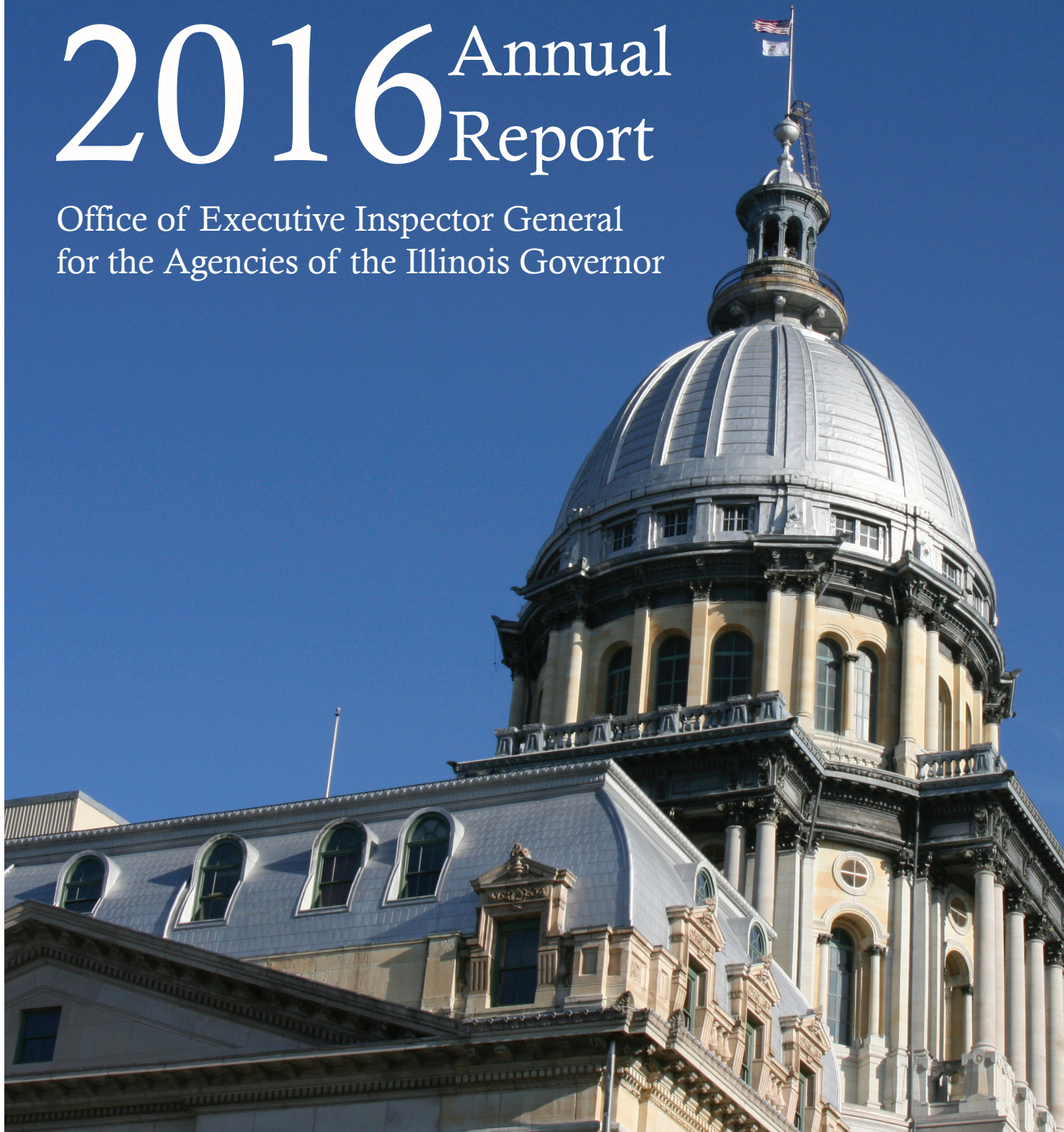


# 2016 Annual Report

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



[www.inspectorgeneral.illinois.gov](http://www.inspectorgeneral.illinois.gov)

# Message from the Executive Inspector General

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Last year was an extraordinary time for the State of Illinois. Even with the budget impasse, we have continued our mission to root out fraud, waste, and abuse in State government through independent, objective, and fair investigations. The OEIG is a place where State employees and the general public know that they may report misconduct easily and confidentially. We conduct our investigations without bias and in a timely manner, and our work is transparent to the fullest extent allowed by law.

In FY2016, we received 2,574 complaints involving over 70 government agencies, vendors, and contractors. We opened 115 investigations, completed 131 pending investigations, and delivered 43 reports finding wrongdoing to the Executive Ethics Commission. We also provided ethics training to approximately 191,000 State employees, board members, and elected officials.

Highlights of FY2016 include:

- An investigation of numerous IDOT Emergency Traffic Patrol drivers who grossly overstated the number of assists they provided to stranded motorists on Chicago-area expressways in order to inflate their performance statistics on agency reports. Drivers also recorded inaccurate information in reports about people they actually had assisted. Supervisors failed to ensure the drivers performed their work and documented it accurately. As a result of this investigation, six IDOT employees were terminated, eight were disciplined, and IDOT has since implemented additional controls designed to prevent fraudulent reporting by drivers in the future. (Case 11-00964, Shealey, et al, available at [inspectorgeneral.illinois.gov](http://inspectorgeneral.illinois.gov))
- The creation of the Division of Hiring and Employment Monitoring (HEM), which is a compliance-based unit specifically devoted to reviewing State hiring and employment decisions and processes.
- At the request of Governor Rauner, I chair the Health Care Fraud Elimination Task Force, created by Executive Order 2016-05, to “develop and coordinate a comprehensive effort to prevent and eliminate health care fraud, waste, and abuse in State-administered health care programs using a cross-agency, data-driven approach.”

After the completion of my first year in office, I continue to be honored to work for the people of Illinois and to work with such talented employees. Our management team and staff, who are equally committed to ensuring the integrity of our State government, have helped build an exceptional organization that is trusted and respected. Last May, the Senate voted to confirm my nomination to serve as Executive Inspector General. I pledge to repay this confidence by continuing to uphold the high standards of this office.

Sincerely,

A handwritten signature in blue ink that reads "Margaret A. Hickey". The signature is fluid and cursive, with the first name clearly legible.

Margaret A. Hickey  
Executive Inspector General



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# Overview

The OEIG draws statutory authority from the State Officials and Employees Ethics Act, which was signed into law in 2003. The OEIG investigates allegations of fraud, waste, abuse, mismanagement, misconduct, nonfeasance, misfeasance, malfeasance, and violations of the Ethics Act. The Ethics Act authorizes the OEIG to investigate violations of any other State laws, regulations, or rules involving State employees, appointees, officials, and grantees and vendors doing business with State agencies under its jurisdiction.

## MISSION

“Five independent Offices of the Executive Inspector General are created.... Each Office shall be under the direction and supervision of an Executive Inspector General and shall be a fully independent office with separate appropriations.” 5 ILCS 430/20-10(a).

## JURISDICTION

“The Executive Inspector General appointed by the Governor shall have jurisdiction over (i) the Governor, (ii) the Lieutenant Governor, (iii) all officers and employees of, and vendors and others doing business with, executive branch State agencies under the jurisdiction of the Executive Ethics Commission and not within the jurisdiction of the Attorney General, the Secretary of State, the Comptroller, or the Treasurer, and (iv) all board members and employees of the Regional Transit Boards and all vendors and others doing business with the Regional Transit Boards.” 5 ILCS 430/20-10(c).

## LEADERSHIP

“Each Executive Inspector General shall have the following qualifications: (1) has not been convicted of any felony under the laws of this State, another State, or the United States; (2) has earned a baccalaureate degree from an institution of higher education; and (3) has 5 or more years of cumulative service (A) with a federal, State, or local law enforcement agency, at least 2 years of which have been in a progressive investigatory capacity; (B) as a federal, State, or local prosecutor; (C) as a senior manager or executive of a federal, State, or local agency; (D) as a member, an officer, or a State or federal judge; or (E) representing any combination of (A) through (D).” 5 ILCS 430/20-10(b).

The OEIG is an independent executive branch State agency, which ensures accountability in State government, the nine State public universities, and the four Chicago-area regional transit boards. The OEIG’s primary functions are to investigate allegations of misconduct and to report its findings and recommendations to public entities.

The OEIG’s jurisdiction includes more than 170,000 State employees, appointees, and officials, including the Governor; the Lieutenant Governor; more than 300 executive branch State agencies, departments, boards, and commissions; the nine State public universities across a dozen campuses; the four Chicago-area regional transit boards (the Regional Transportation Authority, the Chicago Transit Authority, Metra, and Pace); and vendors and contractors of any of those.

- **MAGGIE HICKEY**, *Executive Inspector General*
- **SUSAN HALING**, *First Assistant Inspector General*
- **DANIEL HURTADO**, *General Counsel*
- **FALLON OPPERMAN**, *Deputy Inspector General and Chief of Chicago Division*
- **THOMAS H. KLEIN**, *Deputy Inspector General and Chief of Springfield Division*
- **CLAUDIA ORTEGA**, *Chief Administrative Officer*

# INVESTIGATIONS

As an administrative agency, the OEIG investigates waste, misconduct, fraud, mismanagement, malfeasance, and violations of the Ethics Act. The OEIG receives and evaluates complaints from the general public, State employees, contractors, bidders, and anonymous sources. In all instances, in the absence of consent, the OEIG takes every measure permissible under the law to ensure that the identities of complainants are and will remain confidential. The OEIG also initiates its own investigations.

Allegations are evaluated to determine appropriate action. In FY2016, the OEIG received 2,574 complaints, initiated 115 investigations, and completed 131 investigations, including 43 with findings of wrongdoing. In FY2016, 16 reports were made public. At the close of the fiscal year, 98 investigations remained open.

Investigators interview witnesses, collect documents, analyze records, conduct surveillance, perform computer forensics, and use a variety of other investigatory tools and techniques. The OEIG may also use its subpoena power to acquire information relevant to an investigation. Investigations are governed by the OEIG's Investigation Policy and Procedures Manual; the Illinois Administrative Code; and other applicable laws, rules, policies, and regulations.

Anyone seeking to report possible violations may call at 886-814-1113; log into [inspectorgeneral.illinois.gov](http://inspectorgeneral.illinois.gov); send a fax to 312-814-5479; TTY at 888-261-2734; or write to or visit the OEIG Springfield or Chicago offices.

## HIRING & EMPLOYMENT MONITORING

The Ethics Act directs the OEIG to “review hiring and employment files of each State agency within [its] jurisdiction to ensure compliance with *Rutan v Republican Party of Illinois*... and with all applicable employment laws.” 5 ILCS 430/20-20(9). In keeping with this mandate, the OEIG created a new Hiring and Employment Monitoring (HEM) unit to conduct compliance-based reviews of State hiring and employment procedures and decisions to ensure that they are fair and in keeping with governing authority.

In addition to staffing the HEM division and promoting awareness, staff has also engaged in numerous other activities, including: conducting hiring file reviews, monitoring interview sequences as they occur, and advising on appropriate changes to procedures and processes at State agencies. HEM staff also work closely with Special Master Noelle Brennan and her associates as they conduct their court-appointed duties regarding the ongoing Shakman litigation and IDOT's employment practices. HEM staff will continue to consult in an effort to facilitate justifiable and merit-based State hiring and employment decisions.

# REVOLVING DOOR DETERMINATIONS

The Ethics Act requires the OEIG to determine whether certain State employees, appointees, and officials are restricted from accepting specific employment opportunities or compensation upon leaving State employment. Generally, revolving door restrictions under the Ethics Act are intended to prevent former public servants who participated in contracting, licensing, or regulatory decisions from accepting employment from an entity that was directly implicated in those decisions.

In FY2016, the OEIG investigated and made 211 revolving door determinations.

# ETHICS TRAINING & COMPLIANCE

The Ethics Act requires individuals under the OEIG's jurisdiction to complete ethics training. Specifically, the Ethics Act requires:

- State employees, appointees, and officials to complete ethics training at least annually; and
- new State employees, appointees, and officials to complete initial ethics training within 30 days of the commencement of their employment or office.

In FY2016, State employees, board members, and elected officials participated in 191,752 ethics training sessions overseen by the OEIG. The OEIG produced training for more than 50,000 employees and officials in agencies directly under the Illinois Governor, and approved training plans and materials used by the four Chicago-area regional transit boards and the nine State public universities.

# Finances

## SOURCE OF FUNDS

In FY2016, the OEIG drew authority to spend State funds from several sources, which increased as the fiscal year progressed. At the start of FY2016, a court order directed State agencies to pay salaries of State employees. On that basis, the Comptroller authorized the OEIG to process payroll expenditures from the General Revenue Fund (GRF) and the Public Transportation Fund (PTF).

On June 30, 2016, a stopgap funding bill was signed into law authorizing the OEIG to spend \$150,000 for GRF operating expenses incurred between July 1, 2015 and December 31, 2016, encompassing all of FY2016 and part of FY2017. Additionally, the stopgap bill allocated \$1.6 million in PTF funding for FY2016.

FY2016 spending authority totaled \$6.2 million, including \$4.6 million for GRF and \$1.6 million for PTF.

<b>FY2016</b>	<b>General Revenue Fund (Per Court Order)</b>	<b>Public Transportation Fund (PA 99-0524)</b>	<b>Total</b>
<b>Spending Authority</b>	\$4,635,800	\$1,610,800	\$6,246,600

## FINANCIAL RESULTS

In FY2016, the OEIG spent \$5.1 million, including \$4.2 million from GRF and \$0.9 million from PTF. Spending declined from \$6.3 million in FY2015 and \$6.7 million in FY2014. Incurred but unpaid GRF operating expenses was the primary reason that expenditures fell short of spending authority.

<b>FY2016</b>	<b>GRF</b>	<b>PTF</b>	<b>Total</b>
<b>Spending Authority</b>	\$4.6 M	\$1.6 M	\$6.2 M
<b>Actual</b>	\$4.2 M	\$0.9 M	\$5.1 M
<b>Variance</b>	\$0.4 M	\$0.7 M	\$1.1 M

# BUDGETING FOR RESULTS

The OEIG makes every effort to use the State's scarce financial resources effectively, efficiently, and in compliance with applicable laws and rules. Specifically, the OEIG conforms to the State uniform accounting system and ensures that it obligates and expends public funds in accordance with applicable rules.

Results of activities supported by the OEIG's spending authority are summarized below.

OEIG investigations are primarily driven by complaints. The number of complaints received each year has varied between 2,500 and 3,000, or roughly 10-15 each day. The OEIG received slightly fewer complaints in FY2016 compared with FY2015, but slightly more than FY2014. The number of investigations completed swelled to 131 in FY2016, more than in any recent year, and the number of investigations that concluded with a founded report also grew.

FY	Complaints Received
2014	2,521
2015	2,721
2016	2,574

FY	Investigations Completed
2014	91
2015	94
2016	131

FY	Founded Reports Issued
2014	24
2015	29
2016	43

Ethics training is a duty of every employee, appointee, and State official. The OEIG supervises ethics training at agencies of the Illinois Governor, the nine State universities, and the four Chicago-area regional transit boards. The number of annual training sessions tends to hold relatively steady; most of the annual change in the number of training sessions relates to the number of new employees hired by agencies under OEIG jurisdiction.

FY	Ethics Training Sessions
2014	191,369
2015	199,514
2016	191,752

# Objectives

The primary purpose of the OEIG is to investigate fraud, waste, abuse, mismanagement, misconduct, nonfeasance, misfeasance, malfeasance, violations of the Ethics Act, or other violations of State laws and rules. To achieve that purpose, we strive to increase transparency in government, promote ethical awareness, and maintain operational excellence.

## INCREASE TRANSPARENCY IN GOVERNMENT

In 2009, the General Assembly amended the Ethics Act to permit disclosure of certain OEIG investigations. The Executive Ethics Commission has sole authority to publicly disclose OEIG reports, and the EEC is required to publicly disclose OEIG reports only if a State employee's discipline results in termination of employment or suspension of three or more days. The OEIG does not have authority to enforce its recommendations for disciplinary or other corrective action in founded cases; however, the EEC has discretion to publicly disclose an OEIG report whenever disclosure is not mandated.

The OEIG continues to support legislation that would expand the instances when OEIG reports would be publicly disclosed.

## PROMOTE ETHICAL AWARENESS

### Ethics Training

The OEIG has three statutory responsibilities regarding ethics training for employees, appointees, and officials under its jurisdiction:

- oversee, in cooperation with the Executive Ethics Commission and the Office of the Attorney General, ethics training for over 175,000 State employees working for agencies of the Governor, the nine State universities, or the four Chicago-area regional transit boards;
- set ethics training standards for ethics training at nearly 100 agencies; and
- monitor employee compliance with the ethics training requirements.

### Ethics Officers

The OEIG meets with newly-designated ethics officers to discuss the administration of ethics training; answer questions; and explain the OEIG's authority, programs, and operations. OEIG staff held 10 orientation sessions with new ethics officers during FY2016.

## General Outreach Efforts

To improve transparency and promote awareness of the OEIG's functions, EIG Hickey and OEIG staff members participated in various outreach activities. In FY2016, the OEIG:

- addressed the Chicago Bar Association's 7th Annual Administrative Law Conference;
- attended meetings with the national and Illinois chapters of the Association of Inspectors General;
- participated on panels at the EEC's Annual Ethics Officer Conference;
- met with senior managers of numerous State agencies and State public universities;
- met with members and staff of the General Assembly;
- spoke at the Illinois State Internal Audit Advisory Board Annual Fall Conference; and
- attended job fairs.



## Health Care Fraud Elimination Task Force

At the request of Governor Rauner, EIG Maggie Hickey chairs the Health Care Fraud Elimination Task Force. The Task Force, created by Executive Order 2016-05 in April 2016, is charged with, “develop[ing] and coordinat[ing] a comprehensive effort to prevent and eliminate health care fraud, waste, and abuse in State-administered health care programs using a cross-agency, data-driven approach. Building on anti-fraud work being done across State agencies, the Task Force will develop strategies to ensure that the State has the proper internal controls and analysis and enforcement tools to prevent and eliminate fraud, waste, and abuse in taxpayer-funded health care programs, including but not limited to the State Employees Group Insurance Program, the Workers’ Compensation Program for State of Illinois agencies, boards, commissions, and universities, and the Illinois Medicaid system.”

The Task Force is made up of a diverse membership of agency leaders with experience administering health care programs and implementing fraud, waste, and abuse prevention efforts. The expertise of the Task Force has allowed it to be constantly mindful of striking the important balance of addressing fraud, waste, and abuse in health care programs, without imposing unnecessary barriers to service.

Since April 2016, the Task Force has focused on understanding the State-administered health care programs and resources, studying best practices among other states, private entities, and the federal government, identifying areas in health care programs that can offer Illinoisans the greatest return on their investment, and creating a strategic plan and structure within the Task Force to ensure it efficiently and effectively uses its time and resources.

# MAINTAIN OPERATIONAL EXCELLENCE

## Ongoing Training

Continuing education and training are key components of the OEIG's initiative to maintain efficiency and effectiveness. The OEIG trains new employees on applicable laws, administrative rules, and OEIG policies and procedures. Investigative staff members receive regular and ongoing instruction concerning laws, policies, and investigative tools and techniques. OEIG employees participated in continuing legal education and other training sessions, such as:

- The Illinois Chapter - Association of Inspectors General trainings; and
- The EEC's Annual Ethics Officer Conference.

## Electronic Newsletter

The OEIG produces a one-page electronic newsletter, *Illinois Ethics Matters*, that is distributed monthly. The OEIG delivers *Illinois Ethics Matters* to State agencies, the General Assembly, news media, and the public. Many recipients, such as State agency ethics officers, redistribute the newsletter throughout their respective organizations.

The newsletter addresses publicly disclosed OEIG reports; public findings related to alleged violations of the Ethics Act; appeals of OEIG revolving door determinations; changes or proposed changes to ethics laws, rules, or policies; and other ethics-related information of interest to the public.

## Internships

The OEIG manages an internship program that permits qualified students to conduct legal research, draft memoranda, and participate in investigative activities. Legal interns must be enrolled in an accredited law school, and investigative interns must be junior, senior, or graduate-level students in a program related to criminal justice or public administration at an accredited college.

## Website

The OEIG website provides 24/7 access to complaint forms, revolving door forms, ethics officer contact information, publicly disclosed OEIG reports, and other OEIG information.

# Investigations

## COMPLAINTS RECEIVED AND EVALUATED

During FY2016, the OEIG received 2,574 complaints. The OEIG must evaluate each complaint within 30 days of receipt.

After the initial evaluation, the OEIG will take one of the following actions:

- initiate an investigation;
- administratively close a file; or
- refer the matter to another agency.

The OEIG initiated 115 investigations in FY2016, including 11 based on complaints received before the start of the fiscal year. The OEIG opened investigations based on a single complaint or several related complaints. Otherwise, the OEIG self-initiated the investigations.

In FY2016, the OEIG administratively closed 254 complaints for various reasons. The OEIG administratively closed certain complaints if, for example, the complaint did not allege a violation of State law, rule, or policy; the alleged wrongdoing occurred outside of the OEIG's statute of limitations; a related action was already pending; there were duplicate complaints about a matter; or when the OEIG lacked jurisdiction over the allegations.

In FY2016, the OEIG referred 2,593 complaints and/or investigations to other agencies or appropriate entities, including law enforcement referrals. The OEIG may refer matters to the affected public agency when it appears that the allegations would be more appropriately addressed by the affected agency. In some instances, when the OEIG refers the matter to another agency, the OEIG requests that the agency respond to the allegations. The OEIG then reviews these agency responses to determine whether the agency adequately addressed the allegations and whether the OEIG should subsequently open an investigation.

## INVESTIGATIONS UNDERTAKEN AND CONCLUDED

If the OEIG finds reasonable cause to believe a violation of law or policy has occurred within its jurisdiction, it will write a founded report that documents:

- the allegations of wrongdoing;
- facts confirmed by the investigation;
- an analysis of the facts in comparison to the applicable law, rule, or policy; and
- findings and recommendations.

In accordance with State law, OEIG reports are provided only to the affected public entities and other appropriate authorities, such as the Governor or a board of trustees. The OEIG does not have the authority to enforce its recommendations, and therefore, it is the responsibility of the affected agencies to act upon OEIG recommendations.

If the OEIG finds reasonable cause to believe a violation of the Ethics Act has occurred—such as prohibited political activity, a gift ban violation, or failure to cooperate with an OEIG investigation—the OEIG may request that the Office of the Attorney General file a complaint on its behalf with the Executive Ethics Commission. If the EEC rules that a violation occurred, the EEC may impose an administrative fine of up to \$5,000 for each violation.

If the OEIG does not find reasonable cause to believe a violation has occurred, the OEIG will create an “unfounded report” that the OEIG provides only to the EEC. Alternatively, the OEIG may administratively close an investigation for various reasons, including for example, an expired statute of limitations; when the OEIG discovers there is a pending parallel proceeding; or when the agency has already adequately investigated and/or addressed the allegations.

<b>Disposition of Investigations</b>	<b>FY2015</b>	<b>FY2016</b>
Founded Reports	29	43
Unfounded Reports	41	61
Administrative Closures	24	27
Total Closed Investigations	94	131

# Results

The OEIG concluded 131 investigations in FY2016. If the OEIG found violations of law or policy, the OEIG issued a founded report and made various recommendations to the affected agencies, which included, for example:

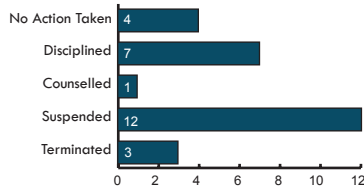
- employee termination;
- employee counseling;
- employee disciplinary action;
- placing a copy of the founded report in the employee's personnel file; and
- change of agency policy or procedure.

In FY2016, many agencies took action based upon OEIG recommendations or referrals. For example:

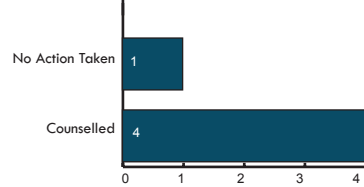
- The Illinois Department of Transportation sought to recover payroll funds from an employee who undertook personal travel on State time (see pages 13-14);
- The US Attorney's Office obtained a criminal conviction of false statements made to federal agents stemming from an investigation of misuse of State grant funds by an employee of Southern Illinois University Edwardsville (see page 16); and
- The Illinois Department of Human Services terminated an employee for opening and recertifying a fraudulent benefits case (see pages 18-19).

## AGENCY RESPONSES TO OEIG RECOMMENDATIONS

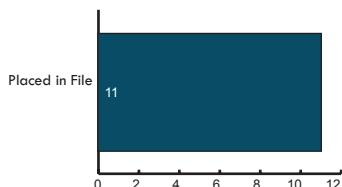
**When the OEIG Recommended Discipline  
(27 instances)**



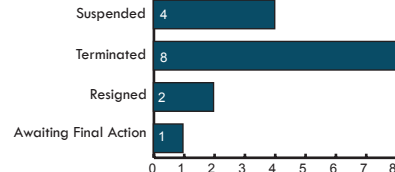
**When the OEIG Recommended Counselling  
(5 instances)**



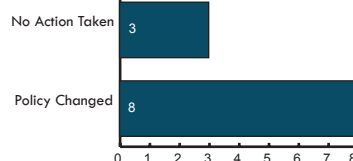
**When the OEIG Recommended Placing the OEIG Report  
in the Employee's Personnel file (11 instances)**



**When the OEIG Recommended Termination  
(15 instances)**



**When the OEIG Recommended Policy Change  
(11 instances)**



## PUBLICLY DISCLOSED FOUNDED REPORTS

Over the course of FY2016, the EEC made public redacted versions of 16 OEIG founded reports. The following summaries are organized by the primary type of misconduct in each case.

### **Abuse of Time and/or Resources**

#### *In re: Toguem, Case # 12-00216*

The OEIG investigated allegations that Department of Human Services (DHS) Public Service Administrator Andre Toguem abused State time by making excessive personal phone calls. The OEIG found that Mr. Toguem abused State time on multiple occasions from July 2011 through mid-July 2014, including one day when Mr. Toguem was on his personal cellular phone for about 4 hours of his work day.

*“On 1 workday, he spent about 4 hours on his personal phone... on 87 work days, he spent more than 1 hour and 40 minutes on his personal phone.”*

The OEIG recommended that DHS discipline Mr. Toguem for his excessive personal cellular phone calls during his State working hours. DHS ultimately suspended Mr. Toguem for almost four months (as a result of a union grievance).

#### *In re: Herrera, Case # 12-00339*

The OEIG investigated allegations that Chicago Transit Authority (CTA) Senior Clerk Jesus Herrera used his CTA-issued computers to view pornographic images through private email accounts and Internet portals on compensated time. The OEIG determined that Mr. Herrera:

- violated CTA rules by viewing inappropriate images and websites on his CTA-issued computer and using it excessively for personal matters;
- engaged in conduct unbecoming an employee;
- provided a false written statement; and
- performed personal work while on duty.

The OEIG recommended that the CTA terminate Mr. Herrera. CTA followed this recommendation; nevertheless, following arbitration, Mr. Herrera was restored to his position.

#### *In re: Loker, Case # 12-02148*

The OEIG investigated allegations that Illinois Department of Transportation (IDOT) employee Tonya Loker used a State-owned vehicle to commute to and from work and that she was habitually tardy to work. The OEIG found that Ms. Loker violated IDOT policy in multiple ways, including that she:

- used State-owned vehicles for personal purposes, on multiple occasions; and
- arrived late to work, left work early, and was not at work without using benefit time on 23 occasions.

As Ms. Loker left IDOT before the conclusion of the investigation, the OEIG recommended that IDOT place a copy of its founded report in her personnel file, that she not be rehired, and that IDOT consider taking steps to recover the funds Ms. Loker had cost the State. IDOT placed a copy of the founded report in Ms. Loker's file, made a note that she should not be rehired, and sent a letter demanding restitution for the financial loss resulting from her misconduct.

#### *In re: Long, Case # 13-01578*

The OEIG investigated allegations that Department of Human Services (DHS) Office of Inspector General Bureau Chief James Long abused State time and travel regulations. The OEIG found that Mr. Long:

- abused State time by traveling during his State-compensated time for the purpose of traveling home in violation of DHS policy; and
- falsified information on State travel vouchers in violation of DHS policy.

*“By Mr. Long’s own admission, his travel to Springfield on Thursdays and Fridays was for the purpose of being home on the weekends with his family or attending doctor’s appointments.”*

Mr. Long retired from DHS during the course of the OEIG's investigation. The OEIG recommended that DHS place a copy of the founded report in Mr. Long's DHS personnel file, and DHS did place the founded report in the file.

## **Grant Management**

#### *In re: Department of Commerce and Economic Opportunity, Case # 10-00016*

The OEIG investigated allegations that the Illinois Department of Commerce and Economic Opportunity (DCEO) failed to properly manage public funds. Specifically, the investigation examined DCEO's Employment Opportunities Grant Program (Program). The OEIG found that DCEO:

- failed to maintain records for the Program, in violation of statute and DCEO's records retention schedule;
- failed to ensure that grantees had statutorily required capabilities;
- submitted Program reports to the Governor and General Assembly that did not meet statutory requirements; and
- failed to establish a system of internal

*“The OEIG’s investigation revealed serious problems in DCEO’s administration of the [Employment Opportunities Grant Program] over a significant period of time....”*

controls to ensure that funds spent on the Program were used efficiently and effectively, and were safeguarded against waste.

The OEIG recommended that DCEO amend its conflict of interest policy; maintain documentation to show that grant funds are appropriately awarded and expended; select grantees based on statutory criteria; include meaningful evaluations and results of grantee activities in reports submitted to the Governor and General Assembly; and, to the extent practicable, select grantees early in the fiscal year and award grant funds in incremental payments. DCEO accepted and implemented the OEIG's recommendations.

## **Prohibited Political Activity**

### *In re: Greene, Dash and Blake, Case # 14-00421*

The OEIG self-initiated an investigation into allegations that certain University of Illinois professors engaged in prohibited political activity by using State resources to support University of Illinois Professor George Gollin in his campaign for U.S. House of Representatives. The OEIG found that University of Illinois professors Laura Greene, Leon Dash, and Nancy Blake each separately:

- misappropriated State email by engaging in prohibited political activity; and
- violated the University of Illinois "Guidelines Concerning Use of University Resources for Political Campaign Activities" by communicating with Dr. Gollin about various campaign matters.

The OEIG recommended that the University of Illinois take whatever action it deemed appropriate in regard to Professors Laura Greene, Leon Dash, and Nancy Blake. In response, the University of Illinois provided Professors Laura Greene, Leon Dash, and Nancy Blake with letters from their deans addressing past actions and future expectations.

### *In re: Woith and Cook, Case # 14-00800*

The OEIG investigated allegations that Illinois State University (ISU) employees Kelly Woith and Anne Cook violated the Ethics Act by sending political emails through State accounts.

The OEIG found, among other things, that:

- on two separate dates, Kelly Woith misappropriated her State computer and State email by using them to engage in prohibited political activity; and
- Anne Cook misappropriated her State computer and State email by using them to engage in prohibited political activity.

The OEIG recommended that ISU take appropriate action with regard to the findings. In response, ISU had a "performance improvement discussion" with Ms. Woith and issued a "letter of verbal support" to Ms. Cook.

## **Violations of Policy**

### *In re: Illinois Department of Human Services, Case # 11-00069*

The OEIG investigated allegations that Illinois Department of Human Services (DHS) staff failed to follow proper procedure in processing certain benefits. The OEIG examined whether DHS staff failed to process information

indicating that Supplemental Nutrition Assistance Program (SNAP) benefit recipients were receiving income, which could affect their eligibility for benefits. The OEIG found that DHS:

- failed to ensure that staff timely verify income in SNAP cases, resulting in significant financial loss to the State.

*“[E]ven though DHS has a tool that identifies clients who may be receiving overpayments of benefits, it failed to use that tool to address and reduce these overpayments.”*

The OEIG recommended that DHS take necessary action to ensure that benefit recipients' income information is properly verified, so that overpayments of benefits are avoided and, to the extent possible, recovered. DHS responded that Regional Administrators have been reminded about verification procedures, and that the agency has implemented new procedures. DHS also noted that a new computer system will notify caseworkers of possible income discrepancies, and supervisors will be able to use the system to monitor compliance.

#### *In re: Mister, Case # 11-01495*

During the course of an investigation into allegations that Southern Illinois University Edwardsville (SIUE) improperly paid a subcontractor, the OEIG discovered that Kwa Mister, the Director of the SIUE Small Business Development Center, had contracted with companies owned by his relatives. Specifically, the OEIG found that Mr. Mister:

- violated SIU Misconduct Policies and Procedures by contracting with companies owned by his mother and his sister without disclosing the potential conflict of interest; and
- violated SIU Misconduct Policies and Procedures by falsely denying that one of the companies he had contracted with was owned by his mother.

The OEIG referred this investigation to the U.S. Attorney's Office, who indicted Mr. Mister on criminal charges. On April 17, 2015, Mr. Mister pled guilty to two counts of making false statements to federal agents. Additionally, because Mr. Mister was no longer employed by SIUE when the report was issued, the OEIG recommended that SIUE place a copy of the founded report in Mr. Mister's personnel file and not rehire him. SIUE complied with the OEIG recommendations.

#### *In re: CTA Staff, Case # 12-00314*

The OEIG investigated allegations that the Chicago Transit Authority (CTA) retaliated against an employee who had filed a complaint against his supervisor. Although the OEIG concluded that this allegation was unfounded, in the course of the investigation, the OEIG determined that CTA staff at the 95<sup>th</sup> Street Rail Yard failed from time to time to ensure that passengers exited trains before those trains were taken out of service and into the Yard, in violation of multiple CTA rules. CTA staff reported using code words to return trains to the platform in order to remove passengers without alerting management to the rule violations. The OEIG found that CTA employees failed to report certain safety violations in order to avoid discipline.

The OEIG recommended that the CTA remind its employees to follow all safety protocols and to walk through trains to check for passengers before taking trains into a rail yard. The CTA agreed that passenger safety is paramount

and announced that it would examine these issues further. The CTA also noted it would address safety concerns in the course of ongoing employee training.

*In re: Chico, Case # 12-02216*

The OEIG investigated allegations that the Chair of the Illinois State Board of Education (ISBE) violated ISBE's conflict of interest policies. The OEIG found that then-Board Chair Gery Chico:

- violated ISBE's Code of Conduct and conflict of interest policy by participating in Board discussions and a vote relating to whether Illinois should seek a waiver of a federal requirement pertaining to supplemental educational services, without first disclosing that his wife owned a company that provided supplemental educational services.

*"[F]our of the seven other Board members said they would have wanted to know about Mr. Chico's connection to a supplemental education services provider before they discussed the waiver application."*

Mr. Chico left ISBE during the investigation. The OEIG recommended that ISBE place the founded report in Mr. Chico's personnel file. ISBE complied with the recommendation.

*In re: Harrold, Case # 12-02223*

The OEIG investigated allegations that former Department of Corrections (DOC) Senior Parole Agent Scott Harrold engaged in sexual contact with female parolees. Early in its investigation, the OEIG learned that Mr. Harrold resigned from DOC after confessing to DOC investigators that he had improper sexual contact with at least one female parolee. The OEIG also examined whether the DOC Parole Division followed policies designed to prevent this misconduct. The OEIG found that:

- Mr. Harrold violated the DOC Administrative Rules and Directives by engaging in sexual contact with a female parolee; and
- Mr. Harrold and another DOC employee administered drug tests on female parolees without the participation of a female assistant, in violation of DOC policy.

*"Mr. Harrold admitted to engaging in sexual contact with a female parolee under his supervision."*

The OEIG recommended that DOC place a letter in Mr. Harrold's file barring him from future employment with DOC; train Parole Agents in proper drug testing procedures; revise its policies and reporting requirements to make failure to follow drug testing procedures easier for supervisors to detect; and audit drug test entries to ensure that drug tests were conducted in accordance with DOC policy.

DOC said that it would train all Parole Agents on proper drug testing procedures; ensure Commanders are notified of any opposite sex drug testing that occurs; and place a letter about the circumstances surrounding Mr. Harrold's resignation in his personnel file.

*In re: Watson, Case # 13-00436*

The OEIG investigated claims contained in a letter from now-former Chicago State University (CSU) President Wayne Watson to the Chicago State University Board of Trustees that former Board Chair Gary Rozier and Vice Chair Z. Scott inappropriately pressured Dr. Watson to hire and promote their friends, relatives, and associates. The OEIG found that the claims against Mr. Rozier and Ms. Scott were without merit, and that Dr. Watson:

- violated university policy by authoring and disseminating a letter containing inaccurate and mischaracterized information to the CSU Board of Trustees.

The OEIG recommended that CSU take whatever action it deemed appropriate. CSU elected to take no action with respect to Dr. Watson.

*In re: Diggs, Case # 14-01975*

The OEIG investigated allegations that an Illinois Department of Human Services (DHS) employee failed to notify DHS when she learned a relative was receiving and using improper benefits. The OEIG found that:

- DHS employee Trina Diggs violated DHS policy when she condoned fraud, dishonesty, or misrepresentation in the performance of her duties and engaged in administrative malfeasance when she failed to notify DHS that her relative was receiving improper benefits.

The OEIG recommended that DHS discipline Ms. Diggs. DHS issued a written reprimand and initiated collection proceedings against the relative.

## **Violations of State Law**

*In re: Hernandez, Gomez & Flores, Case # 11-00428*

The OEIG investigated allegations that Illinois Department of Human Services (DHS) employees opened a public benefits case without authorization. The OEIG found that:

- Sabina Hernandez falsified information in a benefits case file, breached duties relating to the confidentiality of State resources, and failed to report misconduct by other DHS caseworkers;
- Peter Gomez entered false information in a benefits case file, and sent personal and inappropriate emails via his work email in violation of DHS policy;
- Ms. Hernandez and Mr. Gomez failed to cooperate with the OEIG investigation; and
- Department of Healthcare and Family Services (HFS) employee Alma Flores violated her duty to maintain the confidentiality of client information in violation of HFS policy.

The OEIG recommended that DHS terminate Mr. Gomez and that Ms. Flores be disciplined. Ms. Hernandez resigned during the investigation, so the OEIG recommended that a copy of the founded report be placed in her

personnel file. DHS implemented the recommendations regarding Mr. Gomez and Ms. Hernandez. Ms. Flores had transferred to HFS, which issued a 29-day suspension.

*In re: Durst and the Department of Human Services, Cases # 13-02020 and # 13-02606*

The OEIG investigated allegations that individuals were receiving Supplemental Nutrition Assistance Program (SNAP) benefits from the Illinois Department of Human Services (DHS) despite being incarcerated in the Illinois Department of Corrections (DOC) and/or county jails. The OEIG found that:

- DHS conducted a monthly exchange of information with DOC that failed to adequately determine whether SNAP recipients were inmates at DOC; and
- DHS Bureau of Program Performance and Performance Management Bureau Chief Ken Durst failed to comply with the Illinois Public Aid Code's requirement that DHS attempt to enter into Intergovernmental Agreements with all 102 county sheriffs.

*“The failure to make even a minimal effort to comply with this law [to establish data exchanges with all Illinois county sheriffs] for approximately 18 years has potentially resulted in numerous inmates improperly receiving benefits.”*

The OEIG recommended that DHS ensure its monthly data exchange with DOC effectively searches for inmates that should not receive SNAP benefits, and that DHS make a more concerted effort to enter into agreements with county sheriffs' offices. The OEIG also recommended that DHS take whatever action it deemed appropriate with respect to Mr. Durst. DHS generally agreed with the OEIG recommendations and implemented some of the recommendations.

## REVOLVING DOOR DECISIONS

The revolving door provisions of the Ethics Act prohibit State employees, for one year after leaving public service, from accepting employment or compensation from a person or entity if, during the year prior to leaving public service, the employee participated “personally and substantially” in the award of contracts or change orders to, or in regulatory or licensing decisions directly applicable to, the person or entity, or its parent or subsidiary. Certain State employees whose positions may have the authority to participate personally and substantially in such decisions are required to seek a determination from the OEIG that they may accept employment prior to accepting an offer. A small number of high-ranking public officials are prohibited from accepting employment or compensation from any person or entity who is a party to a contract involving the employee’s State agency or the subject of a regulatory or licensing decision involving the State employee’s agency, even if the high-ranking employee did not individually participate in the regulatory or licensing decision or the award of the contract.

The Ethics Act requires the OEIG to make revolving door determinations within 10 calendar days. The OEIG receives completed forms from the employee, the applicable ethics officer, and sometimes from the prospective employer. In addition, the OEIG conducts interviews of the employee, the employee’s supervisor, and others. The OEIG also examines various public records relating to any contract awards or regulatory or licensing decisions involving the employee. The OEIG then issues a determination indicating whether the employee “personally and substantially” participated in the award of a State contract, or a regulatory or licensing decision that directly applied to the prospective employer, or its parent or subsidiary, and thus whether the employee can accept the employment offer.

Requests for revolving door determinations and the resulting determinations are generally not public. Either the employee or the Attorney General may appeal the OEIG’s determination to the EEC. The EEC then has 10 days to rule on the appeal. Once the EEC rules on an appeal, its decision becomes public. In FY2016, only two revolving door determinations by the OEIG were appealed to the EEC. One of the decisions affirmed the OEIG’s determination while the other overturned the OEIG’s determination.

### *In re: Joseph Kotas (16 EEC 002)*

Mr. Kotas, an employee of the Illinois Environmental Protection Agency (IEPA), served as an Environmental Engineer III. IEPA had identified Mr. Kotas as an employee who, by nature of his duties, had the authority to participate personally and substantially in licensing or regulatory decisions, thereby subjecting him to the requirement to seek a determination from the OEIG prior to accepting post-State employment. Mr. Kotas submitted his revolving door form to the OEIG and to his ethics officer on Friday, August 14, 2015, notifying them of an offer of employment with NRG Energy, Inc. An EEC rule requires ethics officers to submit their revolving door form to the OEIG within 5 calendar days of receipt of the employee’s form. The OEIG generally needs the ethics officer’s form prior to making a revolving door determination. The IEPA ethics officer submitted his form 10 calendar days after receipt of the employee’s form, on Monday, August 24, 2015. On Thursday, September 3, 2015, the OEIG determined that Mr. Kotas was restricted from accepting employment or compensation from NRG Energy, Inc. due to inspections he had conducted at NRG Energy, Inc. facilities.

Mr. Kotas appealed the OEIG's determination and the EEC reversed. The EEC cited the unexplained delay by the ethics officer in submitting his revolving door form. The EEC also noted that the General Assembly has set very tight deadlines for revolving door determinations and appeals. "The OEIG and EEC rely upon ethics officers to provide essential information in a very timely manner," the EEC wrote. As a result of the delay, the EEC concluded that Mr. Kotas could pursue his employment opportunity with NRG Energy, Inc.

*In re: Michael O. Murray (16 EEC 003)*

Mr. Murray was employed as a Vehicle Compliance Inspector for the Illinois Department of Transportation (IDOT). He conducted inspections of 30 testing facilities where trucks, school buses, and church buses receive State-mandated inspections. He conducted these inspections alone and documented his findings on reports submitted to his supervisor, who then made recommendations to IDOT's Chief Counsel. During the year prior to his retirement, he inspected facilities of Midwest Bus Sales, Inc. (MBS). After he retired on December 31, 2014, he was offered a position with MBS. He sought a determination from the OEIG in September 2015. The OEIG determined that Mr. Murray was restricted from accepting this employment opportunity due to his inspections of MBS facilities, and Mr. Murray appealed to the EEC.

The EEC found that personal and substantial involvement requires more than ministerial activity, but that a State employee may be personally and substantially involved in a regulatory decision even though he or she was not the final decision maker. In affirming the OEIG's determination, the EEC found that Mr. Murray participated personally and substantially in making regulatory decisions regarding MBS. The EEC also noted that the restriction expired on December 31, 2015, the first anniversary of his retirement.

## DISCIPLINARY DECISIONS

In FY2016, the EEC publicly disclosed three disciplinary decisions after the OEIG found reasonable cause to believe that violations of the Ethics Act occurred and brought petitions to the EEC through the Office of the Attorney General.

### *Meza v Meyer (14 EEC 013)*

The OEIG investigated allegations relating to Andrew Meyer, a caseworker with the Department of Human Services (DHS). During the course of the investigation, the OEIG interviewed Mr. Meyer twice, and on both occasions he denied that he had made a sexual comment to a DHS client. At the conclusion of the investigation, the OEIG filed a complaint with the EEC, through the Office of the Attorney General, regarding Mr. Meyer's failure to cooperate with the OEIG during its interviews of him.

The EEC held a hearing into the OEIG complaint. At the hearing, the DHS client testified that Mr. Meyer had made several sexual comments to her, and that after she told him that he should not make such comments, he did not process her benefits application. Based in part on evidence that multiple other DHS clients had previously made similar claims about Mr. Meyer, the EEC determined that the client who testified did not misunderstand the sexual comments Mr. Meyer made to her. Mr. Meyer refused to be examined at the hearing.

The EEC noted that Mr. Meyer is required by the Ethics Act to cooperate with OEIG investigations, and is subject to penalties for intentionally making false statements during the course of an OEIG interview. The EEC concluded that Mr. Meyer failed to cooperate with the OEIG on two separate occasions by falsely denying to OEIG investigators the accusations directed against him. The EEC also noted that contrary to a criminal proceeding, in a civil administrative proceeding the respondent has no right to remain silent and can be required to answer questions truthfully. The EEC levied a \$1,000 fine against Mr. Meyer for his failure to cooperate.

### *Hickey v Elberson (15 EEC 005)*

The OEIG investigated allegations that Kendra Elberson, an employee of the Illinois Department of Corrections, engaged in prohibited political activity involving State resources. Specifically, the OEIG investigation found that Ms. Elberson used State resources to support the campaign for Sheriff of Grundy County by Kenneth R. Briley, former warden of the Stateville Correctional Center. Ms. Elberson used State time and her email account to solicit signatures on a photograph of an electric chair to be auctioned at a campaign event. Ms. Elberson also used State time and her email account to discuss reimbursement for materials used to create a quilt auctioned by the campaign. The OEIG determined that Ms. Elberson violated the prohibited political activities provisions of the Ethics Act and filed a petition with the EEC through the Office of the Attorney General.

The EEC noted that the Ethics Act provides that "State employees shall not intentionally misappropriate any State property or resources by engaging in any prohibited political activity for the benefit of any

campaign for elective office or any political organization.” (Citing Sec. 5-15). The EEC determined that Ms. Elberson violated the Ethics Act on four separate dates by knowingly and intentionally misappropriating State property or resources to conduct and participate in prohibited political activity during time for which she was being compensated by the State of Illinois. Noting that she stipulated to a series of facts from which the EEC concluded that she violated the Act, the EEC levied the agreed fine of \$2,000.

#### *Hickey v Periman (16 EEC 005)*

The OEIG investigated allegations that Illinois Department of Transportation (IDOT) employee Kim Periman accepted inappropriate gifts in violation of the Ethics Act. Kim Periman is an IDOT employee responsible for various administrative duties involving Official Testing Stations, which are privately-owned vehicle service centers that IDOT authorizes to perform required testing. In the course of her duties, Ms. Periman communicated with the owner of a service center regarding the annual renewal of its permit. In that communication, Ms. Periman noted that she was traveling to England and was unable to afford a plane ticket to bring her daughter. The service center owner then paid over \$2,800 for Ms. Periman’s daughter’s round-trip ticket. The OEIG found that Ms. Periman’s acceptance of the gift violated Art. 10 of the Ethics Act, and filed a petition with the EEC, through the Office of the Attorney General.

Shortly before her interview with the OEIG, Ms. Periman repaid the owner of the service center for the plane ticket. After the OEIG investigation, IDOT imposed discipline of a 30-day suspension without pay. Ms. Periman stipulated to facts showing a violation of the Gift Ban provisions of the Ethics Act. The EEC determined that Ms. Periman violated the Ethics Act and levied a fine of \$1,000.

## LEGISLATIVE ACTION

**Senate Bill 3316**, introduced by State Senator Julie A. Morrison on February 19, 2016, and **House Bill 4989**, introduced by State Representative Majority Leader Barbara Flynn Curie on February 8, 2016, are the product of discussions between the OEIG, EEC, and the Office of the Attorney General. These identical bills would amend provisions of the Ethics Act to clarify the exchange of information during the revolving door determination process, provide for ethics officer training, clarify the confidentiality of OEIG investigatory files and reports, and update a section of the Procurement Code to reflect the new procurement officer structure.

### Revolving Door Determination Process

Senate Bill 3316 and House Bill 4989 provide for appropriate, timely exchange of information between the parties throughout the revolving door determination process. The amendments in these bills would:

- Allow the OEIG to require agency ethics officers to provide certain information that may be necessary for the OEIG to make an informed determination. (Section 5-45(f)).
- Clarify that while the OEIG has ten days to make a determination concerning private sector employment, the ten-day clock does not begin to run until the employee/former employee provides to the OEIG the information that the EEC deems, by administrative rule, is necessary. (Section 5-45(f)).
- Require the OEIG to make a written determination that explains its factual and legal basis for restricting an employee/former employee from accepting the proposed private sector employment. (Section 5-45(f)).
- Require the OEIG to provide within three business days, upon request by the person subject to a restricted determination, a copy of the investigative files and reports the OEIG relied upon to make the restricted determination. These files and reports may be redacted to protect the identity of persons. (Section 5-45(f)).
- Clarify the OEIG's authority to disclose investigatory files and reports that relate to the revolving door determination to the person subject to an employment restriction, the Attorney General, and the EEC. (Section 20-95(d)).
- Clarify that compensation or fees for services includes compensation received directly or indirectly. Also clarifies that compensation does not include a small portion of a person's compensation received as part of a general profit sharing plan. (Section 5-45(j)).

### Ethics Officer Training

Senate Bill 3316 and House Bill 4989 add requirements that:

- the EEC would develop a training curriculum for executive branch ethics officers (Section 20-23(4)); and
- executive branch ethics officers complete training within 30 days of appointment and annually thereafter. (Section 20-23(4)).

## Confidentiality of Investigation Documents

Senate Bill 3316 and House Bill 4989 would clarify provisions of the Ethics Act pertaining to the confidentiality of investigative files and reports. Specifically, these bills would:

- In conjunction with previous sections, permit the OEIG to provide investigatory files and reports to the head of a State agency affected by or involved in the investigation. (Section 20-95(d)).
- After the OEIG issues a founded report to the appropriate ultimate jurisdictional authority and agency head, permit the ultimate jurisdictional authority and/or agency head, as necessary, to disclose OEIG investigatory files and reports to agency staff who are responsible for determining and imposing discipline, and, as strictly necessary, to the employee. (Section 20-50(m)).
- Require agency heads and employees to keep investigation information confidential and not disclose information that is exempted under FOIA. (Section 20-90(b)).
- Clarify that OEIG requests for documents are confidential. (Section 20-95(d)).

## Revolving Door – Illinois Procurement Code

Senate Bill 3316 and House Bill 4989 would update the revolving door language contained in the Illinois Procurement Code to conform to the current practice of assigning Chief Procurement Officers and their staff to work with or oversee particular agencies.

## 99th General Assembly

At the time this Annual Report was published, Senate Bill 3316 and House Bill 4989 were not adopted by the General Assembly.



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## LEADERSHIP

### MAGGIE HICKEY, EXECUTIVE INSPECTOR GENERAL

Ms. Hickey is the Executive Inspector General for the Agencies of the Illinois Governor. She was nominated by Gov. Bruce Rauner in 2015 and confirmed by the Illinois Senate without dissent in 2016. Before coming to the OEIG, she served the U.S. Attorney's Office for the Northern District of Illinois for over 10 years. From 2010-2015, she was the Executive Assistant U.S. Attorney, overseeing a staff of approximately 300 employees. Prior to her supervisory role, Ms. Hickey served as an Assistant U.S. Attorney in the Criminal Division, Financial Crimes and Special Prosecution Section, where she investigated and prosecuted a wide array of white collar crimes, including health care fraud, mortgage fraud, and bankruptcy fraud. She has tried multiple cases to verdict, and also briefed and argued many appeals before the U.S. Court of Appeals.

Previously, Ms. Hickey served as chief of staff to U.S. Senator Peter Fitzgerald. She began her career with the United States Senate, serving as the investigative counsel for the Committee on Government Affairs. Prior to her service with the United States Senate, she was an Assistant U.S. Attorney in the Criminal Division for the Southern District of West Virginia. She began her legal career as an associate with a law firm in Los Angeles, California, now known as Reed Smith. She currently serves on the board of the Constitutional Rights Foundation, Chicago.

### SUSAN HALING, FIRST ASSISTANT INSPECTOR GENERAL

Ms. Haling joined the OEIG in December 2011 and currently serves as First Assistant Inspector General. She has more than nine years of experience as an Assistant U.S. Attorney in Chicago, where she tried over 25 criminal trials. Ms. Haling also previously worked for the U.S. Justice Department, Criminal Division, in Washington, D.C. Ms. Haling was a law clerk for the Honorable James F. Holderman, a former U.S. District Judge for the Northern District of Illinois. Ms. Haling received her BA from the University of Notre Dame and obtained her law degree from the DePaul University College of Law, where she graduated Order of the Coif, served as editor for the Law Review, and was a member of the Moot Court Trial Team.

### DANIEL HURTADO, GENERAL COUNSEL

Mr. Hurtado was appointed Special Counsel in July 2012 and was subsequently appointed as General Counsel in March 2014. Prior to joining the OEIG, he was a litigator with a large law firm for 17 years and served as in-house counsel for a media company for over two years. Mr. Hurtado has served as the President of the Hispanic Lawyers Association of Illinois, the Chair of the Chicago Lawyers Committee for Civil Rights, and as a member of the Legal Assistance Foundation Board of Directors and the Chicago Legal Clinic Board of Directors. He has been honored with the Chicago Bar Association Vanguard Award, the Public Interest Law Initiative Distinguished Alumnus Award, and MALDEF's Excellence in Legal Service Award. Mr. Hurtado received a BA from the University of Michigan and holds an MA and JD from Northwestern University, where he was an editor of the Journal of Criminal Law and Criminology and the President of the Hispanic Law Students Association.

### FALLON OPPERMAN, DEPUTY INSPECTOR GENERAL AND CHIEF OF CHICAGO DIVISION

Ms. Opperman joined the OEIG as an Assistant Inspector General in June 2008 and more recently served as Chief of the Regional Transit Board Division. As Deputy Inspector General and Chief of Chicago Division, Ms. Opperman manages the investigative activities of the OEIG's Chicago office, including oversight of the Regional Transit Board Division. Ms. Opperman received a BA from North Central College and obtained her law degree from the DePaul University College of Law.

THOMAS KLEIN, DEPUTY INSPECTOR GENERAL AND CHIEF OF SPRINGFIELD DIVISION

Mr. Klein joined the OEIG in February 2015 as Deputy Inspector General and Chief of the Springfield Division. Mr. Klein had previously served with the OEIG from 2010-2011 before serving as General Counsel for the Illinois Capital Development Board. He previously spent over 7 years with the Illinois Attorney General's Office and 2 years with a large law firm. Mr. Klein received a BA from Taylor University, an MA from Purdue University, and a JD from the University of Michigan Law School.

CLAUDIA ORTEGA, CHIEF ADMINISTRATIVE OFFICER

Ms. Ortega joined the OEIG in March 2014 and currently serves as Chief Administrative Officer. She manages the OEIG's finance, human resources, information technology, procurement, and other administrative functions. Previously, Ms. Ortega worked in a financial reporting role for a State university and for a global forensics investigative firm. She holds a MSA in accounting from Benedictine University and a BA in accounting from DePaul University and she is a Certified Fraud Examiner.

<b>Number of Complaints Received by Type</b>	<b>FY2014</b>	<b>FY2015</b>	<b>FY2016</b>
<b>Abuse</b>	11	22	23
<b>Abuse of Time</b>	48	82	93
<b>Americans with Disabilities Act Violations</b>	0	2	6
<b>Bid-rigging</b>	1	1	7
<b>Breach of Confidentiality</b>	23	7	5
<b>Bribery</b>	5	2	1
<b>Child Support</b>	0	4	1
<b>Conflict of Interest</b>	12	17	20
<b>Corruption</b>	2	0	4
<b>Discrimination</b>	28	20	35
<b>Ex Parte Communications Violations</b>	1	1	2
<b>Failure to Cooperate</b>	1	0	3
<b>Failure to File Statements of Economic Interests</b>	0	0	0
<b>Failure to Follow Agency Policy</b>	8	13	23
<b>False Employment Application Information</b>	0	0	2
<b>Fraud</b>	67	53	51
<b>Ghost Pay Rolling</b>	4	2	0
<b>Gift Ban Violation</b>	4	4	6
<b>Harassment</b>	56	56	45
<b>Hiring Improprieties</b>	30	81	58
<b>Improper Political Promotion</b>	2	0	3
<b>Misappropriation or Misuse of Funds</b>	20	18	18
<b>Misconduct</b>	1,389	1,551	1,183
<b>Mismanagement</b>	624	565	689
<b>Misuse of Property</b>	16	28	27
<b>Other</b>	54	64	84
<b>Patronage</b>	0	1	5
<b>Personnel</b>	0	0	29
<b>Political Work on State Time</b>	5	4	7
<b>Prisoner Complaint</b>	3	5	12
<b>Procurement Fraud</b>	6	8	6
<b>Prohibited Political Activity</b>	10	13	10
<b>Retaliation</b>	34	33	59
<b>Revolving Door Violation</b>	4	10	5
<b>Sexual Harassment</b>	5	11	7
<b>Theft</b>	19	15	15
<b>Unethical Conduct or Practices</b>	10	14	20
<b>Violence in the Workplace</b>	2	3	3
<b>Waste</b>	3	3	1
<b>Wrongful Termination</b>	14	8	6
<b>Total</b>	<b>2,521</b>	<b>2,721</b>	<b>2,574</b>

<b>Number of Founded Reports by Agency</b>	<b>FY2014</b>	<b>FY2015</b>	<b>FY2016</b>
<b>Agriculture, Department of</b>	1	0	0
<b>Central Management Services, Department of</b>	0	1	2
<b>Chicago State University</b>	1	0	1
<b>Chicago Transit Authority</b>	2	3	3
<b>Children and Family Services, Department of</b>	0	0	1
<b>Commerce and Economic Opportunity, Department of</b>	0	1	1
<b>Corrections, Department of</b>	0	1	2
<b>Employment Security, Department of</b>	0	2	1
<b>Financial and Professional Regulation, Department of</b>	0	0	1
<b>Healthcare and Family Services, Department of</b>	0	0	1
<b>Higher Education, Board of</b>	1	0	0
<b>Human Rights, Department of</b>	0	1	2
<b>Human Services Inspector General, Department of</b>	0	0	1
<b>Human Services, Department of</b>	6	6	15
<b>Illinois State University</b>	0	2	0
<b>Insurance, Department of</b>	1	1	1
<b>Juvenile Justice, Department of</b>	0	0	1
<b>Labor, Department of</b>	1	0	0
<b>Metra</b>	3	0	0
<b>Natural Resources, Department of</b>	0	0	1
<b>Northern Illinois University</b>	1	0	0
<b>Public Health, Department of</b>	0	1	1
<b>Regional Transportation Authority</b>	1	1	0
<b>Revenue, Department of</b>	1	1	0
<b>Southern Illinois University – Edwardsville</b>	0	1	0
<b>State Board of Education</b>	1	0	1
<b>State Police</b>	0	0	1
<b>Transportation, Department of</b>	2	4	5
<b>University of Illinois</b>	1	1	0
<b>Various State Agencies</b>	1	0	0
<b>Veterans' Affairs, Department of</b>	0	2	1
<b>Total</b>	24	29	43

<b>Number of Founded Reports by Type</b>	<b>FY2014</b>	<b>FY2015</b>	<b>FY2016</b>
<b>Abuse of Time</b>	1	1	2
<b>Bid Rigging</b>	0	0	2
<b>Breach of Confidentiality</b>	0	0	1
<b>Conflict of Interest</b>	2	1	2
<b>Failure to Follow Department Policy</b>	0	1	2
<b>Fraud</b>	6	8	4
<b>Gift Ban Violation</b>	1	1	0
<b>Harassment</b>	0	0	1
<b>Hiring Improprieties</b>	1	1	2
<b>Misappropriation or Misuse of Funds</b>	1	0	0
<b>Misconduct</b>	3	6	15
<b>Mismanagement</b>	0	1	3
<b>Misuse of Property</b>	2	1	1
<b>Other</b>	0	0	1
<b>Political Work on State Time</b>	3	3	0
<b>Procurement Fraud</b>	0	1	0
<b>Prohibited Political Activity</b>	0	2	1
<b>Retaliation</b>	0	1	0
<b>Revolving Door Violation</b>	1	1	1
<b>Sexual Harassment</b>	1	0	1
<b>Theft</b>	0	0	1
<b>Unethical Conduct</b>	2	0	2
<b>Waste</b>	0	0	1
<b>Total</b>	24	29	43

# FREEDOM OF INFORMATION ACT

## MISSION STATEMENT:

The 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 establishes standards for and provides oversight to ethics training for employees and officials within its jurisdiction.

## OEIG OPERATING BUDGET FOR FISCAL YEAR 2016:

\$6,246,600

## OEIG OFFICES:

69 W. Washington St., Suite 3400  
Chicago, IL 60602-9703

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

## NUMBER OF OEIG EMPLOYEES:

71 employees as of June 30, 2016

## STATE AGENCY WITH LIMITED OVERSIGHT ROLE OVER THE OEIG:

Illinois Executive Ethics Commission

## OEIG FOIA OFFICER:

Daniel Hurtado  
General Counsel  
Office of Executive Inspector General  
for the Agencies of the Illinois Governor  
69 W. Washington St., Suite 3400  
Chicago, IL 60602-9703

## PHOTOCOPY COSTS FOR FOIA REQUESTS:

The OEIG provides the first 50 black-and-white copies at no charge; each additional page costs 15 cents.

## ONLINE REFERENCES

### State Officials and Employees Ethics Act (5 ILCS 430)

<http://www.ilga.gov/legislation/ilcs/ilcs5.asp?ActID=2529&ChapterID=2>

### OEIG Monthly Reports

[https://www.illinois.gov/oeig/publications/Pages/monthly\\_reports.aspx](https://www.illinois.gov/oeig/publications/Pages/monthly_reports.aspx)

### OEIG Revolving Door Decisions

<https://www.illinois.gov/oeig/RevolvingDoor/Pages/RevolvingDoorDecisions.aspx>

### Publicly Disclosed OEIG Founded Reports

<https://www.illinois.gov/oeig/investigations/Pages/PublishedOEIGCases.aspx>

### OEIG Investigation Policy and Procedures Manual

<https://www.illinois.gov/oeig/publications/Pages/policy.aspx>

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In an effort to conserve resources and be green, the FY2016 Annual Report will be distributed electronically.

An online copy of this report in PDF format may be found at:  
[http://www2.illinois.gov/oeig/Pages/annual\\_reports.aspx](http://www2.illinois.gov/oeig/Pages/annual_reports.aspx)



Report Misconduct

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**Chicago Office**  
**69 W. Washington St.,**  
**Suite 3400**  
**Chicago, IL 60602**  
**(312) 814-5600 telephone**  
**(312) 814-5479 fax**

**Springfield Office**  
**607 E. Adams St., 14th Floor**  
**Springfield, IL 62701**  
**(217) 558-5600 telephone**  
**(217) 782-1605 fax**