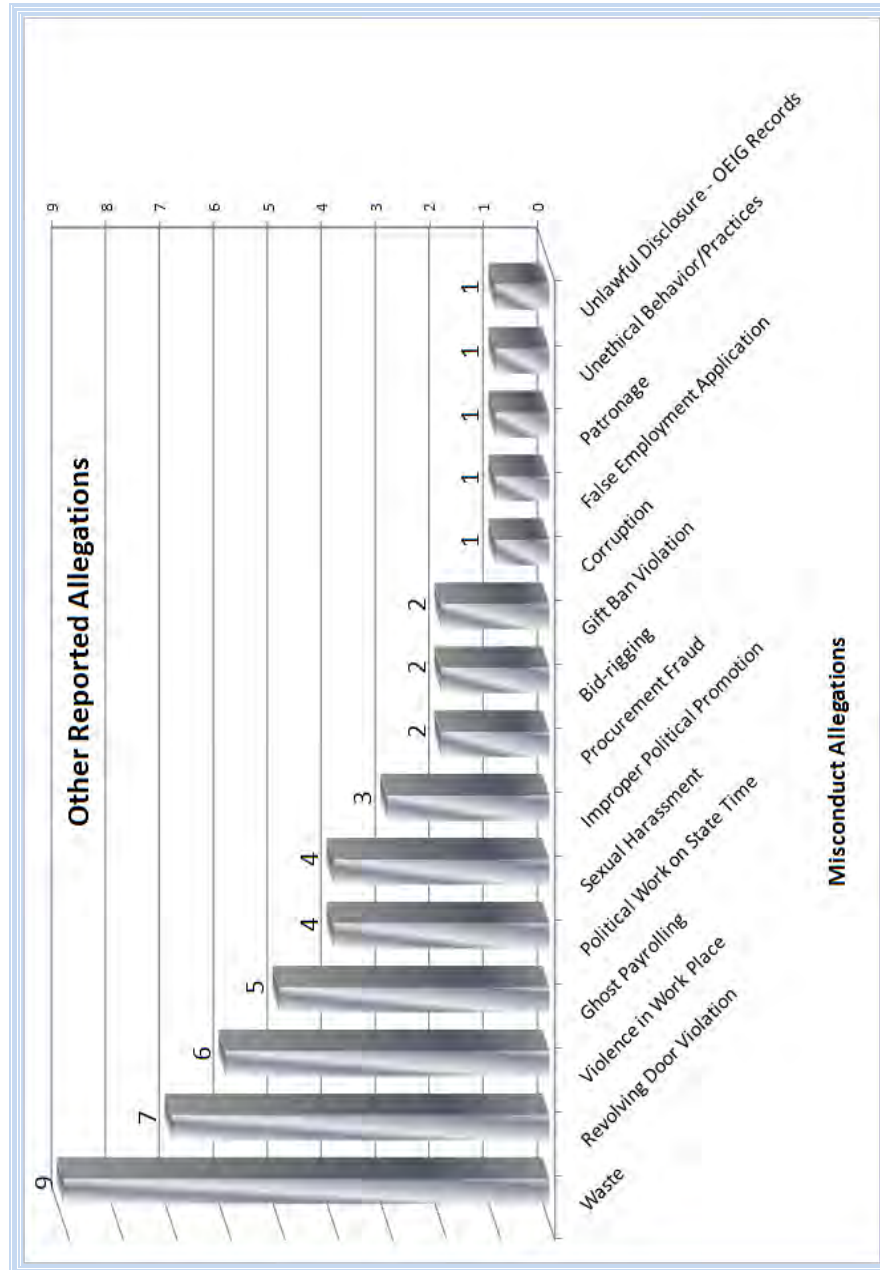
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FY 2009

Frequency of Various Other Allegations

(Total Allegations: 1,598)



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Employee Ethics Training Program Overview

Summary

Pursuant to the State Officials and Employees Ethics Act (“Ethics Act”), ethics training is a mandatory requirement for all employees, officials and appointees under the jurisdiction of the OEIG. During FY ‘09 approximately 160,000 participants took part in ethics training courses offered under the oversight of this Office. These courses are intended to inform employees about their ethical obligations as State employees and to provide instructional materials that teach employees how to identify and properly address ethics-related work issues.

Basic Legal Requirements

Under the Ethics Act, State employees, officials and appointees are required to complete ethics training at least annually (i.e., at least once each calendar year). As a result of recent amendments to the law, new employees, officials and appointees are required to complete training within thirty (30) days of the commencement of their employment, office or appointed positions. The similar legal requirement that was applicable during FY ‘09, required new employees to complete ethics training within six (6) months of the commencement of employment.

The Ethics Act requires that this ethics training be overseen by the Executive Inspector General and the Executive Ethics Commission, in consultation with the Office of the Attorney General. Furthermore, the Ethics Act requires the Executive Inspector General to set standards and determine the hours and frequency of training necessary for each position or category of positions under his or her jurisdiction.

- Ethics training requirements apply to any person employed full-time, part-time, or pursuant to a contract, as well as any appointee.

Primary Training Objective

The primary objective of ethics training conducted under the oversight of the OEIG is to promote an ethical culture within State government, wherein all official business is conducted in a manner that is consistent with the rule of law. Furthermore, ethics training is meant to promote an environment where State employees, officials and appointees act with honesty, integrity and fairness at all times.

Training courses are designed to provide participants with:

- A uniform understanding of ethics-related laws and rules.
- Knowledge concerning who to contact with ethics-related questions.
- Knowledge of where and how to report alleged violations of laws, rules, regulations or policies.

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Administrative Objectives

Administrative procedures associated with ethics training are designed to ensure that:

- Employee participation in training is accurately recorded and reported, to ensure compliance with the law.
- Training is cost efficient.

Benefits

Ethics training is believed to:

- Reduce the potential for employees to unintentionally violate the law.
- Discourage and/or deter employees from willfully violating laws, rules, regulations and policies.
- Encourage reporting of violations of the law.
- Improve the integrity of State government.
- Promote dialog between employees, supervisors and ethics officers concerning ethics matters.

Training Alternatives

Most employees under the OEIG's jurisdiction complete annual training by means of Internet-based course materials. These interactive, self-paced courses typically require, on average, approximately 30 to 60 minutes to complete. They may consist of reading materials, scenarios that depict ethics-related work situations and/or self-assessment questions and answers, and may include links to various related references and resources. New course materials are developed each year.

The OEIG's learning management system serves as the platform for employees' access to the Internet-based training courses that the OEIG authors. The system is an effective and efficient method of training delivery and provides a reliable means of monitoring and reporting employees' compliance with the law.

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2009 ETHICS TRAINING PROGRAM FOR STATE EMPLOYEES

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Whistle Blower Protections

An officer, state employee, or state agency cannot lawfully take any retaliatory action (such as reprimanding, firing, demoting, denying a promotion, or suspending) against a state employee for doing any of the following:

- Disclosing or threatening to disclose to a supervisor or to a public body an activity, policy, or practice of any officer, member, state agency, or other state employee that the state employee reasonably believes is in violation of a law, rule, or regulation
- Providing information or testifying about any violation of a law, rule, or regulation by any officer, member, state employee, or state agency
- Assisting or participating in a proceeding to enforce the State Officials and Employees Ethics Act

FYI For Your Information

Illegal retaliation against an employee may result in remedies, including reinstatement of the employee's position, fringe benefits, and seniority; two times the amount of back pay with interest, and payment of reasonable attorney's fees.

◀ Previous Next ▶

Additional resources are furnished by the OEIG to ethics officers for the administration of training in instances where online training is either inappropriate or impractical. Specialized courses are made available for temporary employees, appointees to State boards and commissions, and newly hired State employees. Additionally, offline course materials are furnished for use by employees who are unable to use computer-based course materials, and those who, for example, require materials in a foreign-language or Braille format.

FY '09 On-line Employee Training Content

The subject matter and content of ethics training courses are developed under the oversight of the OEIG and the Executive Ethics Commission, and in consultation with the Office of the Attorney General.

The primary FY '09 on-line training course produced by the OEIG for use by employees of State agencies and departments under its jurisdiction addressed the following subject matter:

- Creating an ethical culture within State government.
- Being truthful with respect to official statements and documents.
- Being honest with “clients” of the State.
- Declining improper gifts.
- Using State property and resources appropriately.

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- Making purchasing decisions with fairness.
- Delivering State services in an unbiased manner.
- Avoiding conflicts of interest.
- Complying with rules related to *ex parte* communications.
- Avoiding prohibited political activities.
- Complying with State agency policies.
- Reporting violations of laws, rules, regulations and policies.
- Cooperating in investigations.
- Understanding State employees' rights and responsibilities related to investigations.
- Complying with revolving door restrictions.
- Understanding whistle blower protection.
- Understanding the functions of the Executive Ethics Commission.
- Understanding the functions of the Executive Inspector General.
- Understanding penalties for violations of the law.

Summary of Training Results

- ✓ Number of online course sessions completed: 123,812.
- ✓ Number of offline course sessions completed: 34,556.
- ✓ Number of State entities trained: 333.

Training Effectiveness

Approximately 90% of those employees who completed OEIG-produced online training and who responded to an end-of-course survey indicated that they probably or definitely intended to use what they had learned in the course on their jobs. Furthermore, approximately 85% of survey respondents indicated that they probably or definitely had a better understanding of the training's subject matter because of the online course.

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FISCAL YEAR 2009 LEGISLATIVE REPORT

In January 2009, the Illinois Reform Commission was formed to evaluate the culture of ethics in State government and to make recommendations to improve existing laws and to propose new laws. In February 2009, the Joint [Legislative] Committee on Government Reform also was created to focus on various aspects of government reform: revolving door prohibitions, government contracts, procurement, lobbyist activities, and campaign finance.

The following four bills advanced through the process and were signed into law.

Senate Bill 54 (“SB 54”) (Public Act 096-0555) was the most comprehensive piece of ethics reform that passed the General Assembly. Below are some of the various components of the bill:

Ethics Training §5-10

SB 54 requires each ultimate jurisdictional authority that is subject to the Executive Ethics Commission (“EEC”) to submit to the EEC, at least annually or more frequently if requested, a report that summarizes ethics training that was completed for the previous year and which lays out the plan for the upcoming year.

An individual subject to the ethics training requirement must complete the training within 30 days of their appointment or employment and certify their completion.

Prohibited Offers §5-30

This section adds to the list of prohibited offers a provision that an officer or employee of the executive or legislative branch may not, in consideration for a political contribution, offer employment benefits, board or commission appointments, favorable treatment in any official or regulatory matter, the awarding of any public contracts, or action or inaction on any legislative or regulatory matter.

Any State employee who is requested or directed to actively engage in such prohibited activity must report such request to the appropriate ethics officer or Executive Inspector General.

Fundraising in Sangamon County §5-40

This provision clarifies that on days the legislature is in session there can be no political fundraising activity in Sangamon County.

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Procurement; Revolving Door Employment Prohibition §5-45

If a former officer, member, State employee, or spouse, or immediate family member living with such person participated personally and substantially in making a regulatory or licensing decision or was involved in the issuance of State contracts or change orders that were in cumulative value of \$25,000 or more, then within one year immediately after termination of State employment, the individual shall not knowingly accept employment or receive compensation or fees for services from a person or entity that was awarded such a contract or change order or was the subject of such a regulatory or licensing decision. (Subsections A and B.)

Within six months after the effective date of this legislation each constitutional officer, legislative leader, Auditor General and the Joint Committee on Legislative Support Services shall develop a policy delineating which positions under their jurisdictions may have the authority to participate personally and substantially in the award of State contracts or in regulatory or licensing decisions. These policies shall be filed with the appropriate ethics commission. (Subsection C.)

Each Executive Inspector General has the authority to determine which additional State positions under their jurisdiction not otherwise subject to the policies required by Subsection C are nonetheless subject to the notification requirement of Subsection F, if these State positions are involved in the awarding of State contracts or in regulatory or licensing decisions. (Subsection D.)

Each constitutional officer, legislative leader and the Auditor General, who are subject to Subsection C, shall provide written notification to the individuals in positions subject to the policies required by Subsection C. The employee who receives such notification shall certify in writing that he or she was advised of the prohibition and the notification requirements. (Subsection E.)

Individuals who are subject to the provisions in Subsections C or D and do not fall within the prohibition of Subsection H, and who are offered non-State employment during their time employed by the State or within one year immediately after their State employments, shall prior to accepting such non-State employment notify the appropriate Executive Inspector General. The Executive Inspector General shall within 10 days of receiving the notification determine if the employee is restricted from accepting such employment based on the policies expressed in subsections A or B. An Executive Inspector General's determination shall be in writing. If this determination is not made within 10 days, then the employee is considered eligible for the employment. (Subsection F.)

Subsection H identifies individuals who shall not accept employment, compensation or fees for services from a person or entity or its parent or subsidiary if, during the year prior to termination, such a person or entity was a party to a State contract or change orders with a cumulative value of \$25,000 or more, or the making of a regulatory or licensing decision at the State employee's State agency.

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Whistle Blower Protection §15-5

A State employee who engages in protected activity as set forth in 5 ILCS 430/15-5 now also is protected from any change in the terms or conditions of employment taken against the employee in retaliation for engaging in protected activity. Illinois circuit courts were given jurisdiction over §15-5 cases.

Executive Ethics Commission §20-5

SB 54 clarifies that the Legislative Ethics Commission (instead of the Executive Ethics Commission) has jurisdiction over legislative members and employees that serve on executive branch boards or commissions. The Bill gives the EEC jurisdiction over all chief procurement officers, procurement compliance monitors and their respective staffs. It further states that the Legislative Ethics Commission has jurisdiction over any matters arising under the Illinois Procurement Code, if the Legislative Ethics Commission is given authority in that Code. It also adds that a commission member shall not advocate for the appointment of another person to an appointed or elected office or position.

Duties of Executive Inspectors General §20-20

This provision gives Executive Inspectors General the authority to accept anonymous reports and also allows an Executive Inspector General to self-initiate investigations. It further mandates the Executive Inspectors General to review hiring and employment files of each State agency within their jurisdiction to ensure compliance with the Rutan court decree (*Rutan v. Republican Party*, 497 U.S. 62 (1990)) and all applicable employment laws. Executive Inspectors General are also required to establish a policy, to be posted on their websites, that ensures all investigations are handled appropriately. The Bill adds a new provision giving the Attorney General authority to investigate violations of the Ethics Act pursuant to the investigative reports, closed investigations, or upon receiving notice from the EEC.

Special Executive Inspector General §20-21

This provision gives the EEC an additional basis for the appointment of a Special Executive Inspector General. The EEC can make such an appointment to investigate matters within the jurisdiction of an Executive Inspector General if the Executive Inspector General (or his or her staff) could reasonably be considered as a wrongdoer, or if investigating a particular matter would constitute a conflict of interest for an Executive Inspector General.

Investigation Reports §20-50

Upon the Executive Inspector General's delivery of a summary report of an investigation to the appropriate ultimate jurisdictional authority, the authority or agency head has 20 calendar days to respond in writing to the Executive Inspector General. The response shall include a description of any corrective action or disciplinary action to be taken. Within 30 days after receiving the response from the appropriate ultimate jurisdictional authority or agency head, the Executive Inspector General shall notify the EEC and Attorney

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General if the Executive Inspector General believes that a complaint should be filed with the EEC. If the Executive Inspector General requests to file a complaint with the EEC, the Executive Inspector General shall submit the summary report and supporting documents to the Attorney General.

If the Attorney General determines there is insufficient evidence that a violation has occurred, then the Attorney General has to notify the Executive Inspector General, and the Executive Inspector General shall deliver to the EEC a copy of the summary report and the response from the ultimate jurisdictional authority or agency head. If within 30 days after receiving the response from the ultimate jurisdictional authority or agency head, the Executive Inspector General does not believe a complaint should be filed, then the Executive Inspector General shall deliver to the EEC a statement of the decision not to file a complaint, a copy of the summary report, and the response from the ultimate jurisdictional authority or agency. The information provided to the EEC may be redacted if the Executive Inspector General believes the information will interfere with an investigation or identifies an informant or complainant.

If after reviewing the documents the EEC believes that further investigation is warranted, it may request the Executive Inspector General to provide additional information or to conduct further investigation. In addition, the EEC may appoint a Special Executive Inspector General to investigate or may refer the documents to the Attorney General to investigate or review. The Attorney General cannot investigate or review the documents until receipt of notice from the EEC. If the Attorney General believes there is enough evidence that a violation has occurred, then the Attorney General may file a complaint. If the Attorney General believes there is insufficient evidence, notification shall be provided to the EEC and the appropriate Executive Inspector General. Within 30 days after issuing the final administrative decision, the EEC shall make public the entire record of the proceedings before the EEC, the decision, any recommendations, any discipline imposed, and the response from the agency head or the ultimate jurisdictional authority to the EEC.

Closed Investigations §20-51

When the Executive Inspector General concludes that there is insufficient evidence of a violation, then the investigation shall be closed and the Executive Inspector General shall provide the EEC with a written statement of the decision to close the investigation. If requested, the subject of the investigation also shall be notified that the investigation is closed. However, the closing of the investigation does not bar the Executive Inspector General from resuming the investigation if circumstances warrant.

In addition, the EEC may request that the Executive Inspector General further investigate the complaint, appoint a Special Executive Inspector General, or refer the allegation to the Attorney General for further review and investigation. The Attorney General and the Executive Inspector General must be notified of this request and the Attorney General may not begin the review until receipt of notice.

Release of Summary Reports §20-52

This new section of the Ethics Act states that within 60 days after receipt of a summary report and response from the ultimate jurisdictional authority or agency head that resulted in a suspension of three days

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or more, or in termination of the employee, the EEC shall make that report and response available to the public. In addition, the EEC may make available to the public other summary reports and responses.

The EEC shall redact information in the summary report that reveals the identity of witnesses, complainants, or information that the EEC determines is appropriate to protect the identity of the person before the report is made public. The EEC also has the discretion to redact any information that it believes should not be made public. Prior to the documents being made public, the EEC shall allow the respondent, the Executive Inspector General, and the Attorney General to review the documents and offer suggestions on what should be redacted. It also gives the EEC the authority to withhold publication of the reports or responses if the Executive Inspector General or the Attorney General believes the release would interfere with an ongoing investigation.

Decision; Recommendations §20-55

SB 54 dictates that disciplinary action under the Ethics Act against a person who is subject to the Personnel Code, the Secretary of State Merit Employment Code, the Comptroller Merit Code, or the State Treasurer Employment Code is within the jurisdiction of the EEC.

Reporting of Investigations §20-65

Each Executive Inspector General shall file a quarterly activity report with the EEC that reflects the activity during the previous quarter. If the investigation is not concluded within six months after its initiation, then the Executive Inspector shall file a six-month report with the EEC by the 15th day of the month following the investigation being open for six months. The quarterly and six-month reports are exempt from the Illinois Freedom of Information Act.

Referrals of Investigations §20-80

New language provides that the Executive Inspector General shall refer alleged misconduct resulting in the loss of public funds of \$5,000 or more to the Attorney General and any other appropriate law enforcement authority.

Monthly Reports by Executive Inspector General §20-85

This subsection alters the time frame when reports are due to be submitted to the appropriate executive constitutional officer from quarterly to monthly reports. These reports are to be submitted on dates determined by the constitutional officer. It also deletes the requirement that the reports shall be submitted to the EEC, and adds a requirement that the number of allegations referred to any law enforcement agency be documented. This subsection also mandates that the reports be posted on the website of the appropriate Executive Inspector General and constitutional officer.

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Exemptions §20-95

SB 54 states that a summary report released by the EEC under section 20-52 is a public record, but information redacted by the EEC shall not be part of the public record.

Other provisions contained in SB 54:

SB 54 removes the EEC and the Offices of the Executive Inspectors General from the definition of “State agency” in the Governor’s Office of Management and Budget Act. It also makes changes to the Legislative Ethics Commission. Those changes mirror the changes in the EEC section of the State Officials and Employees Ethics Act (“Ethics Act”).

Senate Bill 364 amends the Illinois Governmental Ethics Act (5 ILCS 420, *et seq.*) by adding to the list of individuals who are required to file economic interest statements.

This Bill also amends the Ethics Act by adding to the definition of “Employee” any appointed or elected commissioner, trustee, director, or board member of a board of a State agency, including any retirement system or investment board subject to the Illinois Pension Code or any other appointee.

Senate Bill 1602 amends the Illinois Governmental Ethics Act and requires appointees to certain gubernatorial boards and commissions to file Statements of Economic Interests.

Senate Bill 1905 would have amended the *ex parte* provisions of the Ethics Act. In May 2009, this proposal was on the agenda before the Joint Committee on Government Reform. This amendment added the newly created Health Facilities and Services Review Board (previously named the Health Facilities Planning Board) to the list of 36 agencies, boards and commissions that the *ex parte* communications applies to. Governor Pat Quinn issued an amendatory veto and his changes were accepted by the General Assembly. The Governor’s amendatory veto eliminated the proposed changes to the *ex parte* provisions in the Ethics Act.

Non-Ethics Act Whistleblower Protections

A separate Whistleblower Act, 740 ILCS 174/20, also was amended by SB 54.

Other Retaliation § 20.1 Provides that any other act or omission not otherwise specifically set forth in 740 ILCS 174/20, whether within or without the workplace, also constitutes retaliation by an employer if the act or omission would be materially adverse to a reasonable employee and is because of the employee disclosing or attempting to disclose public corruption or wrongdoing.

Threatened Retaliation § 20.2 This section specifies that an employer may not threaten any employee with any act or omission if that act or omission would constitute retaliation against the employee under this Act.

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FISCAL YEAR 2009 OEIG MATTERS BEFORE THE EXECUTIVE ETHICS COMMISSION

The Illinois Attorney General brought one OEIG investigation case before the Executive Ethics Commission (“EEC”), resulting in a published decision in Fiscal Year 2009.

In the Morgenthaler case (08-EEC-009), the OEIG accused Jill Morgenthaler, a former Deputy Chief of Staff of Public Safety for the State of Illinois, of engaging in prohibited political activity. Specifically, the OEIG found during its investigation that Morgenthaler used a State phone on State property during her regular work hours to ask a State employee and veteran whether he would be willing to participate in a radio commercial for then-Governor Rod Blagojevich’s reelection campaign. During the course of this telephone conversation, Morgenthaler told another State employee sitting nearby that he should forget that he had overheard this conversation. The EEC fined Morgenthaler \$500 for violating the Ethics Act. No recommendation of discipline was necessary since she no longer worked for the State when the EEC made its decision.

Copies of the full decisions in these and other OEIG cases can be found on the EEC’s website: http://www.eec.illinois.gov/disciplinary_decisions.htm.

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FY 2009

AN INTRODUCTION TO OEIG STATISTICAL REPORTS

The Office of Executive Inspector General (“OEIG”) records its cases in an information database to facilitate statistical analysis and reporting. The tables presented in this report are drawn from this data.

A cautionary note: the various metrics shown here in combined tables are presented in this manner for convenient viewing, and no relationship among the separate columns or tables should be presumed. One reason for this is because different tables combine data for complaints received or investigations concluded within different time frames. For example, the tables *Founded Complaints (By Agency)* and *Appendix B – FY 2009 Founded Complaints by Type of Misconduct*, examine all Founded cases that were concluded during Fiscal Year 2009, regardless of the fiscal year in which the complaint was received. Contrast *Appendix A – Total Complaints (Received in FY 2009) by Type of Misconduct Alleged*, which references only those allegations received in FY ‘09.

Note also that a “complaint” or “allegation” is simply an accusation of misconduct yet to be proved or disproved. That some State agencies will be seen to have been the subject of high, or low, numbers of complaints, in itself is demonstrative neither of culpability, nor of virtue. Therefore, absent detailed study, no particular importance should be attached to the number of allegations involving certain State agencies.

A complaint is “Founded” when the evidence acquired during an investigation, after careful factual and legal analysis, is determined to give rise to a reasonable belief by the OEIG that a violation was committed by a subject. Moreover, this determination requires that there have been in existence a rule, policy, procedure or law proscribing the conduct that was the subject of the complaint. On occasion, an investigation will reveal the absence of such a rule, in which case the OEIG will direct the agency to implement one. At times, single complaints can give rise to multiple allegations, each of which can be Founded or Unfounded. Therefore, the number of “Founded complaints” always is less than the number of “Founded allegations,” which are not reflected in these tables but are addressed individually in OEIG Final Reports.

The data in this report is offered as evidence that the OEIG, an independent administrative investigation agency of the State of Illinois, is in diligent pursuit of its mission to investigate and prosecute waste, fraud, misconduct, mismanagement, and unethical behavior committed within and upon the State entities under its jurisdiction.

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APPENDIX A

FY 2009 - TOTAL ALLEGATIONS RECEIVED BY TYPE OF MISCONDUCT ALLEGED ¹

| Category of Misconduct | FY '06 # Complaints Received ² | FY '07 # Allegations Received ³ | FY '08 # Allegations Received ³ | FY '09 # Allegations Received ³ |
|---|--|---|---|---|
| Abuse | 53 | 56 | 33 | 12 |
| Abuse of Time | 52 | 75 | 72 | 74 |
| ADA | 0 | 6 | 0 | 0 |
| Bid-rigging | 3 | 2 | 2 | 2 |
| Breach of Confidentiality | 0 | 26 | 36 | 54 |
| Bribery | 4 | 16 | 17 | 11 |
| Child Support | 3 | 12 | 0 | 0 |
| Conflict of Interest | 20 | 53 | 42 | 34 |
| Corruption | 8 | 13 | 3 | 1 |
| Discrimination | 26 | 41 | 29 | 34 |
| Extortion | 2 | 3 | 0 | 0 |
| Failure to Follow Department Policy | 25 | 48 | 24 | 19 |
| False Employment Application | 4 | 4 | 3 | 1 |
| Fraud | 105 | 184 | 142 | 129 |
| Failure to Cooperate | 0 | 0 | 46 | 0 |
| Failure to File Statement of Economic Interest | 0 | 0 | 2 | 0 |
| Ghost Payrolling | 0 | 4 | 4 | 5 |
| Gift Ban Violation | 0 | 7 | 6 | 2 |
| Harassment | 31 | 90 | 56 | 43 |
| Hiring Improprieties | 17 | 66 | 48 | 43 |
| Improper Political Promotion | 1 | 1 | 3 | 3 |
| Misappropriation/Misuse of Funds | 20 | 25 | 33 | 30 |
| Misconduct | 497 | 313 | 299 | 327 |
| Mismanagement | 26 | 212 | 383 | 472 |

OFFICE OF EXECUTIVE INSPECTOR GENERAL

for the Agencies of the Illinois Governor

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| Category of Misconduct | FY '06 # Complaints Received ² | FY '07 # Allegations Received ³ | FY '08 # Allegations Received ³ | FY '09 # Allegations Received ³ |
|---------------------------------------|---|--|--|--|
| Misuse of Property | 22 | 64 | 74 | 76 |
| Other | 137 | 43 | 58 | 49 |
| Other Ethics Act | 2 | 4 | 0 | 0 |
| Patronage | 9 | 6 | 0 | 1 |
| Personnel | 62 | 65 | 19 | 17 |
| Political Work on State Time | 12 | 18 | 6 | 4 |
| Procurement Fraud | 0 | 9 | 9 | 0 |
| Prohibited Political Activity | 1 | 14 | 8 | 16 |
| Retaliation | 31 | 34 | 64 | 52 |
| Revolving Door Violation | 1 | 3 | 3 | 7 |
| Sexual Harassment | 5 | 4 | 11 | 4 |
| Theft | 21 | 32 | 48 | 37 |
| Unethical Behavior/Practices | 35 | 15 | 18 | 1 |
| Unlawful Disclosure – OEIG Records | 0 | 0 | 0 | 1 |
| Violence in Workplace | 6 | 5 | 5 | 6 |
| Waste | 16 | 8 | 2 | 9 |
| Wrongful Termination | 3 | 13 | 17 | 20 |
| Wrongful Conviction | 1 | 1 | 0 | 0 |
| Total | 1,278 ² | 1,615 ³ | 1,631 ³ | 1,598 ³ |

¹ Allegations/Complaints received July 1, 2008 through June 30, 2009.

² For FY '06 the OEIG did not have data available to compute the total number of allegations in complaints with multiple allegations.

³ Data for initial complaints, some of which contained multiple allegations.

OFFICE OF EXECUTIVE INSPECTOR GENERAL

for the Agencies of the Illinois Governor

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| Category of Misconduct | FY '06 # Complaints Founded | FY '07 # Complaints Founded | FY '08 # Complaints Founded | FY '09 # Complaints Founded |
|--|--|--|--|--|
| Abuse of Time | 5 | 15 | 18 | 18 |
| Fraud | 9 | 10 | 18 | 12 |
| Misuse of Property | 4 | 13 | 7 | 12 |
| Misconduct | 12 | 15 | 18 | 8 |
| Conflict of Interest | 3 | 2 | 3 | 5 |
| Hiring Improprieties | 0 | 2 | 2 | 5 |
| Prohibited Political Activity | 0 | 2 | 5 | 4 |
| Retaliation | 1 | 0 | 4 | 4 |
| Theft | 3 | 1 | 3 | 3 |
| Mismanagement | 0 | 2 | 2 | 3 |
| Political Work on State Time | 0 | 3 | 2 | 3 |
| Breach of Confidentiality | 0 | 1 | 1 | 3 |
| Abuse | 0 | 0 | 3 | 2 |
| Procurement Fraud | 2 | 1 | 3 | 2 |
| Misappropriation / Misuse of Funds | 2 | 2 | 0 | 2 |
| Patronage | 0 | 0 | 2 | 1 |
| Other | 6 | 0 | 1 | 1 |
| Waste | 1 | 1 | 0 | 1 |
| Revolving Door Policy | 0 | 0 | 0 | 1 |
| Harassment | 2 | 2 | 7 | 0 |
| Unethical Behavior/Practices | 5 | 4 | 3 | 0 |
| | | | | |
| Failure to Follow Department Policy | 1 | 2 | 2 | 0 |
| Ghost Payrolling | 2 | 1 | 1 | 0 |
| Wrongful Termination | 0 | 0 | 1 | 0 |
| Abuse | 2 | 2 | 0 | 0 |

OFFICE OF EXECUTIVE INSPECTOR GENERAL

for the Agencies of the Illinois Governor

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| Category of Misconduct | FY '06 # Complaints Founded | FY '07 # Complaints Founded | FY '08 # Complaints Founded | FY '09 # Complaints Founded |
|---------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|
| Bid-rigging | 0 | 1 | 0 | 0 |
| Other Ethics Act | 0 | 1 | 0 | 0 |
| Sexual Harassment | 0 | 1 | 0 | 0 |
| Extortion | 1 | 0 | 0 | 0 |
| False Employment Application | 1 | 0 | 0 | 0 |
| Personnel | 1 | 0 | 0 | 0 |
| Violence in Workplace | 1 | 0 | 0 | 0 |
| Total | 64 | 84 | 106 | 90 |

OFFICE OF EXECUTIVE INSPECTOR GENERAL

for the Agencies of the Illinois Governor

*James A. Wright, Executive Inspector General • www.inspectorgeneral.illinois.gov***APPENDIX C****FY 2009****NUMBER OF COMPLAINTS - BY AGENCY [†]**

| Agency | No. Complaints Received in FY 07 | No. Complaints Received in FY 08 | No. <u>Allegations</u> Received in FY 08 * | No. <u>Allegations</u> Received in FY 09 * |
|---|---|---|---|---|
| Aging | 3 | 5 | 5 | 4 [♦] |
| Agriculture | 8 | 6 | 9 | 7 [♦] |
| Appellate Court of Illinois - Third District | 0 | 1 | 1 | 1 |
| Arts Council | 1 | 0 | 0 | 0 |
| Attorney General | 3 | 7 | 7 | 1 [♦] |
| Auditor General | 0 | 1 | 1 | 0 [♦] |
| Carl Sandburg College ** | 1 | 0 | 0 | 0 |
| Board of Education | 10 | 2 | 3 | 20 |
| Board of Elections | 1 | 0 | 0 | 1 |
| Board of Higher Education | 0 | 0 | 0 | 1 |
| State Board of Investment | 1 | 0 | 0 | 0 |
| Capital Development Board | 0 | 0 | 0 | 2 |
| Central Management Services | 26 | 10 | 16 | 37 |
| Chicago State University | 5 | 6 | 8 | 7 [♦] |
| Children and Family Services | 98 | 86 | 114 | 89 [♦] |
| City Colleges of Chicago ** | 1 | 3 | 4 | 0 [♦] |
| City Colleges of Chicago - Kennedy-King ** | 2 | 0 | 0 | 0 |

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| Agency | No. Complaints Received in FY 07 | No. Complaints Received in FY 08 | No. <u>Allegations</u> Received in FY 08 * | No. <u>Allegations</u> Received in FY 09 * |
|--|---|---|---|---|
| College of DuPage ** | 1 | 0 | 0 | 0 |
| College of Lake County ** | 1 | 0 | 0 | 0 |
| Commission on Human Rights | 0 | 1 | 1 | 0 ♦ |
| Community College Board ** | 5 | 0 | 0 | 0 |
| Commerce and Economic Opportunity | 7 | 4 | 5 | 13 |
| Commerce Commission | 4 | 8 | 8 | 8 |
| Cook County Sheriff's Office | 0 | 0 | 0 | 1 |
| Corrections | 87 | 92 | 124 | 100 ♦ |
| Comptroller | 1 | 1 | 1 | 7 |
| Criminal Justice Information Authority | 1 | 0 | 0 | 2 |
| Drycleaner Environmental Response Trust Fund | 1 | 0 | 0 | 0 |
| East St. Louis Advisory Authority | 1 | 0 | 0 | 0 |
| Eastern Illinois University | 9 | 3 | 5 | 27 |
| Educational Labor Relations Board | 3 | 0 | 0 | 0 |
| Equal Employment Opportunity Commission | 1 | 0 | 0 | 1 |
| Emergency Management Agency | 2 | 1 | 2 | 0 ♦ |
| Employment Security | 55 | 57 | 72 | 69 ♦ |
| Environmental Protection Agency | 12 | 7 | 9 | 6 ♦ |
| Financial And Professional Regulation | 29 | 29 | 37 | 67 |
| Fire Marshal | 5 | 3 | 8 | 4 ♦ |

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| Agency | No. Complaints Received in FY 07 | No. Complaints Received in FY 08 | No. <u>Allegations</u> Received in FY 08 * | No. <u>Allegations</u> Received in FY 09 * |
|--|---|---|---|---|
| Gaming Board | 0 | 0 | 0 | 1 |
| Governor's Office | 16 | 8 | 12 | 24 |
| Governors State University | 5 | 2 | 2 | 2 |
| Guardianship and Advocacy Commission | 6 | 1 | 2 | 1 ♦ |
| Healthcare and Family Services (See Public Aid) | 59 | 56 | 60 | 92 |
| Healthcare and Family Services – Inspector General | 1 | 2 | 3 | 0 ♦ |
| Historic Preservation Agency | 1 | 7 | 13 | 4 ♦ |
| Housing Development Authority | 2 | 0 | 0 | 0 |
| Human Rights | 7 | 13 | 15 | 12 ♦ |
| Human Services | 350 | 377 | 497 | 452 ♦ |
| Human Services - Inspector General | 0 | 1 | 2 | 3 |
| Illinois Law Enforcement Training Standards Board | 1 | 1 | 1 | 0 ♦ |
| Illinois State University | 1 | 0 | 0 | 2 |
| Illinois Student Assistance Commission | 2 | 5 | 6 | 6 |
| Insurance (See Financial and Professional Regulation) | 0 | 2 | 3 | 0 ♦ |
| Joliet Junior College ** | 0 | 1 | 2 | 0 ♦ |
| Judicial Inquiry Board | 1 | 0 | 0 | 0 |
| Juvenile Justice | 11 | 14 | 19 | 18 ♦ |

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| Agency | No. Complaints Received in FY 07 | No. Complaints Received in FY 08 | No. <u>Allegations</u> Received in FY 08 * | No. <u>Allegations</u> Received in FY 09 * |
|--|---|---|---|---|
| Labor | 2 | 6 | 6 | 3 ♦ |
| Labor Relations Board | 1 | 1 | 1 | 1 |
| Law Enforcement Commission | 1 | 0 | 0 | 0 |
| Law Enforcement Training and Standards Board | 0 | 1 | 1 | 0 ♦ |
| Legislative Council | 1 | 0 | 0 | 0 |
| Lieutenant Governor | 2 | 1 | 2 | 0 ♦ |
| Liquor Control Commission | 0 | 3 | 3 | 0 ♦ |
| Military Affairs | 3 | 2 | 2 | 4 |
| Natural Resources | 16 | 16 | 19 | 25 |
| Non-State Agency | 134 | 98 | 109 | 133 |
| None Given | 5 | 3 | 3 | 2 ♦ |
| Northeast Illinois Planning Commission | 1 | 0 | 0 | 0 |
| Northeastern Illinois University | 2 | 6 | 9 | 3 ♦ |
| Northern Illinois University | 5 | 3 | 5 | 3 ♦ |
| Other | 2 | 4 | 5 | 2 ♦ |
| Office of Executive Inspector General | 4 | 0 | 0 | 4 |
| Professional Regulation (See Financial and Professional Regulation) | 8 | 1 | 1 | 1 |
| Property Tax Appeal Board | 1 | 0 | 0 | 0 |
| Public Health | 14 | 29 | 42 | 34 ♦ |

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| Agency | No. Complaints Received in FY 07 | No. Complaints Received in FY 08 | No. <u>Allegations</u> Received in FY 08 * | No. <u>Allegations</u> Received in FY 09 * |
|---|---|---|---|---|
| Racing Board | 2 | 2 | 2 | 2 |
| Rehabilitation Services | 4 | 0 | 0 | 0 |
| Revenue | 18 | 18 | 20 | 16 [♦] |
| Secretary of State | 5 | 3 | 3 | 3 |
| Senate | 1 | 0 | 0 | 0 |
| Southern Illinois University | 0 | 7 | 9 | 6 [♦] |
| Southern Illinois University - Carbondale | 3 | 3 | 7 | 1 [♦] |
| Southern Illinois University - Edwardsville | 1 | 3 | 11 | 1 [♦] |
| South Suburban College ** | 0 | 1 | 1 | 0 [♦] |
| State Appellate Defender Office | 0 | 0 | 0 | 1 |
| State Employees Retirement System | 1 | 0 | 0 | 2 |
| State Police | 13 | 21 | 26 | 22 [♦] |
| Treasurer | 1 | 1 | 1 | 0 [♦] |
| Teachers Retirement System | 1 | 1 | 1 | 2 |
| Toll Highway Authority | 11 | 13 | 14 | 37 |
| Transportation | 58 | 55 | 85 | 83 [♦] |
| Truman College ** | 1 | 0 | 0 | 0 |
| Universities Retirement System | 0 | 0 | 0 | 1 |
| University of Illinois | 14 | 28 | 50 | 20 [♦] |

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| Agency | No. Complaints Received in FY 07 | No. Complaints Received in FY 08 | No. <u>Allegations</u> Received in FY 08 * | No. <u>Allegations</u> Received in FY 09 * |
|-------------------------------------|---|---|---|---|
| Unknown | 9 | 15 | 15 | 20 |
| U.S. Social Security Administration | 1 | 0 | 0 | 0 |
| Vendor | 45 | 52 | 74 | 38 [♦] |
| Veterans Affairs | 16 | 15 | 18 | 21 |
| Western Illinois University | 4 | 3 | 4 | 2 [♦] |
| Workers' Compensation Commission | 10 | 10 | 12 | 13 |
| Total | 1,270 | 1,247 | 1,631 | 1,598 |

[†] Note that complaints made against an agency employee are shown under the agency's name but may not involve allegations against the agency itself.

* Total allegations are greater than total complaints because some complaints contain more than one allegation.

** Upon enactment of HB 4189 in August 2008, the community college districts were removed from the jurisdiction of the OEIG. Accordingly, any shown OEIG activity related to community colleges occurred prior to the enactment of HB 4189. However, this does not preclude complainants from attempting to report misconduct at a Community College to the OEIG.

[♦] Denotes decrease in complaints involving entity. 42 of 64 agencies reported showed a decrease in allegations.

OFFICE OF EXECUTIVE INSPECTOR GENERAL

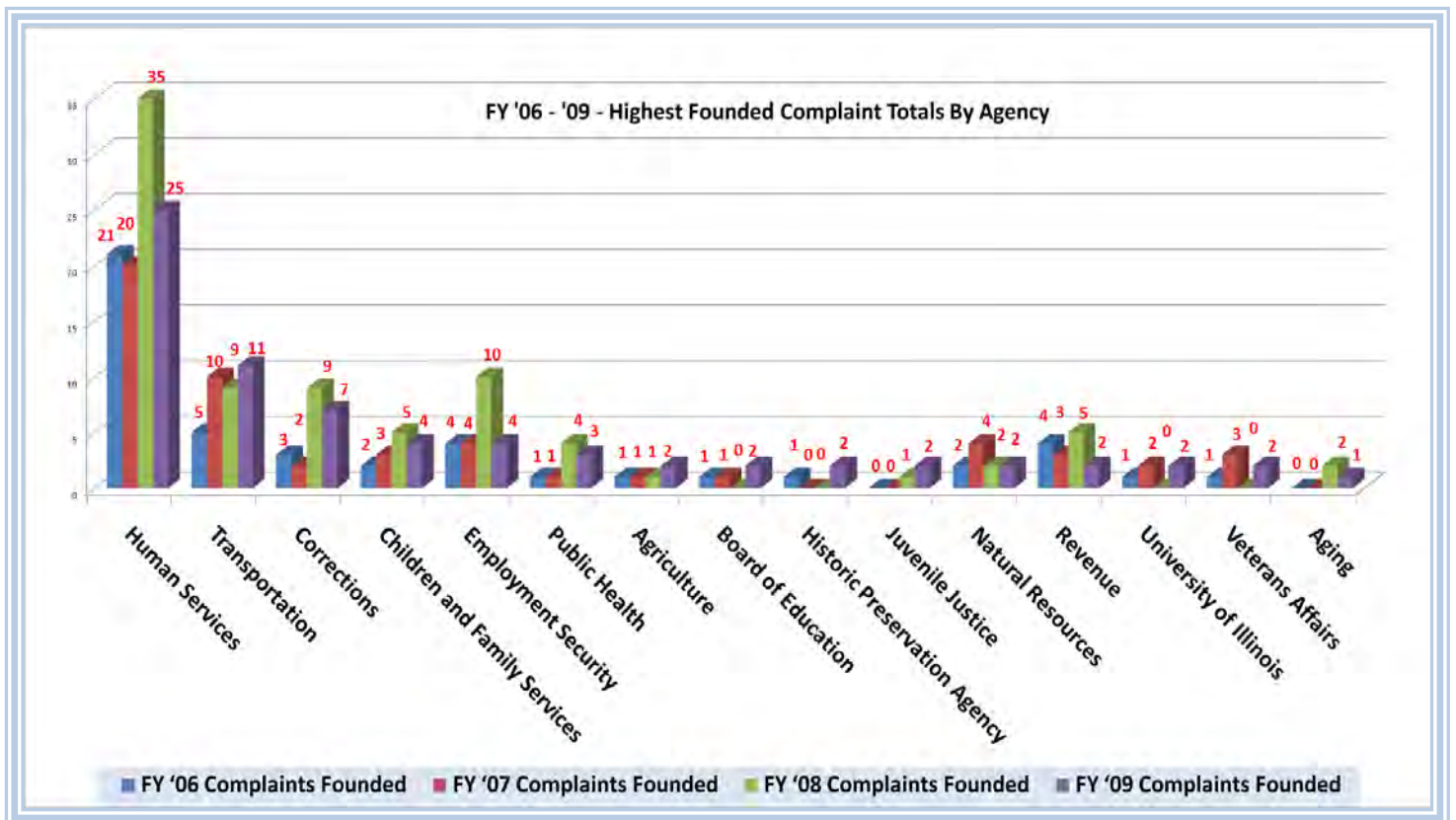
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APPENDIX D

FY 2006 – FY 2009:

Highest Founded Complaint Totals By Agency



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APPENDIX E

OEIG MANAGEMENT TEAM

James A. Wright, Executive Inspector General

On July 1, 2005, James A. Wright was appointed and confirmed by the Senate as Executive Inspector General for the Agencies of the Illinois Governor. Mr. Wright's credentials include 27 years of public and private sector legal and professional experience. He has served as a Corporate Practices Attorney for the Office of the Comptroller of the Currency; Trial Attorney for the U.S. Department of Justice, Tax Division; Assistant U.S. Attorney in the U.S. Attorney's Office for the Northern District of Illinois; Manager of Commercial Litigation for the Law Department of the Chicago Board of Education; Chief of Staff to the Chicago Board of Education; Of Counsel in the Government Division of the Law Offices of Altheimer & Gray, practicing in the areas of municipal law, administrative law, government relations, contracts, minority/women business enterprise certification, and commercial litigation; and Inspector General for the Illinois State Toll Highway Authority. He possesses law licenses in Illinois, California, and Washington D.C., and is licensed to practice before the U.S. Supreme Court, 7th Circuit Court of Appeals, and the United States District Court of Illinois. In addition to being a licensed attorney, he is a Certified Public Accountant with five years experience with a public accounting firm. He possesses a Master Degree in Business Administration from the Northwestern University Kellogg Graduate School of Management. He is certified as an Inspector General by the Association of Inspectors General, and is a member of the National and Illinois Chapter Boards of Directors of the Association of Inspectors General.

Sydney R. Roberts, First Deputy Inspector General / Chief Operating Officer

Ms. Roberts works closely with the Executive Inspector General on policy, operations, and investigations. Prior to joining the OEIG in 2005, Ms. Roberts worked with the Illinois Department of Human Services Office of Inspector General, where she served initially as Deputy Inspector General until her appointment as DHS Inspector General in 2003. She previously worked as a Lieutenant with the Essex County Prosecutor's Office in Newark, New Jersey, where she spent the majority of her tenure in internal affairs investigating police corruption, conducting background investigations, and administering polygraph examinations. Ms. Roberts also is a former suburban police commander. Her credentials include: B.S. Degree in Criminal Justice, University of Delaware; Juris Doctor Degree, Rutgers School of Law; Master's in Criminology and Criminal Justice, Oxford University, Oxford, England; and Graduate of the F.B.I. National Academy. Ms. Roberts also is certified as an Inspector General by the Association of Inspectors General, and as an ethics instructor by the National Institute on Ethics.

Deborah Ellis, Deputy Inspector General – Complaints / Compliance

Ms. Ellis is a former State's Attorney and Assistant State's Attorney in Ogle County, Illinois, where she prosecuted civil and criminal matters and served as the legal advisor to the county and its elected and appointed officials. She graduated Magna Cum Laude from Northern Illinois University College of Law in DeKalb in 1997, where she served on the NIUCOL Law Review. Ms. Ellis received a Bachelor of Arts degree in Communications from Sangamon State University (now the University of Illinois-Springfield) and worked as a broadcast journalist for many years in Illinois, Tennessee, and Florida. She is a native of Champaign, Illinois. She joined the OEIG in early 2006.

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Gilbert R. Jimenez, Deputy Inspector General - Special Operations and Analysis

Mr. Jimenez' credentials include 34 years of government and private sector legal, investigatory, and journalistic experience in protection of the public interest. Since joining the OEIG in August 2005, Mr. Jimenez has served as a Deputy Inspector General for legal review, as Acting Director of Investigations, and as head of Special Operations and Analysis. He joined the OEIG after serving as an Investigation and Special Projects Manager for the Chicago Board of Education Office of the Inspector General, where he conducted investigations and supervised a team of investigators who probed employee misconduct, as well as waste, fraud and mismanagement in the Chicago Public Schools' capital, MBE/WBE and procurement programs. Mr. Jimenez' investigative skill set includes legal analysis; case management; investigation of financial crimes and other misconduct; contract and document analysis; data analysis; interviewing; deception detection; report writing and presentation, and information technology management. For 24 years before entering government service, Mr. Jimenez was a reporter and editor with the Chicago Sun-Times newspaper, where a number of his investigations resulted in the resignations of public officials following disclosure of their illegal or unethical conduct. He formerly taught classes in reporting, Media Ethics, and First Amendment Law at Columbia College Chicago and the Northwestern University Medill Graduate School of Journalism. Mr. Jimenez, a licensed Illinois attorney for 22 years, also has been engaged in the private practice of law. He holds a Bachelor of Arts degree in Psychology from De Paul University, and a Juris Doctor degree from the John Marshall Law School. Mr. Jimenez is a Director of the Association of Inspectors General, Illinois Chapter, and frequently provides training and educational classes to its member investigators and Inspectors General. He is credentialed as a Certified Inspector General by the Association of Inspectors General upon training and written examination.

Millicent Willis, Deputy Inspector General - Investigations

Ms. Willis is a graduate of Northwestern University and Howard University School of Law. She began her career as an Assistant Public Defender handling criminal litigation and appeals. During her twenty year legal career, Ms. Willis has held several governmental positions in which she supervised or conducted disciplinary investigations and hearings. As Counsel at the Illinois Attorney Registration and Disciplinary Commission, Ms. Willis investigated and prosecuted allegations of attorney misconduct. She also served as General Counsel and Acting Chief Administrator for the Chicago Police Department's Office of Professional Standards, where she made disciplinary recommendations to the Superintendent of Police. Ms. Willis was Senior Assistant Attorney for employee discipline for the Chicago Public Schools, the third largest school district in the nation. She is a former Senior Policy Analyst for the City of Chicago's Office of Emergency Management and Communications, where she was responsible for policy and legislative matters, conducted investigations and managed an investigative team. She was most recently Assistant Executive Director – Legal at the Cook County Department of Corrections. In addition to her legal and investigative work, Ms. Willis has significant experience in training and course design, having trained not only attorneys and investigators on a variety of topics, including report writing, statement taking and litigation skills, but also Ph.D. candidates in the areas of communication skills and conflict resolution.

Sean Ginty, General Counsel

Mr. Ginty received his Bachelor of Science degree in Journalism from the University of Illinois/Urbana and his Juris Doctor degree from Chicago-Kent College of Law. He comes to the OEIG with a wealth of experience in ethics, compliance, and investigation. He began his legal career as an attorney with the Attorney Registration and Disciplinary

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Commission where he reviewed and investigated alleged attorney misconduct. He later joined the American Bar Association as an ethics research attorney. Most recently, Mr. Ginty was a conflicts attorney for the firm of Winston & Strawn, where he conducted conflicts of interest reviews, provided ethics training, and responded to auditor requests. His publications and presentations include: "A Split on Inadvertent Disclosure," ABA Journal eReport, Oct. 25, 2002; Speaker, ISBA Seminar on "Avoiding Malpractice in Setting Up a Business Entity," April 2004; and panelist, "Hot Tips in Disciplinary Investigations" panel at National Organization of Bar Counsel, February 1999.

Bresha Brewer, Policy Advisor / Legislative Liaison

Ms. Brewer joins the OEIG after serving in State government for eight years as a policy/issue staffer with the Illinois House of Representative and then as Chief Legislative Liaison for the Departments of Aging, Healthcare and Family Services, and the Illinois Environmental Protection Agency. She assisted members of the Illinois General Assembly and staff with legislative and constituent service issues, in addition to promoting the department's legislative agenda. Ms. Brewer has a Bachelor of Arts degree in Criminal Justice from the University of Illinois at Springfield, interned with the Illinois State Police Intelligence Bureau, and worked at the law firm of Beckett & Webber, PC as an investigator.

James J. Bonk, Director of Investigations

Mr. Bonk joined the Office of Executive Inspector General as Director of Investigations in July 2008 with responsibilities for investigative operations, policies, and procedures. He brings to OEIG over 30 years of public and private sector experience in investigations, leadership, and operations. Mr. Bonk's background as a strategic leader with a proven track record in the insurance fraud industry, coupled with his strong investigative knowledge and experience, operational skills and business acumen, brings extraordinary value to the OEIG investigative operations. He began his career in law enforcement for two Chicago suburban police departments. Mr. Bonk received numerous commendations and citations for the successful arrest and prosecution of several heinous criminal investigations. He then joined CNA Insurance Companies where he worked for approximately 20 years and led their nationwide Special Investigations Unit focused on the identification, investigation, and prosecution of multi-line insurance fraud. Mr. Bonk rose to the position of assistant vice president at CNA. Most recently, he served as Senior Vice President of Operations for a nationwide provider of professional investigative services, surveillance, and fraud awareness. He previously was an active board member with the Coalition Against Insurance Fraud, Washington, D.C. where he held positions of treasurer and co-chair. He graduated from National-Louis University with a Bachelor of Arts Degree in Applied Behavioral Science. Mr. Bonk is a Director of the Association of Inspectors General, Illinois Chapter.

Derick Love, Deputy Director – Complaints / Compliance

Mr. Love joined the OEIG as Deputy Director of Investigations in August, 2007. He comes to the OEIG after serving 27 years with the McLean County Sheriff's Department. There, Mr. Love served as Detention Facility Superintendent and Chief Deputy. In the position of Detention Facility Superintendent, he was responsible for the oversight of the 205-bed detention facility and the correctional staff. Mr. Love also was responsible for the oversight and preparation of the facility's \$3 million budget. During his tenure as Chief Deputy, he was responsible for the administration and oversight of all functions of the Sheriff's Department and its 135 employees. His responsibilities included preparation and oversight of the department's \$7 million budget. Mr. Love also represented the department in contract negotiations and handled all personnel matters. Mr. Love provided direct supervision of the Support Services Commander, Patrol

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Division Commander, Criminal Investigations Commander and Detention Facility Superintendent. He holds a Bachelor of Science degree in Criminal Justice from Illinois State University.

David E. Keahl, Director of Ethics Training and Compliance

Mr. Keahl is responsible for the establishment of standards for and oversight of ethics training for the officials, employees, and appointees of the State agencies, departments, boards, commissions, and State public universities under the OEIG's jurisdiction as required by the State Officials and Employees Ethics Act. Prior to joining the OEIG, Mr. Keahl worked in the telecommunications industry for 27 years. There he directed activities related to corporate planning, accounting, finance, regulatory affairs, engineering and human resources, and has considerable experience in managing matters related to organizational governance, internal controls, and legal/regulatory compliance. Mr. Keahl is a graduate of the University of Michigan.

Rochelle M. Hardy, Chief Financial Officer

With a professional background and more than 30 years in management, accounting, finance, information technology, and professional development of staff in both government and the private sector, Ms. Hardy brings a unique and valuable perspective to the Office of Executive Inspector General. She has been employed by the State of Illinois for the past 3-1/2 years, first serving 1-1/2 years as the Chief Fiscal Officer for the Illinois State Police and most recently for 2 years as Deputy Director of Administration creating the pilot Shared Service Public Safety Center, consolidating seven public safety agencies, and providing fiscal and HR business process redesign for statewide systems. Also, she created the Kenosha County data center and worked for six years as the Director of Information Systems for County of Kenosha (WI). Prior to joining State government, Ms. Hardy held various positions in the private sector including manager of accounting for L'Oreal USA, senior accountant/controller with Walgreens, and manager of consulting services with Washington, Pittman and McKeever. She received her Bachelor of Science degree in business administration with a concentration in accounting from Roosevelt University and her Master of Business Administration degree from Keller Graduate School of Business, with concentrations in information technology and finance. She is an active member of the National Association of Black Accountants ("NABA") and the National Black MBA Association ("NBMBA").

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APPENDIX F

Illinois Freedom of Information Act

Information about the Office of Executive Inspector General for the Agencies of the Illinois Governor

Mission Statement:

The Office of Executive Inspector General for the Agencies of the Illinois Governor ("OEIG") is an independent State agency dedicated to ensuring accountability in State government. The OEIG receives and fairly investigates complaints of fraud, waste, abuse and misconduct, and recommends corrective action. In addition, the OEIG promotes and coordinates the State's ethics initiatives for the agencies under its jurisdiction.

Functional Subdivisions: (See Attached Diagram)

OEIG Operating Budget for FY '09: \$6,931,315.00

OEIG Offices:

32 W. Randolph, Suite 1900
Chicago, IL 60601-3414

607 E. Adams, 14th Floor
Springfield, IL 62701-1634

Number of OEIG Employees:

Approximately 66 full-time employees and no part-time employees

State Agency with Limited Oversight Role over the OEIG:

The Executive Ethics Commission

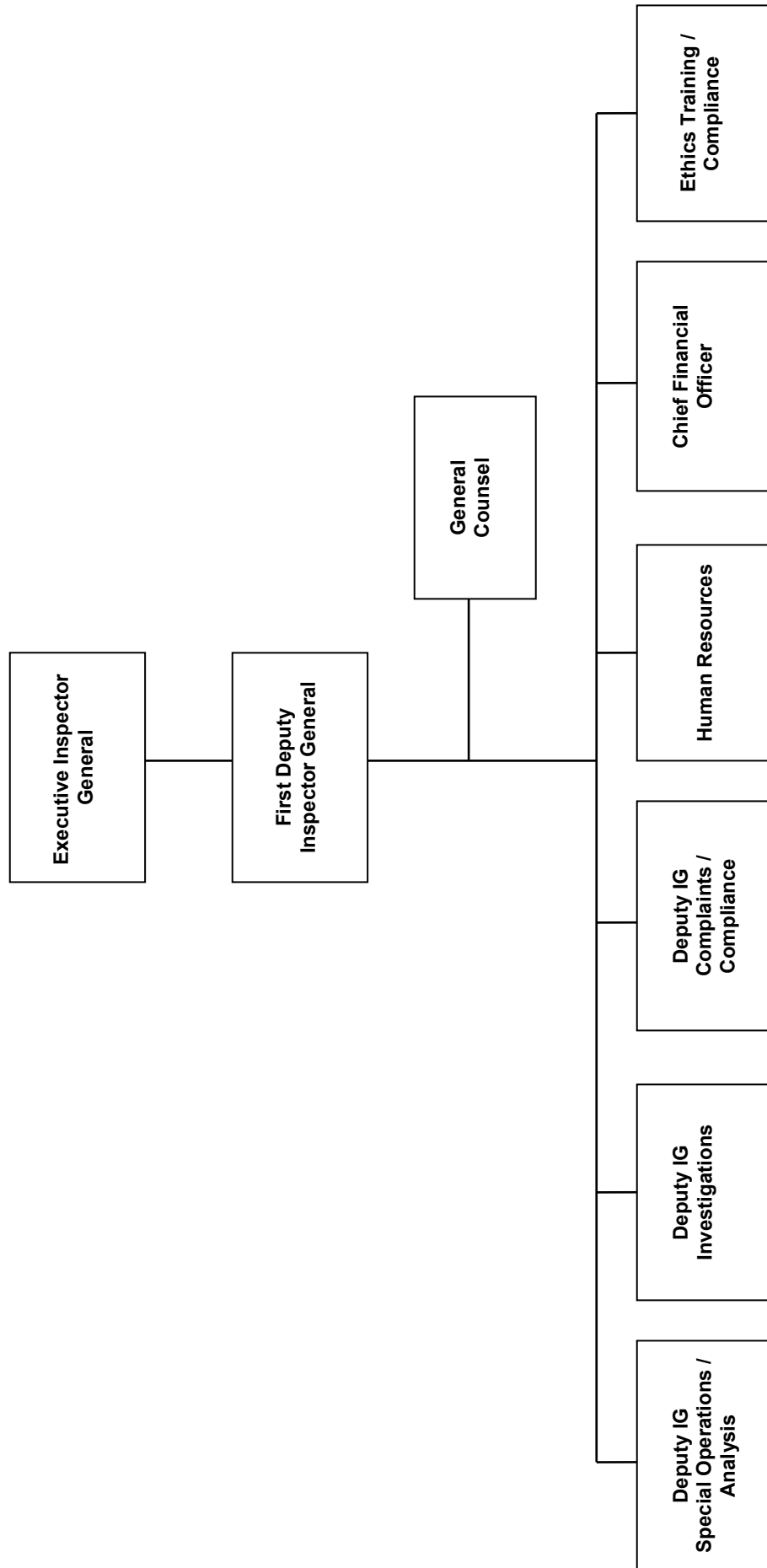
OEIG FOIA Officer:

Sean Ginty
General Counsel
OEIG
32 W. Randolph, Suite 1900
Chicago, IL 60601-3414

Photocopy costs for FOIA requests:

First 50 black-and-white copies are at no charge; fifteen cents per page for each additional page.

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LINKS

State Officials and Employees Ethics Act (5 ILCS 430, *et seq.*)

[Ethics Act - Revised Aug. 2009](#)

Executive Order No. 3 - Creating the Office of Inspector General and An Ethics Hotline

http://inspectorgeneral.il.gov/pdf/Executive_Order_3_2003.pdf

Executive Order No. 4 - Banning Retaliation Against Whistle Blowers

http://inspectorgeneral.il.gov/pdf/Executive_Order_4_2003.pdf

Executive Order No. 5 - Mandating Ethics Training for All State Employees

http://inspectorgeneral.il.gov/pdf/Executive_Order_5_2003.pdf

Administrative Order No. 6 - Creating Procedures for Investigating and Reporting Misconduct

http://inspectorgeneral.il.gov/pdf/Administrative_Order_6_2003.pdf

Quarterly Reports from all Ethics Act OEIGs

<http://www.eec.illinois.gov/qreport.htm>

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