



2021 Annual Report

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

www.inspectorgeneral.illinois.gov

Message from Executive Inspector General Susan Haling

It is with great pleasure that I present the Annual Report for the Illinois Executive Inspector General for the Agencies of the Illinois Governor (OEIG). This report highlights our FY2021 achievements toward better State government. FY2021 brought the additional challenge of the COVID-19 pandemic. The OEIG is proud of its efforts to balance the health and safety of its employees and its work to efficiently and steadily serve Illinoisans during this unprecedented time.



In FY2021, the OEIG received 2,360 complaints, opened 63 investigations, and completed 57 investigations, including 16 with findings of wrongdoing. In FY2021, 13 founded reports were made public. Because investigations can have a significant impact, the OEIG conducts every investigation with objectivity, fairness, good judgment, integrity, and professionalism.

The OEIG takes an integrated approach in its mission toward better State government. From developing training to conducting thorough investigations and proactive compliance work, we strive to work together internally and externally toward this goal. For example, our compliance divisions and investigative divisions refer matters to one another to ensure the best outcome for the State. Two examples of this collaboration are our Hiring and Employment Monitoring Division (HEM) and Revolving Door Unit.

During FY2021, the OEIG referred 19 hiring-related complaints to HEM where there was an allegation related to hiring. In such cases, HEM can potentially intervene before, during, or immediately after a hiring-related violation has occurred. If HEM's review reveals that a more in-depth investigation needs to be conducted to determine if wrongdoing occurred, it may transfer matters to the Investigations Division for further review. During FY2021, five matters were transferred from HEM to Investigations.

Similarly, the impact of OEIG revolving door investigations extends beyond individual employees, and OEIG investigations often have broader recommendations for improvements across agencies. Such was the case for Illinois Department of Transportation (IDOT), which is the State agency with the most revolving door determinations. In FY2021, 78 (42%) of the OEIG's revolving door determinations involved current or former IDOT employees. Recent investigations led the OEIG to make recommendations to IDOT regarding its revolving door policies and to the Governor's Office to ensure compliance with the Ethics Act revolving door provisions. Further, as a result of our investigations, the Governor's Office and the OEIG collaborated in administering revolving door training to all agency general counsels and ethics officers in June and September 2020.

I strongly believe the OEIG's oversight and integrated approach can help improve the quality of work in the State as well as root out waste and wrongdoing. My staff and I are deeply committed to helping improve State government and will continue to pursue a highly ethical work force free of fraud, waste, and abuse.

Sincerely

A handwritten signature in blue ink that reads "Susan M. Haling". The signature is fluid and cursive.

Susan M. Haling
Executive Inspector General

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Overview

The State Officials and Employees Ethics Act (Ethics Act), 5 ILCS 430/1, *et seq.*, established the Office of Executive Inspector General for the Agencies of the Illinois Governor (OEIG) in 2003. The OEIG is an independent executive branch State agency.

The Ethics Act authorizes the OEIG to investigate allegations of fraud, waste, abuse, mismanagement, misconduct, nonfeasance, misfeasance, malfeasance, and violations of the Ethics Act (such as prohibited political activity, the “revolving door” prohibition, sexual harassment, the gift ban, and retaliation) and other related laws and rules. The OEIG also investigates allegations of hiring improprieties and conducts compliance-based reviews of employment procedures and decisions. In addition, the OEIG plays a vital role in reviewing Ethics Act-mandated trainings.

The OEIG’s has jurisdiction over 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 entities.

Susan M. Haling was appointed as Acting Executive Inspector General (EIG) in March 2018. On May 31, 2019, the Illinois Senate confirmed the appointment of Ms. Haling to Executive Inspector General for the term ending on June 30, 2023. The OEIG’s leadership team is listed on the right.

Susan M. Haling,
Executive Inspector
General

Neil P. Olson,
General Counsel

Fallon Opperman,
Deputy Inspector General
and Chief of Chicago
Division

Erin K. Bonales,
Director of Hiring &
Employment Monitoring
Division

Christine P. Benavente,
Deputy Inspector General -
Executive Projects

Angela Luning,
Deputy Inspector General
and Acting Chief of
Springfield Division

Investigative Division

The OEIG receives complaints from members of the public, State employees, contractors, and anonymous sources. In the absence of consent from a complainant, the OEIG is required to ensure that the identities of complainants are and will remain confidential unless otherwise required by law.

The OEIG evaluates all new complaints to determine the appropriate action. In FY2021, the OEIG received 2,360 complaints, opened 63 investigations, and completed 57 investigations, including 16 with findings of wrongdoing. In FY2021, 13 founded reports were made public by the Executive Ethics Commission (EEC). At the close of the fiscal year, 93 investigations remained open.

To conduct investigations, OEIG investigators interview witnesses, collect documents, analyze records, conduct surveillance, perform computer forensics, and use a variety of other investigatory tools and techniques. The OEIG also has subpoena power to obtain 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. This governing authority is available on the OEIG's website, www.inspectorgeneral.illinois.gov.

Anyone seeking to report possible violations may:

- file a complaint online at www.inspectorgeneral.illinois.gov;
- call the OEIG at 886-814-1113;
- send a fax to 312- 814-5479; TTY at 888-261-2734; or
- send a printed copy of a complaint form to the OEIG Springfield or Chicago offices.

The OEIG has complaint forms available in both English and Spanish.

Hiring & Employment Monitoring Division



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 the Hiring & Employment Monitoring (HEM) Division, which conducts compliance-based reviews of State hiring and employment procedures and decisions and provides recommendations in order to help improve the efficiency and quality of State hiring. HEM monitors hiring sequences (which includes in-person or virtual, real-time monitoring of interviews), conducts desk audits, and reviews term appointment renewals, complaint referrals, and political contacts.

Pursuant to court orders filed in the *Shakman* litigation, HEM also determines whether positions should be added or deleted from the State’s Exempt List. The Exempt List is a comprehensive list of exempt positions for which hiring and

employment decisions may be made on the basis of political or other non-merit factors. In addition to approving changes to the Exempt List, HEM staff also reviews all appointments made into these at-will positions to ensure that the selected candidates are minimally qualified for their positions.

Furthermore, HEM ensures compliance with the State’s Comprehensive Employment Plan (CEP), which contains the Agreed Exempt Employment Plan, and sets forth general principles and commitments applicable to all hiring and implements hiring processes for non-exempt positions.

HEM reports on its work by issuing Quarterly and Annual Reports, as well as written Advisories to the agencies and other relevant parties at the conclusion of its review, summarizing HEM’s findings and making recommendations for the agency. In FY2021, HEM issued 87 Advisories.

Revolving Door Determinations

The Ethics Act requires the OEIG to determine whether certain State employees, appointees, and officials, who by the nature of their duties may participate personally and substantially in contracting, licensing, or regulatory decisions, or fiscal administration of contracts, may accept non-State employment or compensation within one year of leaving State employment. These determinations are called “revolving door” determinations.

Generally, the revolving door restrictions under the Ethics Act are intended to prevent

former public servants who participated in certain contracting, licensing, or regulatory decisions from accepting employment from an entity that was directly implicated in those decisions.

In FY2021, the OEIG investigated and issued 187 revolving door determinations. It determined that 2 of the employees seeking these determinations were restricted from accepting their proposed non-State employment opportunities for one year after their departure from State employment.

Training and Compliance

The Ethics Act requires individuals under the OEIG’s jurisdiction to complete both ethics and harassment and discrimination prevention training programs on an annual basis. Under the Ethics Act, the OEIG and EEC are tasked with overseeing these training programs. Accordingly, the OEIG reviews and approves training programs proposed by entities under its jurisdiction. During calendar year 2020, the OEIG reviewed and approved 31 ethics training programs and 34 harassment and discrimination prevention training programs.

In addition, the OEIG creates the ethics training program for State employees under the Governor’s jurisdiction and works with the Illinois Department of Innovation & Technology (DoIT) to facilitate the use of an online training platform, OneNet, for this training program, as well as the harassment and discrimination program created by the Office of the Governor (Governor’s

Office) for those employees, appointees, and officials under the Illinois Governor. For agencies under the Governor, the OEIG directly provided more than 61,000 online ethics training sessions in calendar year 2020. For calendar year 2021, the ethics and harassment and discrimination prevention training programs both remain on OneNet.

Ultimate jurisdictional authorities (the Governor’s Office for agencies under the Governor’s authority; the boards of trustees for public universities; and the boards of the Regional Transit Boards for their respective employees) are required to report compliance with these training requirements on an annual basis. For the 2020 calendar year reporting period, agencies reported that individuals completed approximately 176,000 ethics training sessions and approximately 165,000 harassment and discrimination prevention training sessions.

COVID-19 Challenges

In FY2021, the OEIG continued to meet the challenges presented by the COVID-19 pandemic. Key strategies in our efforts included: 1) advancing our technology to allow for a more seamless transition to remote working environments; and 2) developing policies and practices to safely work in the office.

First, the OEIG has been advancing our use of technology to better facilitate remote working environments. For example, the OEIG purchased docking stations and laptops for all employees to replace desktop computers. This new system allows employees to be fully integrated with work documents and applications remotely and in the office. The portable technology also reduces work interruptions related to the Citrix application. Importantly, this upgrade streamlines investigative and procedural functions of the office, and provides all staff with equal access to technology in remote working environments.

Second, the OEIG has thoughtfully developed protocols to safely work in the office. In FY2021, the OEIG began preparing protocols to transition to a hybrid working environment. These protocols included symptom checks by employees, rules regarding masks and social distancing, and information about reasonable accommodations. In July 2021, the OEIG moved to a hybrid model of working. This model balances the benefits of having employees work in the office with the desire to limit office capacity and maximize efficiency.

During this unprecedented time, the OEIG has continued to serve the people of Illinois by adapting its practices. Below are some of the ways we have been conducting our work:

- **Investigations:** The OEIG continues to receive and process complaints from the public. The OEIG's website allows complainants to file a paperless complaint online. OEIG staff also remain available to accept complaints on the office's hotline and by mail. For safety purposes, OEIG investigators conducted most interviews via video conference, and collected and analyzed records and other information through electronic means.
- **Hiring & Employment Monitoring:** HEM continues to incorporate technology to efficiently complete its monitoring of hiring sequences, reviews, and audits. HEM conducted most of its work remotely with the use of videoconferencing and electronic documents. In FY2021, HEM began to safely transition to more in-person reviews.
- **Mandated Training:** Since 2019, the trainings mandated by the Ethics Act have been available year-round on the State's online OneNet training website for employees of agencies under the Governor, which allows employees to complete mandated training approved by the OEIG remotely.

OEIG Developments

OEIG's Diversity, Equity, and Inclusion Initiatives

In July 2020, the OEIG formed an internal Diversity, Equity, & Inclusion (DEI) Working Group. This Working Group is comprised of OEIG employee volunteers from each division who work together to brainstorm, research, and implement steps to make the OEIG a more inclusive and equitable working environment that celebrates differences. During FY2021, the Working Group had over 30 members. The DEI Working Group created separate focus groups to concentrate on three areas: 1) recruitment & hiring; 2) training; and 3) mentorship & development. Each focus area met approximately once a month. The Working Group also developed OEIG Connect, an internal voluntary group that meets to discuss issues related to marginalized groups and identities, such as race, gender, and ability.

In July 2020, the DEI Working Group began by examining what “diversity” and “inclusion” mean, and goals and processes for the group. Although the OEIG has a DEI Coordinator, the structure of the group is open to allow all members to share in the leadership and development of the Working Group. Through the DEI Working Group’s collaborative environment, it ensures that methods for implementing goals are thoughtful, grounded in research, and discussed and agreed upon by the group. This section summarizes the DEI Working Group’s work during FY2021. More information about the DEI Working Group is located on the OEIG website, including the Working Group’s Year-End Report. For a direct link to the Diversity, Equity, and Inclusion page, click here: [Commitment to Diversity, Equity, and Inclusion - Employment \(illinois.gov\)](https://www.illinois.gov/commitment-to-diversity-equity-and-inclusion-employment).

Recruitment & Hiring

When the Recruitment & Hiring Focus Group started, one key goal was ensuring the OEIG cast a wide net when it posted positions to attract a large, qualified, diverse applicant pool for open positions. As part of achieving this goal, the focus group conducted the following highlighted work.

- Reviewed and assessed all of the current ways the OEIG posted its positions. After learning about the current process, the group brainstormed and researched additional

places to post positions. As a result, the OEIG now posts with more than double the entities than before. Some of the additional places we post positions include:

- | | |
|--|--|
| ◇ Directly at State public universities | ◇ Directly at private colleges, such as Loyola University, DePaul University, University of Chicago, and Northwestern University |
| ◇ Cook County Bar Association | |
| ◇ Directly at Illinois community colleges | ◇ Directly to various law schools in the State |
| ◇ Hispanic Lawyers Association of Illinois | ◇ Illinois Department of Employment Security |
| ◇ Asian American Bar Association of Greater Chicago | ◇ Lesbian and Gay Bar Association of Chicago |
| ◇ South Asian Bar Association of Chicago | ◇ Women's Bar Association of Illinois |
| ◇ Black Women Lawyers Association of Greater Chicago | ◇ Commission on Accreditation for Law Enforcement Agencies |
| ◇ Illinois Department of Rehabilitation Services | |

- Updated the OEIG webpage to provide applicants with more information about the OEIG's work, its commitment to DEI, and its commitment to public service. As part of this update the group created a graph so visitors could better understand our EEO/AA Report, asked employees for voluntary testimonials about their work experience, and summarized the DEI Working Group.
- Surveyed OEIG employees to determine where they heard about the employment opportunity at the OEIG. The group discussed the survey results to assess the methods current employees used to learn about job opportunities. For example, because many employees learned about the opportunity via word-of-mouth, this Focus Group is looking into opportunities to be involved in career fairs and other in-person outreach opportunities.
- Researched and compiled best practices in interviewing and assessing job candidates, including best practices for evaluating applications and reviewing writing exercises.

The Recruitment and Hiring Focus Group also wanted to ensure its work was evaluated and benchmarked against its goals. As part of this effort, the group took two main steps. First, it adjusted the OEIG employment application to include the question: "Where did you hear about this opportunity?" to assist the Focus Group in determining the best use of OEIG resources. Second, after expanding locations of postings, the group analyzed the received applicant pools to determine trends. Although there is not currently enough data to draw firm conclusions, especially because of the COVID-19 pandemic, the group plans to continue to gather this data and incorporate findings into future strategies.

Training

When the Training Focus Group started, its key goals were to provide OEIG employees with trainings on diversity, equity, and inclusion topics. The group wanted to bring trainings to the OEIG that would challenge employees and educate staff on these important issues. The group also wanted to make sure that training was not just a one-time experience, but an ongoing journey to a better understanding of these complex topics. A large part of the initial Training Focus Group work was striving to educate group members. For example, this Focus Group:

- researched best practices in training employees;
- researched how private companies and the public sector were training on these topics; and
- attended multiple free trainings offered by universities, governmental entities, and private companies to assess topic areas and potential speakers.

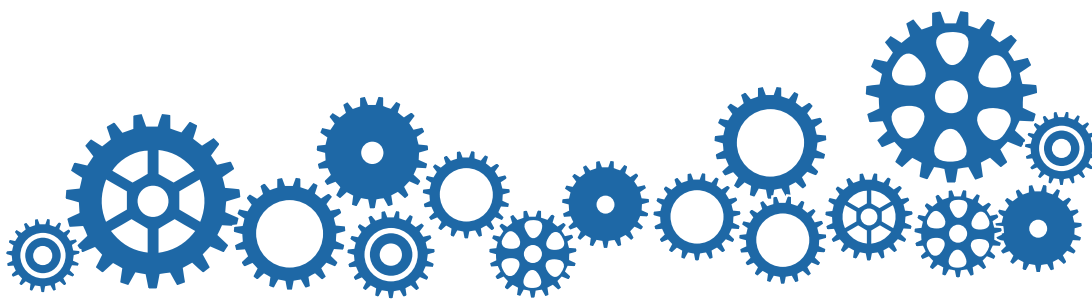
The Training Focus Group worked with the Illinois Department of Human Rights (IDHR), which provided an in-depth three to three-and-a-half-hour training to all OEIG employees. The training, entitled, Introduction to Diversity, Equity, and Inclusion, covered privilege, bias, microaggressions, and more. IDHR utilized break-out sessions to allow for discussion on these topics throughout the training and provided a detailed handout with additional reading materials. The training sessions for OEIG employees were spread out over a week, and managers received a separate training with a section on inclusive leadership. After the training, the Training Focus Group and IDHR sent separate surveys to obtain feedback. Almost all of the responses were positive and reflected that the training had a real impact on employees.

The Training Focus Group is currently working on smaller trainings for managers and new employees, as well as another all-employee training.

Mentorship & Development

When the Mentorship & Development Focus Group started, it began by discussing the OEIG's culture, how informal mentorship works, and how a mentorship program would function at the OEIG. The group also spent time examining mentorship relationships (past and present) of our members for insights and their experiences. Additionally, it researched public and private employee mentorship programs, including compiling templates and program guides from various programs. For example, the group discussed with the Association of Inspectors General its mentorship program and obtained guidance and templates from its leaders. Once this Focus Group determined the type of program that would be the most helpful to the OEIG, it moved quickly to develop forms, plan meetings, and draft assessments.

In March 2021, the Mentorship & Development Focus Group began rolling-out the OEIG Mentorship Pilot Program. This internal mentorship program is a six-month program and both the mentor and the mentee are OEIG employees. This is a voluntary program to provide support, guidance, development, leadership, and community for both mentees and mentors through a program of one-on-one mentorship and group mentorship activities. The mentorship program is mentee driven and designed to allow mentees to establish their own uniquely tailored developmental goals that can be achieved through one-on-one mentorship. The Focus Group hosted an information session and an orientation session for employees, and provided guidance on how to get the most out of this program. At the end of the six months, the Focus Group plans to obtain feedback from participants and use that feedback to structure the next program.



OEIG Connect

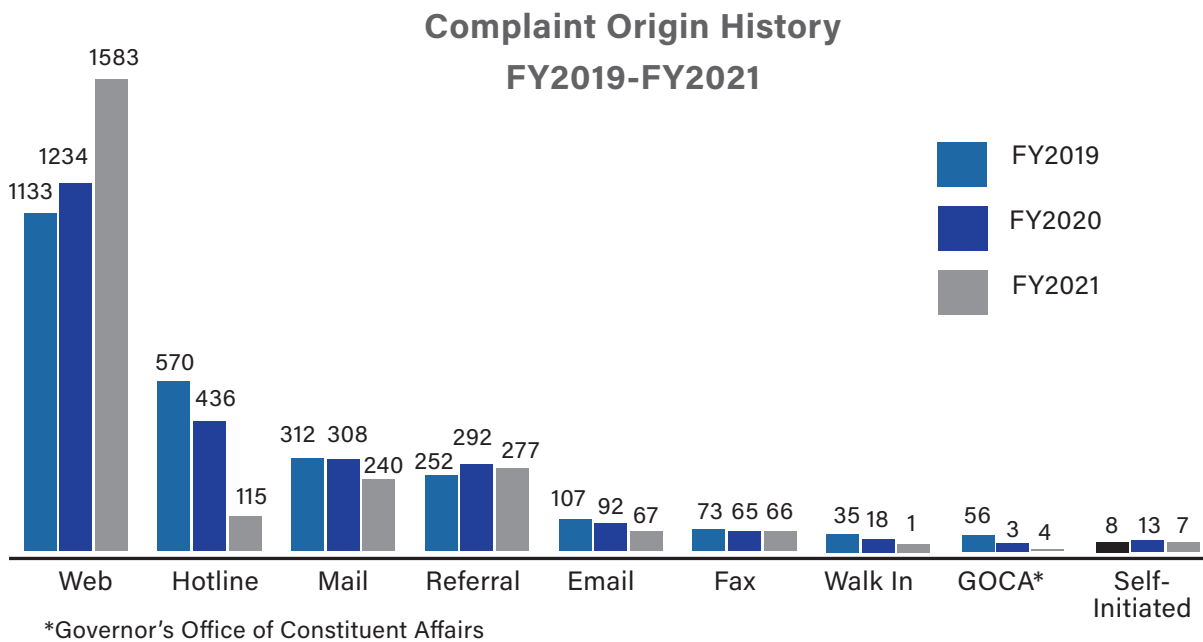
The OEIG DEI Working Group also developed OEIG Connect – an internal voluntary group that meets to discuss issues related to marginalized groups and identities, such as race, gender, and ability. Before the meeting, the Working Group members leading the discussion circulate questions and topics, articles, and/or podcasts for review. OEIG Connect was developed to create an open forum for employees to share their identities, hear from others, and be seen as their whole selves. OEIG Connect is part of the DEI Working Group’s work to build a community and a sense of support and belonging by talking openly about our identities and reading and listening to other voices discussing topics related to diversity, equity, and inclusion. All OEIG employees are invited to participate by listening or sharing, and coming together with the goal of connecting on a personal level with colleagues.

Since OEIG Connect was developed, there have been two meetings. At the first meeting, participants listened to a Harvard Business Review podcast: Has Anything Changed for Black Women at Work? At the second meeting, participants read an article and watched a video regarding allyship. At each meeting, members of the OEIG DEI Working Group facilitated discussion by sharing additional research and voices, asking questions, and guiding the discussion. At both meetings, employees challenged themselves to openly share thoughts, ideas, and experiences.

Investigations

Complaints Received and Evaluated

During FY2021, the OEIG received 2,360 complaints. The OEIG received these complaints through many different methods, including, among others, online complaint forms filed through its website: www.inspectorgeneral.illinois.gov, its toll-free hotline at 866-814-1113, by U.S. mail, and by referral from others. The OEIG also accepts complaints via a telecommunications device for the deaf (TDD) at 888-261-2734.

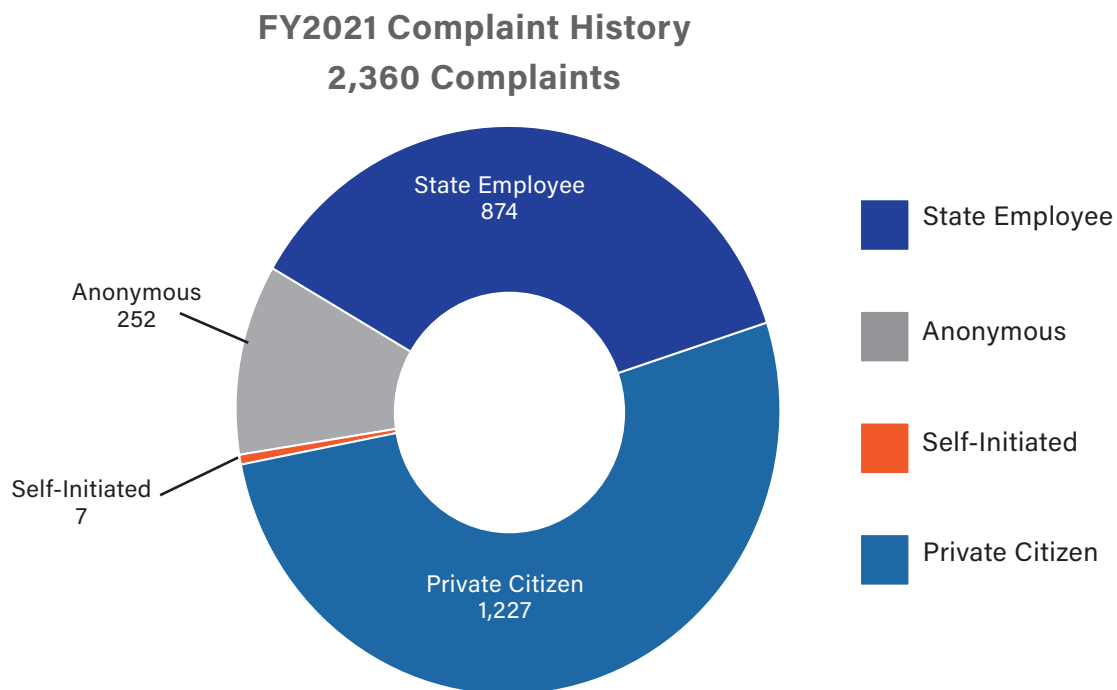


Complaints about entities or persons under the jurisdiction of the OEIG may be submitted by anyone and may be submitted anonymously. However, a complaint must relate to the official conduct of:

- ▶ an employee of an executive branch State agency, board, or commission, or State public university under the jurisdiction of the OEIG;
- ▶ an employee of one of the Regional Transit Boards (the Regional Transportation Authority, Chicago Transit Authority, Metra, or Pace); or
- ▶ a person or entity (such as a vendor) doing business with an entity under the jurisdiction of the OEIG.

Anyone who files a complaint should have a reasonable belief that the allegation being reported is true. In addition, anyone filing a complaint must provide sufficient detail concerning the allegation in order for an investigation to be initiated.

The OEIG received complaints from many different sources, including, for example, other State employees and private citizens. Some complaints were filed anonymously. The OEIG also opened seven investigations based on public information or information generated by other investigations. Below is a chart showing generally how complainants were identified in FY2021.



The OEIG must assign each complaint a file identification number and evaluate it within 30 days of receipt. After the initial evaluation, the OEIG generally takes one of the following actions:

- opens an investigation;
- refers the matter to the appropriate authority; or
- administratively closes the file.

The OEIG opened 63 investigations in FY2021. The OEIG opened most of these investigations based on the complaints it received. At times, the OEIG received multiple complaints related to one another and consolidated those complaints into one investigation.

In FY2021, the OEIG referred 1,831 complaints and/or investigations to other agencies or appropriate entities, including law enforcement authorities. The OEIG refers matters to

another agency when it appears that the allegations may be more appropriately addressed by that agency. In some instances, when the OEIG refers the matter to another agency, the OEIG requests that the agency investigate the allegations and respond to the OEIG about the results of its investigation. The OEIG then reviews these agency responses to determine whether the agency adequately addressed the allegations or whether the OEIG should subsequently open an investigation.

In FY2021, the OEIG also administratively closed 189 complaints. The OEIG administratively closed these complaints if, for example: the OEIG determined that the complaint was not within its jurisdiction; the complaint did not allege a violation of State law, rule, or policy; the alleged wrongdoing occurred entirely outside of the OEIG's statute of limitations; a related action was already pending; or there were duplicate complaints about a matter.

Investigations Commenced and Concluded

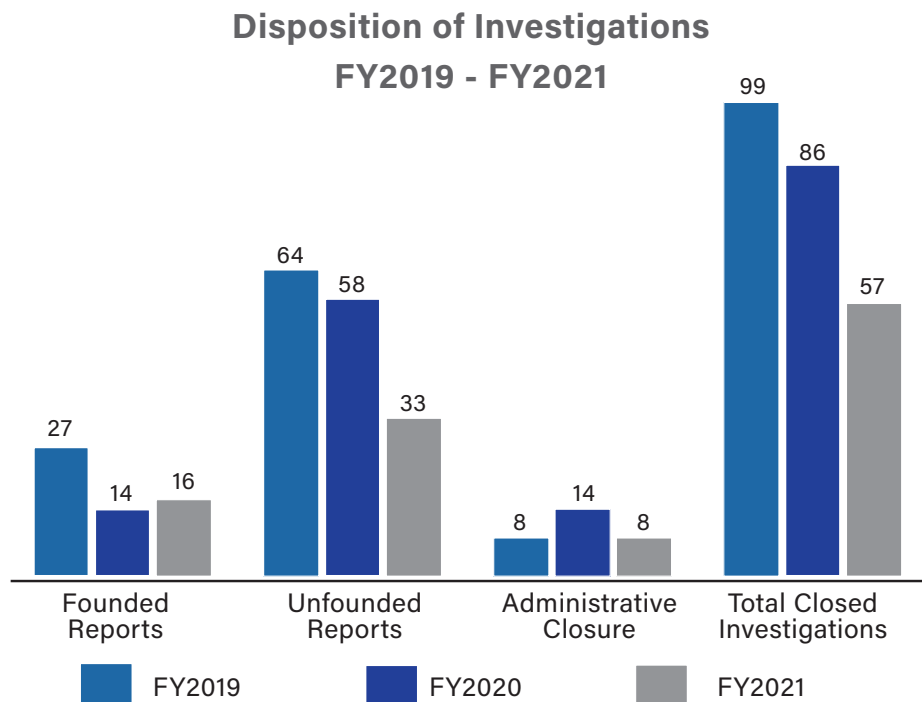
For investigations the OEIG opens, it has “the discretion to determine the appropriate means of investigation as permitted by law.” 5 ILCS 430/20-20(1). The OEIG investigates complaints by various means including interviewing witnesses, obtaining and analyzing relevant documents, performing electronic forensic analysis, and conducting surveillance. The length of time required for an investigation depends on factors such as the nature of the allegations, the number of interviews to be conducted, the number and complexity of records that must be obtained and analyzed, and the OEIG's staffing levels.

At the conclusion of an investigation, if the OEIG determines that there is insufficient evidence that a violation of law or policy has occurred, it issues a written statement to the EEC summarizing its decision to close the matter. 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 all of the allegations.

If the OEIG determines there is reasonable cause to believe that a violation of law or policy has occurred, it writes 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;
- findings and recommendations; and
- any other information the OEIG deems relevant to the investigation or resulting recommendations.

In accordance with State law, the OEIG provides founded reports to the head of each agency affected by or involved with the investigation and the appropriate ultimate jurisdictional authority.



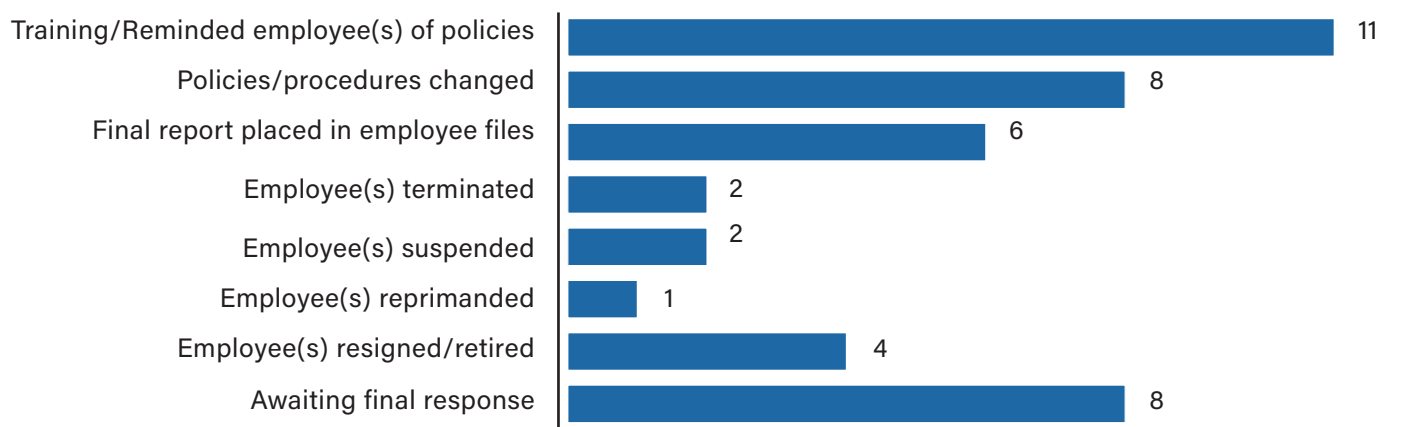
OEIG Recommendations and Agency Responses

The OEIG completed 57 investigations in FY2021. As noted above, 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:

- › terminating an employee;
- › taking disciplinary action against an employee;
- › counseling an employee;
- › placing a copy of the founded report in a former employee's personnel file;
- › changing agency policies or procedures;
- › training employees;
- › hiring additional staff; and
- › recouping State funds.

Under the Ethics Act, the OEIG does not have the authority to enforce its recommendations; rather, it is the responsibility of the affected agencies to act upon OEIG recommendations. Specifically, within 20 days after receiving a founded report from the OEIG, the appropriate agency head and/or the ultimate jurisdictional authority must respond to the report and describe any corrective or disciplinary action to be imposed. As shown in the chart below, agencies often adopt the OEIG's recommendations and take disciplinary action against employees or seek to change policies that may have contributed to misconduct or could help to prevent future misconduct. In FY2021, OEIG investigations yielded various results, such as employee discipline, training, policy changes, filling vacant positions, and creating tracking systems. Certain cases are still awaiting final responses from agencies as they implement policy changes and take disciplinary action (which may then go through an extended grievance or other administrative review process). The following chart displays how agencies most commonly responded to OEIG founded reports issued in FY2021.

Agency Responses to FY2021 OEIG Recommendations



Within 30 days after receiving the initial agency response, the OEIG must forward a copy of the founded report and agency response to the EEC. The exception is when the OEIG believes a complaint should be filed alleging a violation of the Ethics Act, as discussed further below.

The EEC reviews OEIG founded reports and determines whether they should be made available to the public or not. The Ethics Act requires the EEC to publish founded reports and agency responses that resulted in a suspension of three or more days or termination of employment. The EEC can decide to make other founded reports public in its discretion.

In limited circumstances, after conducting an investigation, the OEIG refers matters to ultimate jurisdictional authorities to take administrative action. These administrative referrals generally occur when the OEIG believes a policy or practice could be improved, additional training is needed for an agency's staff, or other systemic changes would be helpful.

In FY2021, the OEIG referred matters to an ultimate jurisdictional authority in nine instances, and primarily recommended that it work with relevant agencies to review existing processes or policies, or create new ones, to improve or address various matters. In some instances, the OEIG requested a response to the referral, and reviewed those responses to ensure the ultimate jurisdictional authority and relevant agency were appropriately implementing recommendations. The following responses are examples of this process:

- In response to recommendations that an agency establish various policies and take additional steps to improve hiring and employment processes, the Governor's Office responded that it: worked closely with the non-*Shakman* agency to discuss the State's hiring reforms under the Comprehensive Employment Plan; obtained an agreement that the agency would review position descriptions for accuracy prior to filling vacant positions and ensure candidates met the minimum requirements for such positions; and encouraged the agency to work with CMS to create policies on the use of Personal Service Contracts and memorializing political contacts.
- In response to recommendations relating to an investigation of widespread revolving door issues across multiple agencies, the Governor's Office indicated that it: followed-up with numerous agencies to ensure they updated their revolving door c-lists; adequately notified employees on the c-list of their status; and collected certifications from those individuals confirming they were notified about this status. The Governor's Office also reported that it would require ethics officers to attend mandatory and regular revolving door trainings to remind them of their obligations regarding the revolving door provisions and created a training offered through OneNet to cover this topic.

Ethics Act Cases Based on OEIG Founded Investigations

If the OEIG conducts an investigation and determines that there is reasonable cause to believe that a violation of the Ethics Act has occurred—such as prohibited political activity, retaliation, sexual harassment, a revolving door or gift ban violation, or failure to cooperate with an OEIG investigation—the OEIG issues a founded report to the affected agency to pursue disciplinary or other appropriate action (in line with the process described above). Additionally, the OEIG may also ask the Attorney General's Office to file a complaint related to this misconduct. After reviewing the OEIG's investigative materials, the Attorney General can decide to file a complaint, on the OEIG's behalf, with the EEC. If the EEC determines that a violation of the Ethics Act did indeed occur, the EEC may impose an administrative fine or take other appropriate injunctive relief. A decision of the EEC to impose a fine or injunctive relief is subject to judicial review.

As of the close of FY2021, there are two Ethics Act cases based on investigations conducted by the OEIG that remain pending with the EEC.

Publicly Disclosed Founded Reports

During FY2021, the EEC made 13 founded reports of OEIG investigations available to the public, along with the relevant agency responses and responses that the subjects chose to submit. The EEC redacted these reports and responses in accordance with applicable law. Below are summaries of these founded reports, organized by category based on the primary type of misconduct. These redacted reports, as well as reports from past fiscal years, can be found on the OEIG website: www.inspectorgeneral.illinois.gov.

Hiring Improprieties

In re: G. Scott Viniard, Case #19-02266

The OEIG opened an investigation into whether the Illinois Department of Human Services (DHS) retained a contract employee for improper political reasons or in a manner that otherwise violated merit-based employment procedures after learning that the agency canceled a competitive hiring sequence for its Employment First Coordinator position and instead awarded a Personal Services Contract (PSC) covering many of the same duties.

The OEIG learned that even after DHS had conducted interviews and identified a qualified candidate for the Employment First position, DHS Human Resources Director G. Scott Viniard oversaw the last-minute cancellation of the competitive selection process, restructure of the job duties, and execution of the PSC with an applicant who had previously declined to interview due to location. Mr. Viniard advised that DHS could label the PSC “exempt” from competitive hire and did not need to consider other candidates, but he failed to assess whether this approach

“Agencies ... necessarily rely on HR Directors to guide and advise its administration on effectuating hiring needs in a manner that comports with current rules, policies, and procedures.”

was consistent with recent exempt hiring reforms and related guidance he was responsible to implement at DHS. Although the OEIG did not find evidence that political factors motivated the hire of the contract employee, the OEIG found that Mr. Viniard mismanaged the process that led to execution of the PSC, concluding that he disregarded relevant PSC guidelines, failed to properly relay or advise DHS administration regarding appropriate hiring procedures, and ignored guidance or failed to seek clarification in areas of uncertainty and confusion.

In addition, the OEIG learned that no division at DHS takes full accountability for knowing PSC policies or ensuring policies

are properly followed. Mr. Viniard asserted that PSCs were not under Human Resources' jurisdiction and are instead handled by the Office of Contract Administration, but the PSC Manager in that office claimed he only processed the paperwork. In addition, even though DHS awards or renews a number of PSCs each year, the agency did not follow established procedures for evaluating PSC employees prior to renewal and did not maintain Human Resources files for them. The investigation revealed that these issues had been identified internally at DHS by at least summer 2019, and in November 2019, the State filed its CEP with specific guidelines for utilizing, executing, and renewing PSCs. But, by fall 2020, neither Mr. Viniard nor the PSC Manager could articulate what steps DHS had taken to implement the guidelines. By the time the OEIG completed its investigation

and issued its report in December 2020, DHS had developed only minimal interim guidance.

The OEIG recommended that DHS take appropriate action with respect to Mr. Viniard, and further recommended that DHS address its approach to PSCs to, at a minimum, conform to the requirements of the CEP. In response, DHS reported that it had issued a written reprimand to Mr. Viniard and hired a new Human Resources Director. DHS also reported that it had taken steps to centralize oversight of the PSC process, implement a hierarchy for PSC hiring decisions, reduce their overall use, develop written policies, create a uniform tracking mechanism, and increase support and oversight for the Office of Human Resources.

In re: William "Bill" Patterson and Thomas Benner, Case #18-01651

The OEIG received complaints alleging that Illinois Department of Natural Resources (DNR) State Mine Inspector-At-Large William (Bill) Patterson manipulated the process that resulted in the hire of a family member, and then directly supervised his family member.

During an investigation, the OEIG confirmed that Mr. Patterson was involved in various aspects of the hiring process that resulted in his family member's hire as a State Mine Inspector, but made no effort to recuse himself. Mr. Patterson's involvement included providing guidance to his relative on the relative's application, receiving and forwarding applications, taking action to get applications corrected and resubmitted after the Illinois Department of Central

Management Services (CMS) rejected them, being asked to review interview questions, and advising other staff who would be conducting the interviews. In addition, then-DNR Office of Mines and Minerals Director Thomas Benner knew that Mr. Patterson's relative was applying for the State Mine Inspector position, but failed to exclude Mr. Patterson from the process. Moreover, after the relative was hired, Mr. Patterson directly supervised the individual, and Mr. Benner was aware that Mr. Patterson was doing so but took no action.

The OEIG concluded that, at minimum, Mr. Patterson's involvement in the hiring process created the appearance of giving preferential treatment to his relative, and

that Mr. Benner should have recognized the conflict of interest inherent in Mr. Patterson's involvement in the hiring process, but failed to take adequate steps to exclude him from the process. In addition, the OEIG found that it was improper for Mr. Patterson to directly supervise his relative, and for Mr. Benner to allow him to do so. Therefore, the OEIG found that Mr. Patterson and Mr. Benner violated DNR's conflict of interest and nepotism policies, and Executive Order 2018-12.

The OEIG recommended that DNR take appropriate disciplinary action regarding Mr. Patterson and ensure that he does not directly supervise his family member. Because Mr. Benner left DNR employment prior to the conclusion of the investigation, the OEIG recommended that a copy of the OEIG's report be placed in his personnel file. The OEIG further recommended that DNR ensure that its Human Resources staff and all other staff involved in hiring are aware of their responsibility to address potential conflicts before the hiring process

"[T]he . . . tenet that agencies have a duty to avoid conflicts of interest in State hiring is a longstanding principle."

starts, and complete necessary Conflict of Interest Certification and Disclosure Forms.

DNR responded that it suspended Mr. Patterson for one day without pay, and that it would review the relevant organizational chart to ensure that Mr. Patterson does not directly supervise his family member. In addition, DNR stated that it placed a copy of the OEIG's report in Mr. Benner's personnel file. DNR further stated that it intended to remind Human Resources staff of the conflict of interest requirements in the hiring process and ensure that the Conflict of Interest Certification and Disclosure Forms are executed, and that it intended to remind DNR managers of the relevance and importance of DNR conflict of interest and nepotism policies.

In re: JuanPablo Prieto, Case #19-01088

The OEIG received a complaint alleging that Chicago Transit Authority (CTA) Director of Diversity Programs JuanPablo Prieto improperly favored Hispanic-owned businesses that participated in or sought to participate in the CTA's Disadvantaged Business Enterprise (DBE) Program. During the investigation, the OEIG learned that Mr. Prieto may have improperly influenced the hiring process for a Certification Specialist position in the Diversity Programs Department, and accepted a ticket to a golf outing from a

DBE vendor in violation of the Ethics Act gift ban prohibition.

With respect to the allegation that Mr. Prieto improperly influenced the hiring process for a Certification Specialist position, the OEIG discovered that in January 2019, Mr. Prieto requested that the Human Resources Department add a candidate to the pool of applicants to be interviewed for the position, after the Human Resources Department had already determined that this candidate would not move forward in

the hiring process. The OEIG learned that Mr. Prieto had a personal relationship with this candidate and that, in requesting that the candidate be interviewed, Mr. Prieto did not disclose this relationship and in fact misled other CTA employees about the true nature of their relationship. The candidate was interviewed but did not receive an offer from CTA. The OEIG concluded that Mr. Prieto improperly attempted to influence a hiring process while failing to disclose the nature of his relationship with an applicant, and thus acted in a manner unbecoming of a CTA employee.

Further, the OEIG learned that in August 2019, Mr. Prieto attended a golf outing as the guest of a DBE vendor that was awarded CTA subcontracts worth over \$1.5 million before and after the outing, and that the vendor's owner paid for the ticket, which cost \$400. Because the acceptance of the ticket did not fall within an exception to the Ethics Act's gift ban, the OEIG determined that Mr. Prieto violated the Ethics Act gift ban and CTA policy by accepting a gift from a prohibited source. Mr. Prieto also created an appearance of impropriety because his attendance as the vendor's guest could be reasonably viewed as exceeding the boundaries of his professional relationship with the vendor, especially considering the contracts awarded to the vendor before and after the event.

At the conclusion of the investigation, the OEIG recommended that the CTA take whatever action it deemed appropriate regarding Mr. Prieto. The OEIG also recommended that CTA ensure that Mr. Prieto is aware of the CTA's hiring policies and procedures, including any that relate to disclosing personal relationships, and that the CTA consider developing policies to



provide guidance about the types of events that are considered outreach and who should pay for these events if an employee attends.

In its response, the CTA stated that it agreed with the OEIG's findings. In addition, the CTA responded that Mr. Prieto would receive additional training regarding CTA's hiring procedures and would be directed to refund the full value of the ticket for the golf outing. The CTA also responded that the DBE vendor in question would be directed to not offer gifts to CTA employees in the future. Finally, the CTA responded that targeted training would be provided to employees who conduct outreach about avoiding the appearance of impropriety when interacting with vendors.

Document Falsification Relating to Hiring or Timekeeping Matters

In re: Ruthshell Walker, Case #19-02048

The OEIG opened an investigation after its HEM Division discovered that Illinois Department of Juvenile Justice (DJJ) employee Ruthshell Walker may have falsified a 2019 application for an Illinois Department of Children and Family Services (DCFS) position. Specifically, the OEIG learned that Ms. Walker indicated on her application that she had previously been “laid off” from another position at DCFS and that she had never been fired from a job, while personnel records showed she was actually terminated for cause by DCFS in 1998.

The investigation confirmed that Ms. Walker was discharged by DCFS in 1998 for, among other things, making false statements and providing false testimony in the course of her duties. The investigation further confirmed that Ms. Walker indicated on her 2019 application that she was previously “laid off” from a position at DCFS but had never been fired from a job, and revealed that she made these same representations on other State employment applications in 2011, 2013, and 2015. While Ms. Walker claimed to OEIG investigators that her

union grieved her 1998 discharge and later told her that she had been laid off as a result of mass layoffs due to closures of a DCFS office, the union was unable to produce any documents supporting the idea that her grievance might have been resolved, her DCFS personnel file contained no record of a layoff, and DCFS confirmed it had no record of Ms. Walker being laid off. For these reasons, the OEIG determined that Ms. Walker falsified her employment applications and recommended that the DJJ take whatever action it deemed appropriate regarding her continued employment with DJJ; in response, Ms. Walker received a 20-day suspension by DJJ.

“On each of Ms. Walker’s applications she signed them certifying the information on them was true and acknowledging that any misrepresentation of any material fact was grounds for ineligibility or termination of employment.”

In re: Nancy Johnson, Case #18-02624

Nancy Johnson works as a Plant and Pesticide Specialist 2 for the Illinois Department of Agriculture (IDOA). In this position, she heads IDOA’s program

combatting the spread of the gypsy moth, an invasive species that is responsible for millions of acres of defoliation annually. IDOA works with an organization known

as Slow the Spread to place over 7,000 traps per year in ten territories that cover the Northernmost portion of the State. Ms. Johnson documents her activities each day through IDOA forms known as Daily Activity Reports. During the summer months, Ms. Johnson primarily works remotely—from her home or in the field—and reports to her assigned IDOA office in DeKalb approximately once per month.

The OEIG received a complaint alleging that Ms. Johnson abused State time by, among other things, working on her rescue habitat for animals, named 2nd Hand Ranch & Rescue (Ranch), during State time. To determine whether these allegations were true, OEIG investigators compared Ms. Johnson’s Daily Activity Reports with mileage and gasoline records from her use of an IDOA pool vehicle, as well as data uploaded by Ms. Johnson to Slow the Spread as part of her gypsy moth trapping activity. The OEIG found that Ms. Johnson failed to accurately and truthfully account for her hours worked, in violation of IDOA policy. For example, OEIG investigators found that Ms. Johnson did not make any gasoline purchases during a period of time in which she reported field work on her Daily Activity Reports that would have entailed driving 944 miles. The OEIG also found that on one occasion, Ms. Johnson reported a travel day from a gypsy moth conference in Indianapolis on her Daily Activity Report, when gas and hotel records show that she had actually left Indianapolis the evening before.

OEIG investigators also reviewed Ms. Johnson’s State email account and discovered a series of e-mails, some of which that were sent on State time, between Ms. Johnson and DNR personnel concerning

“The OEIG acknowledges that remote work—whether from the field or from home—presents challenges to State workers. However, at a bare minimum, State employees should be able to provide accurate information of their activities while working from home or in the field, so as to maintain the public trust.”

a presentation on wildlife rehabilitation related to the Ranch. Ultimately, Ms. Johnson and DNR agreed that Ms. Johnson would give a presentation at Starved Rock State Park, and that Ms. Johnson would be paid \$150 for the presentation.

The OEIG concluded that Ms. Johnson violated IDOA policy by misreporting her job activity on her Daily Activity Reports. The OEIG also found that by engaging in Ranch activities using IDOA time and her work e-mail account, Ms. Johnson violated IDOA’s policy that forbids IDOA employees from using State time and resources for personal business. Accordingly, the OEIG recommended that IDOA take whatever disciplinary action it deemed appropriate with respect to Ms. Johnson; and that IDOA review with Ms. Johnson its policies regarding the use of State time and resources for personal business, including activities related to the Ranch. IDOA responded that it had implemented the OEIG’s recommendations by reviewing with Ms. Johnson the agency’s timekeeping, property use, and travel policies.

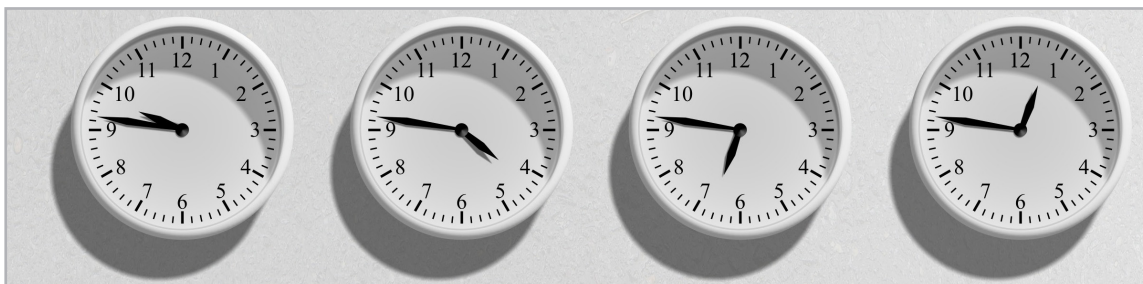
In re: Kevin Cook and Robert Delosrios, Case #17-00062

The OEIG investigated timekeeping allegations involving several CTA employees, including an allegation that Carpenter Kevin Cook left work early at least once a week. During the investigation, the OEIG reviewed employees' time records and while there was insufficient evidence to substantiate regular time abuse, the OEIG found that Mr. Cook did leave his assigned work location early on two occasions without documenting it on his work log or using benefit time.

In addition, during the investigation, the OEIG found that most of the Carpenters working at the CTA's 77th Garage failed to properly fill out and submit their required daily work logs. The OEIG found that between September 1, 2016 and May 16, 2017, all of the Carpenters at the 77th Garage were missing work logs for days that they worked, with some missing as many as 149 work logs during this period. After the OEIG began investigating the issue, however, most of the Carpenters began completing their work logs on a more consistent basis, except for Mr. Cook and CTA Carpenter Robert Delosrios. Specifically, the OEIG found that between April 1, 2017 and May

16, 2017, Mr. Cook did not complete any work logs out of 29 days worked, while Mr. Delosrios completed only five work logs out of 28 days worked.

Based on the investigation, the OEIG concluded that Mr. Cook violated CTA policy by failing to properly document his end work time, and that both Mr. Cook and Mr. Delosrios violated CTA policy by failing to complete daily work logs as required. The OEIG recommended that the CTA take whatever action it deemed appropriate with regard to Mr. Cook and to counsel Mr. Delosrios and any other applicable 77th Garage employees for their failure to submit daily work logs pursuant to CTA policy. In response, the CTA placed a copy of the OEIG's report in Mr. Cook's personnel file since he retired before the CTA could take any other actions. The CTA also stated that all Carpenters are trained regarding timekeeping policies and procedures in accordance with CTA's current timekeeping bulletins and that the CTA continues to monitor the timekeeping practices of their employees for compliance with these bulletins and the Ethics Act.



Revolving Door

In re: Erin Aleman, Case #19-01254

The revolving door provisions of the Ethics Act prohibit State employees from accepting non-State employment with a non-State entity for one year immediately after termination of State employment if, within one year immediately prior to separation from State employment, the employee participated personally and substantially in the awarding of State contracts or grants with a cumulative value of \$25,000 or more, or in a regulatory or licensing decision directly applicable, to his or her prospective employer. 5 ILCS 430/5-45(a) and (b). State agencies must determine which employees, by the nature of their duties, may participate personally and substantially in the awarding of State contracts or in regulatory or licensing decisions; once identified, these employees are commonly referred to as c-list employees after section 5-45(c) of the Ethics Act.

Erin Aleman worked for the Illinois Department of Transportation (IDOT) as the Director of the Office of Planning and Programming (OP&P) until she left State employment at the end of December 2018. OP&P is responsible for developing transportation programs with the goal of improving the State's transportation system. To accomplish its planning goals, OP&P works with and awards funding to metropolitan planning organizations—government-like entities created by federal statute—to ensure regional cooperation in transportation planning.

The OEIG investigated allegations from a complaint and learned that Ms. Aleman participated personally and substantially in the award of more than \$3 million in State discretionary grants to the Chicago Metropolitan Agency for Planning (CMAP), a metropolitan planning organization, during the year preceding the termination of her State employment. Then, less than six months after leaving State employment, Ms. Aleman accepted a position as Executive Director of CMAP. As such, the OEIG concluded that Ms. Aleman violated the revolving door provisions of the Ethics Act.

Further, as Director of OP&P, Ms. Aleman was classified as a c-list employee, which meant that she was required to notify the OEIG prior to accepting non-State employment for a period of one year following her separation from State employment. Prior to her separation from IDOT, Ms. Aleman sought a revolving door determination to work for a private business (not CMAP), which was approved by the OEIG. The OEIG's investigation revealed, however, that Ms. Aleman failed to notify the OEIG of the employment offer from CMAP and therefore violated the revolving door notification requirement of the Ethics Act. In defense, among other things, Ms. Aleman explained that she mistakenly believed that the notification requirement only applied to private sector employment and not to units of government, like CMAP. Accordingly, after Ms. Aleman's interview,

the OEIG reviewed IDOT's policy and learned that it only referred to a c-list employee's obligation to seek an OEIG revolving door determination prior to accepting any private sector employment as opposed to any non-State employment.

The OEIG recommended that IDOT place a copy of the OEIG's report in Ms. Aleman's personnel file, which it did. The OEIG further recommended that IDOT revise its revolving door policy consistent with the Ethics Act; in response, IDOT confirmed that it changed its policy to clarify that c-list employees must notify the OEIG before accepting either public or private sector employment.

Finally, the OEIG recommended that the Governor's Office work with the agencies under its purview to ensure compliance with the Ethics Act revolving door provisions. As a result of this investigation and others, the Governor's Office and the OEIG administered revolving door training to agency general counsels and ethics officers in June and September 2020. The training included addressing common issues regarding the revolving door provisions, including the misconception that the notification requirement only applies to private sector employment.

Mismanagement

In re: Sanjay Sofat & Illinois Environmental Protection Agency, Case #18-01364

The OEIG opened an investigation to determine if the Illinois Environmental Protection Agency (IEPA) adequately enforced fish protection rules for buildings that drew water from the Chicago River for their cooling systems. IEPA is responsible for inspecting facilities and issuing Discharge Elimination permits based on US EPA standards designed to protect aquatic life from being harmed by the intake and discharge of water used in the cooling process; IEPA is also responsible for enforcing permit conditions and taking action when permittees fail to follow those conditions.

Although the OEIG's investigation initially focused on a single building, it uncovered serious problems with several other buildings. Among other things, the OEIG found that at least half a dozen facilities along the Chicago River failed to comply with Discharge Elimination permit conditions designed to protect aquatic life, and it took four to five years before IEPA's Compliance Assurance section issued violation notices against these non-compliant facilities.

The OEIG found that this long delay was in part due to the lack of inspections of these facilities. In fact, the OEIG found that IEPA

failed to inspect numerous facilities along the Chicago River at any point during their five-year permit periods, and that other buildings continued to operate their cooling systems for months after their permits expired. As such, IEPA's inaction allowed multiple facilities on the Chicago River to simply disregard Discharge Elimination permit conditions meant to help IEPA protect the ecology of the Chicago River.

IEPA's inaction "allowed a number of Discharge Elimination facilities on the Chicago River to simply disregard permit conditions meant to help IEPA protect the ecology of the Chicago River."

To find out why these issues occurred at so many facilities with Discharge Elimination permits, the OEIG interviewed numerous individuals in IEPA's Bureau of Water, which manages the Discharge Elimination permits, including the manager of the Bureau, Sanjay Sofat. These interviews showed that IEPA's staff failed to make use of tools maintained by the US EPA that could have detected the extensive non-compliance by Chicago River facilities, and that employees in the various sections were unclear about whose responsibility it was to ensure that important regulatory activities – including conducting inspections and issuing violation notices – actually occurred.

While the OEIG's investigation found that these mistakes and oversights were caused in part by inadequate staffing levels and internal priorities focused on larger facilities, Mr. Sofat acknowledged that they also occurred because IEPA "dropped the ball" on enforcing permit requirements and conditions. As such, the OEIG concluded that IEPA failed to supervise Discharge Elimination permittees and that Mr. Sofat mismanaged the Bureau of Water. In response to the OEIG's findings, IEPA stated that it discussed the report with Mr. Sofat, and would increase staffing and implement better procedures to keep track of permitting issues.

In re: Troy Culbertson, Case #19-00003

The OEIG investigated allegations that Illinois Department of Veterans' Affairs (DVA) employees were improperly using State resources to advertise, sponsor, or facilitate fundraisers taking place at the Illinois Veterans' Home—Quincy (Quincy), contrary to DVA policy that prohibits "[f]und raising for charitable purposes, ticket sales or other solicitations . . . on State property." That policy further states that "no exceptions are granted. Canvassing, soliciting or collecting is forbidden."

During its investigation, the OEIG interviewed a number of Quincy employees who described several fundraisers that had taken place at Quincy for the benefit of Quincy employees and their families who had suffered tragic events. Troy Culbertson, the Quincy Administrator, admitted that he had approved at least five fundraisers for various Quincy employees over the course of 2018, all held at a restaurant on Quincy's campus. The OEIG also found evidence that a "50/50 raffle" and silent auctions were held as part

of these events, which may have violated the Illinois Raffles and Poker Runs Act (the Act), which stipulates that “[n]o person, firm or corporation shall conduct raffles or chances . . . without having first obtained a license therefor pursuant to this Act.” 230 ILCS 15/3(1).

Although many Quincy employees were involved in running and organizing the fundraisers, the OEIG made a finding that Mr. Culbertson engaged in mismanagement by approving multiple fundraising events that violated DVA’s

prohibition on soliciting. The OEIG recommended that DVA take whatever action it deemed appropriate with respect to Mr. Culbertson; revisit its current policies related to the use of State resources for charitable fundraising; and ensure employees received proper guidance on those policies. In response, DVA ultimately counseled Mr. Culbertson, reviewed its solicitation policy, and conducted training on ethics related to solicitation, fundraising, and the Ethics Act gift ban, at Quincy and the other three Illinois Veterans’ Homes.

Misconduct

In re: Charley Holstein, Case #18-01896

The OEIG investigated an allegation that Illinois Department of Employment Security (IDES) Disabled Veterans Outreach Program Specialist Charley Holstein sexually assaulted an IDES client [“IDES Client”]. The investigation revealed that Mr. Holstein met and initiated a romantic relationship with IDES Client on State property during the workday but concluded that there was insufficient evidence of the allegation of sexual assault.

The OEIG, however, did conclude that Mr. Holstein’s romantic pursuit of IDES Client was inappropriate. While Mr. Holstein denied being initially aware if IDES Client received IDES benefits, the OEIG determined that was not credible based,

in part, on the fact that he first met IDES Client in the parking lot of the Effingham IDES office, and because Mr. Holstein’s overall credibility with regard to the nature of the relationship was questionable based on his efforts to downplay his interest in and pursuit of IDES Client, even though the cellular phone records contradicted many of his statements. Furthermore, IDES Client was aware of Mr. Holstein’s position at IDES and told OEIG investigators that she believed that if she were nice to Mr. Holstein, he could help her get a good job or otherwise affect her benefits.

IDES did not have a policy directing employees to refrain from socializing or engaging in a romantic relationship with clients receiving IDES services.

“... IDES chose not to interview or have any face-to-face discussions with Mr. Holstein or [IDES Client]. Instead, IDES requested Mr. Holstein provide written answers to seven questions limited in nature. The serious nature of this type of allegation, requires a more thorough inquiry. Simply asking an employee to fill out written answers to minimal questions likely provides decision makers with little meaningful information and can also send a message that such alleged conduct is of little concern to the agency.”

Nonetheless, because of the inherent power imbalance between State employees and the clients they serve, the OEIG concluded that Mr. Holstein’s actions in initiating the romantic relationship with IDES Client on State property during the workday and pursuing that relationship even given the fact that she was an IDES client constituted unprofessional behavior that reflected unfavorably upon the State,

and violated the IDES and Illinois Codes of Personal Conduct.

The OEIG recommended that IDES discipline Mr. Holstein and implement a policy directing employees to refrain from socializing or engaging in a romantic relationship with clients receiving IDES services. In response to the report, IDES indicated that it suspended Mr. Holstein for seven days and planned to revise IDES’ Code of Ethics to address concerns with employee and client fraternization.

In addition, while conducting this investigation, the OEIG flagged some concerns it had with IDES’ handling of its own investigation into the matter, including IDES’ decision not to interview or have any face-to-face discussions with Mr. Holstein or IDES Client and instead to only ask very limited questions of Mr. Holstein in writing. As such, the OEIG recommended that IDES review its processes for investigating allegations of this nature; IDES responded that it improved its Labor Relations process for responding to serious allegations of misconduct.

In re: Eric Schmidt, Dr. Robert Russell, and Conservation of Sculpture and Object Studio, Inc., Case #16-01491

The OEIG investigated allegations related to the restoration of the Eternal Indian Statue, also known as the Blackhawk Statue (Statue), an almost 50-foot tall, 100-ton cement statue dedicated in 1911 as a tribute to Native Americans and located in Lowden State Park. The OEIG received a complaint that then-Executive Director Eric Schmidt and then-Treasurer Dr.

Robert Russell of the Illinois Conservation Foundation (Conservation Foundation), a not-for-profit foundation created by DNR, committed \$100,000 in privately donated funds as collateral for a line of credit/loan extended to a vendor, Conservation of Sculpture and Objects Studio, Inc. (CSOS). The complaint alleged that CSOS had received nearly all of the \$100,000 from

the line of credit, but did not repay the loan in full. The complaint further alleged that CSOS may have been paid in duplicate because in addition to obtaining money from the loan, CSOS was paid money under a contract with DNR and the Conservation Foundation (Contract) to restore the Statue.

The OEIG's investigation revealed that CSOS obtained a \$100,000 line of credit from a bank to use as start-up money on the Statue restoration project using \$100,000 of Conservation Foundation funds to obtain a certificate of deposit that was posted as collateral for the loan. CSOS withdrew \$96,250 from the loan that it did not repay, and as such, the bank then used the Conservation Foundation's certificate of deposit to pay off the loan. In addition to the loan, CSOS was paid under the Contract for



performing restoration work on the Statue. The OEIG determined that CSOS received \$86,750 in Conservation Funds from the loan and the Contract for which there was no accounting.

Additionally, the OEIG investigation found that Mr. Schmidt and Dr. Russell signed bank documents assigning a \$100,000 certificate of deposit purchased with Conservation Foundation funds to secure the CSOS line of credit and reflecting that a resolution regarding this collateral was adopted at a meeting of the Conservation Foundation Board of Directors (Board) or by other duly authorized action. The OEIG determined that the Board's Bylaws required Board approval to obtain the

certificate of deposit and assign it as collateral; however, Board approval was not obtained.

Based on the investigation, the OEIG concluded that CSOS engaged in misconduct when it collected at least \$86,750 of Conservation Funds for which there is no accounting. The OEIG found that Mr. Schmidt engaged in misconduct when he executed documents obtaining and assigning the certificate of deposit without the Board's authority and falsely certified that the action was authorized by the Board. The OEIG also determined that

Dr. Russell committed misfeasance when he signed bank documents that he did not review, allowing Conservation Foundation funds to be used to purchase the certificate of deposit and assigned as collateral for the CSOS loan without Board approval.

In response to various recommendations from the OEIG, DNR responded that it would work with appropriate authorities to pursue recovery of unaccounted for funds from CSOS and seek to debar CSOS, put a copy of the report in Mr. Schmidt's personnel file, and notify the Conservation Foundation of Dr. Russell's role in these matters.

Violation of Agency Policies

In re: Michelle Ferguson, Case #18-01372

The OEIG received a complaint alleging that while Michelle Ferguson was still employed as an Executive II at the Illinois Department of Healthcare and Family Services (HFS), she approved payments to a hospital after having accepted an employment offer from that hospital.

“At minimum, Ms. Ferguson should have immediately disclosed the job offer and refrained from handling [Hospital System]’s matters, but she did not do so.”

Ms. Ferguson’s duties at HFS included handling requests submitted by hospitals to override an automated system’s initial denials of their claims for Medicaid payments. The OEIG discovered that after Ms. Ferguson began discussing potential employment with a particular hospital system, received a formal employment offer, and accepted that offer, she continued to communicate with the hospital system about claims. She also approved two override requests for hospitals owned by that hospital system after she accepted the employment offer. Because Ms. Ferguson authorized payments to a provider when she had a financial and/or personal interest in the provider, the OEIG found that Ms. Ferguson violated HFS’ conflict of interest policy.

Because Ms. Ferguson was no longer employed by the State, the OEIG recommended that HFS place a copy of its report in Ms. Ferguson’s personnel file. In addition, because the investigation revealed a lack of guidance at HFS regarding when employees may override claims with timely filing issues, the OEIG also recommended that HFS consider developing guidelines and providing additional training to help employees determine what circumstances justify authorizing overrides.

HFS responded that it issued an email to all staff reminding them of the requirements in its conflict of interest policy.

In re: Lisa Simmons, Case #13-02420

The OEIG received a complaint alleging that DHS Caseworker Lisa Simmons married an individual who had an active benefits case with DHS but failed to report the marriage or her income to DHS. The complaint also alleged that Ms. Simmons

processed a form for her husband’s case.

As a result of its investigation, OEIG investigators learned that Ms. Simmons was aware that her husband was an active DHS benefits customer when she



married him. Ms. Simmons also informed investigators that her husband moved into her home shortly after their marriage, but she did not notify DHS of the marriage or of the change in household income. OEIG investigators also learned that Ms. Simmons left documents regarding her husband's case in a co-worker's office and informed the co-worker she had done so. One of the documents was a cover letter on DHS letterhead that indicated it was from "Lisa Simmons" and was signed; the other document was a form for her husband's case that included Ms. Simmons' handwritten notes.

The OEIG concluded that Ms. Simmons violated DHS policy by failing to report a change in circumstance (i.e. marriage and income) to DHS. Ms. Simmons' claim that she was unaware of her obligation to report a change in circumstance was belied by the fact that as a DHS caseworker who determined eligibility for benefits and processed benefits cases, she should have been aware of the policies regarding reporting changes in marital status and income.

The OEIG also determined that Ms. Simmons violated DHS policy by handling her husband's case when she left documents

in a co-worker's office regarding his case. Though Ms. Simmons admitted she left documents in a co-worker's office regarding her husband's case, she maintained that she had no knowledge of the document on DHS letterhead from "Lisa Simmons" or the form that bore her handwriting and specifically denied that she produced, authored, or left those documents in her co-worker's office. The OEIG concluded that Ms. Simmons' statements regarding the documents were both incredible and contradicted by the evidence.

The OEIG recommended that DHS terminate Ms. Simmons' employment and pursue recovery of any overpaid benefits funds. As a result, DHS ultimately discharged Ms. Simmons and collected an overpayment of \$127.

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 FY2016, the Executive Inspector General created the HEM Division, which conducts compliance-based reviews of State hiring and employment procedures and decisions and provides recommendations in order to help improve the efficiency and quality of State hiring. The HEM and Investigations Divisions are distinct, but their goal is the same: to ensure State hiring procedures and decisions are lawful, merit-based, and/or justifiable. Highlights of HEM’s work and contributions during FY2021 are set forth below.

Summary of Compliance Work

Non-Exempt Positions

As part of HEM’s compliance work, HEM seeks to ensure compliance with the CEP and other governing authority by monitoring hiring sequences — which includes in-person or virtual real-time monitoring of interviews — and conducting desk audits, which are reviews of agency hiring sequences after the interviews have been completed. HEM’s review involves all personnel actions taken during a hiring sequence including the initial hiring planning, posting of the position, screening applicants, interviewing candidates, and selection (or cancellation). HEM also evaluates the applications, screening documentation, hiring criteria, interview questions, conflict of interest forms, interviewer notes, candidate evaluation forms, and employment decision forms. In FY2021, HEM monitored 46 interview sequences and conducted desk audits on another 44 sequences.

Complaint Referrals and Transfers

During FY2021, the OEIG referred 19 hiring-related complaints to HEM where there was an allegation of a CEP violation or breach of a policy or procedure related to hiring. HEM’s compliance function and extensive knowledge of hiring within the State also

allows HEM staff to work closely with agency staff and CMS to request and review all related documentation and to evaluate broader issues related to hiring reform. In FY2021, HEM issued 11 Advisories originating from complaint referrals.

If HEM's review reveals that a more in-depth investigation needs to be conducted to determine if wrongdoing occurred, HEM may transfer matters to the Investigations Division for an investigation that may result in a founded report. During this reporting period, five matters were transferred from HEM to Investigations. An example of the results of such a transfer made by HEM is a founded report published in this fiscal year, *In re: Ruthshell Walker* (detailed above). Ms. Walker was found to have falsified several State employment applications by misrepresenting that she was laid off from prior State service when in fact she was discharged.

Exempt Positions

The Exempt Employment Plan – filed in November 2019 as an agreed order in the *Shakman* litigation – defines an exempt position as a completely at-will position that (1) is not covered by a Collective Bargaining Agreement or by Personnel Code protections and (2) is also on the Exempt List because the position involves policymaking to an extent or is confidential in such a way that political affiliation is an appropriate consideration for the effective performance of the job.

The Exempt Employment Plan also sets forth procedures for adding or deleting positions from the Exempt List, providing that only the Governor or the EIG may initiate such a change. HEM reviews all Exempt List addition and deletion requests from the Governor's Office and recommends approval of or objection to the proposed change to the EIG, who must respond to the request within 10 business days. In vetting each request from the Governor's Office or designee to add a position to the Exempt List, HEM conducts a comprehensive review of all available information related to the position and request. HEM also reviews the Exempt List to determine the agency's percentage of exempt positions and assess whether any existing exempt positions within the agency could perform the duties of the proposed exempt position. Prior to making a final recommendation, HEM communicates or meets with agency staff and asks questions about the position's history, duties, reporting structure, and necessity. In FY2021, HEM made 30 determinations regarding Exempt List modifications, as follows:

- 25 Approved Additions
- 3 Approved Deletions
- 1 Approved Modification
- 1 Addition Request Withdrawn

The Exempt Employment Plan also provides that candidates selected for exempt positions must meet the minimum qualifications and perform the duties of the exempt position being filled as set forth in the underlying position description. HEM staff reviews certification paperwork for all exempt appointments to ensure compliance with the Exempt Employment Plan. In FY2021, HEM staff reviewed the exempt certification paperwork for 312 candidates for Exempt List positions.

Finally, in order to ensure the integrity of a position's exempt status, HEM also reviews clarifications to Exempt List position descriptions. Clarifications to the position descriptions vary and often include changes to location, reporting structure (supervisory or subordinate), and duties or minimum and preferred qualifications. In FY2021, HEM reviewed position description clarifications for 541 Exempt List positions.

STATISTICAL PERFORMANCE

At A Glance: Selected Hiring And Employment Metrics For FY2021



HEM's Reporting

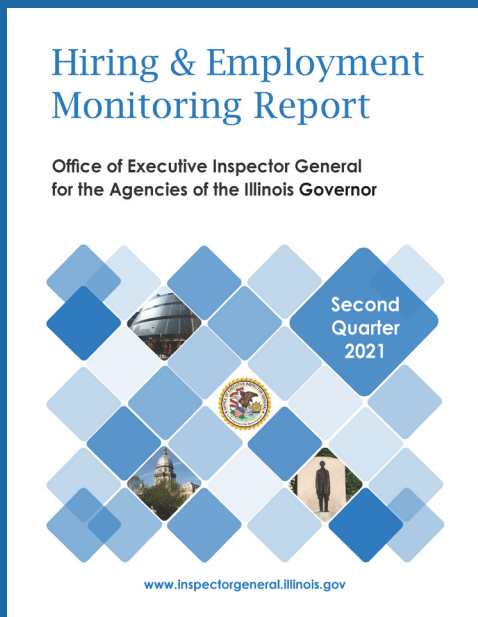
Advisories

As noted throughout, HEM staff work directly with agency personnel officers and staff, CMS, and the Governor's Office to ensure HEM's recommendations are implemented. As such, in November 2019, on its own initiative and in order to provide more guidance to State agencies, HEM began issuing written Advisories. These Advisories are transmitted to the agency personnel officer and the CMS liaison, with copies to the Governor's Office, the head of the relevant agency, and the *Shakman* Special Master and plaintiffs. Each Advisory contains: a summary detailing the subject and scope of HEM's review; a description of HEM's conclusions regarding the agency's compliance with applicable rules

and procedures; and recommendations on how to proceed, if necessary. These Advisories are typically preceded by or accompanied with discussions with agency personnel to ensure their compliance with the CEP and other hiring principles as well as their understanding of how to implement proper practices.

HEM issued 87 Advisories in FY2021. In response to the Advisories, agencies have agreed to implement HEM's recommendations in future hiring sequences and have requested additional training on the CEP and its requirements. Summaries of these Advisories can be found in the HEM Quarterly Reports, available on the OEIG website.

Quarterly and Annual Reports



HEM utilizes many tools to ensure that the State learns from its hiring and compliance monitoring work. This furthers the goals of educating agencies and the public and deterring future wrongdoing. In addition to Advisories, HEM also issues quarterly reports on its activities. As set forth in the CEP, the reports include statistics on the number of OEIG hiring complaints received and actions taken, including those referred intra-Office to HEM; referred to the appropriate entity or law enforcement authority; opened for OEIG investigation; and/or are in initial review. The Quarterly and Annual reports also include statistics on the number of Hiring Sequences monitored; Desk Audits completed; Political Contacts received; Exempt Appointment notifications received and verified; and Exempt List modification requests received and the determinations. Per the CEP, the Quarterly Reports also include a summary of HEM's Advisories, including any recommendations and actions taken in response to those recommendations.

Finally, the reports include a summary of any OEIG hiring investigation that was founded and published by the EEC. During this reporting period, HEM issued four Quarterly Reports, including an Annual report for calendar year 2020. Those reports are available on the OEIG's website.

Progress on Ensuring Integrity of Hiring Processes and Decisions

The State's Comprehensive Employment Plan

The CEP, first filed with the Court in November 2019 (Docket No. 6612-1), sets forth general hiring principles and commitments and hiring processes for non-exempt positions Statewide. The CEP also reinforces HEM's compliance role by providing that HEM shall review alleged violations of the CEP, issue Advisories at the completion of each review, and issue reports summarizing its work quarterly and annually. Since the CEP was filed, HEM has been working with agencies to implement or adjust hiring practices to comport with the procedures set forth therein. During this reporting period, and as set forth more fully below in the Outreach section, HEM assisted in developing training modules and materials for State agencies on complying with the CEP, and participated in numerous training sessions on its provisions.

Based on HEM's Advisory recommendations, this reporting period, CMS revised the Conflict of Interest Certification & Disclosure Form, renaming it the Relationship Disclosure & Conflict of Interest Certification in August 2020, and provided training to the agency personnel officers about the revisions. The new form and corresponding guidance clearly require that all relationships – including work relationships – must be disclosed and anyone, even screeners and non-scoring panel members, must complete a form.

In May 2021, CMS conducted the first of its planned monthly supplemental CEP trainings for Human Resources and personnel staff. These trainings were based on the previous CEP trainings held at the end of 2020 and also addressed and reviewed issues identified in recent HEM Advisories, with guidance and reminders for improvement. HEM provided feedback on the training curriculum for each session. Complementing this, on June 30, 2021, CMS held a CEP Refresher training to review recent updates to the CEP that became effective on July 15, 2021. The amendments discussed included updated definitions to reflect the electronic application process, procedures for canceling a sequence, clarified language on interviewer responsibilities, and requirements for employing and renewing PSCs. The trainings were recorded and are available on CMS's Personnel Workbench.

The State's New Electronic Hiring Process

In 2020, CMS launched SuccessFactors, the State's new electronic hiring process, which is now used to fill all non-bargaining unit positions Statewide. In a major departure from the previous State hiring process, applicants for State employment now apply online for

specific vacancies, as opposed to broad classifications of positions. This results in a larger, more qualified applicant pool of individuals with demonstrated interest in the actual position being filled and makes it easier for agencies to hire candidates who are not already State employees.

SuccessFactors is designed to facilitate compliance with the CEP at all stages of the hiring process. For example, applicants receive automated rankings based on their self-disclosed responses to the application questions, resulting in a less subjective applicant screening process. Interviewers use a computer program to score candidates, ensuring compliance with the scoring procedures set forth in the CEP. The electronic process also standardizes all aspects of the hiring process and results in better, more transparent documentation of all factors leading up to the final selection decision. In addition, agency staff involved in a hiring sequence have clearly defined, distinct, and documented roles, ensuring individual employees cannot interfere with a hiring sequence.

HEM staff have compliance access to the hiring documents for all positions filled electronically, reducing the time it takes for HEM to review a hiring sequence and eliminating the need to notify agency staff.

Many of the hiring sequences that HEM reviewed in FY2021 were conducted through SuccessFactors. HEM has observed significant improvements to the State hiring process with the new process. Most notably, positions filled through SuccessFactors generate larger, more competitive candidate pools, resulting in the selection of more qualified candidates and ultimately, a stronger State workforce. HEM anticipates seeing increased compliance over time with the continued use of SuccessFactors.

Personal Services Contracts

On February 25, 2021, CMS submitted the State's first PSC Report, which accounted for all PSCs in place during the Fourth Quarter of calendar year 2020. As set forth in the CEP, agencies are required to report all PSCs (or renewals or amendments to such contracts) to CMS Compliance and HEM on a quarterly basis. Prior to the report's release, agency Human Resources staff received guidance on complying with the State's PSC policy during Session 6 of the CEP training. This training is available on the CMS Personnel Workbench along with template documents for exempt and non-exempt contracts, a Description of Services, a Labor Checklist, and a CMS memo issued February 19, 2021 that explains and clarifies the policy and procedures. The amended CEP also includes requirements for utilizing both exempt and non-exempt PSCs.

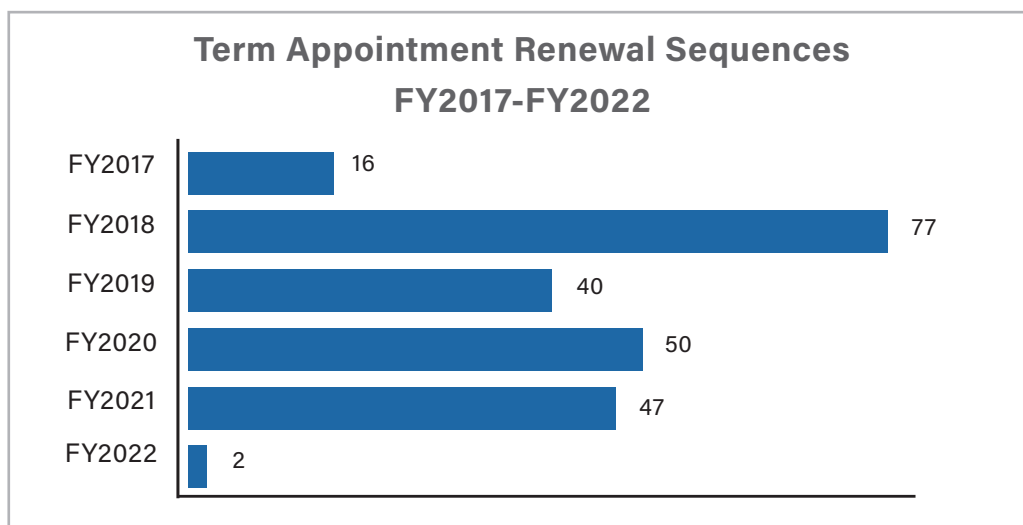
Political Contact Reporting

State employees are required to report instances where an elected or appointed official of any political party or any agent acting on their or its behalf attempts to affect any hiring or employment action for any non-exempt position. Pursuant to the CEP, any State employee who receives or has reason to believe such political contact has occurred, or is occurring, is required to report it to CMS or HEM within 48 hours of learning of such contact. CMS is required by the CEP to maintain records documenting all reports of political contacts.

During this reporting period, HEM worked with CMS and DoIT staff to launch a portal for State employees to report any political contact related to an employment action. The portal can be accessed at <https://ilgov.sharepoint.com/sites/CMSPoliticalContactReporting>. Reports can also be made to the OEIG via this link, <https://www2.illinois.gov/oeig/complaints/Pages/FileaComplaint.aspx>. HEM received notice of 12 political contacts in FY2021, which are detailed in the respective Quarterly Reports available on the OEIG's website.

Term Appointment Renewal Reviews

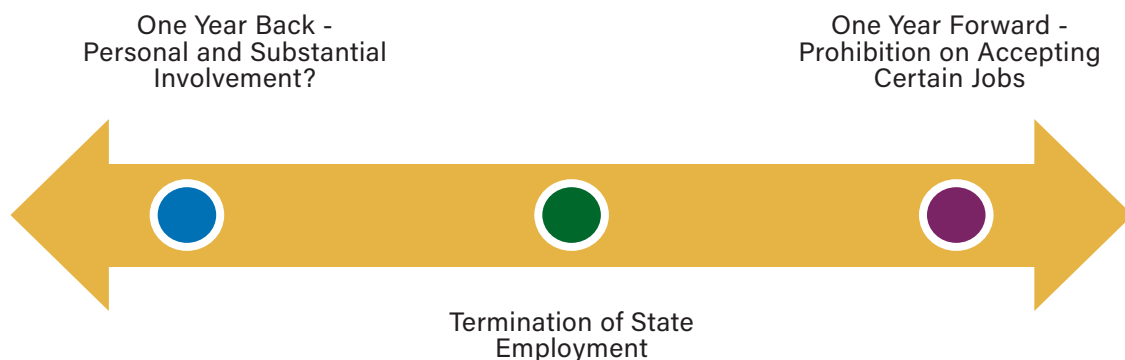
HEM has reviewed almost all term appointment renewals over a four-year period to ensure that the incumbent was selected via a competitive process. Historically, term appointment positions, codified in section 8b.19 of the Personnel Code (20 ILCS 415/8b.19), were often deemed *Rutan*- exempt, thus revealing competitive hiring likely did not occur. As a result, a four-year review process was implemented. As part of this process, agencies, at the time of an appointment renewal, had to demonstrate that prior competitive selection occurred, and if unable to do so, the agency had to post and fill the term appointment through a competitive process. (In very limited circumstances of extended State tenure, waivers were granted). HEM monitored or audited nearly all of the approximate 232 term appointment renewal sequences that occurred during this time period. In addition, with proactive input from the EIG and HEM, CMS issued guidance to agencies in April 2021 on proceeding with term appointment renewals going forward.



Revolving Door

“[T]he purpose of revolving door statutes is to ensure that public officials adhere to the highest standards of conduct, avoid the appearance of impropriety, and do not use their positions for private gain or advantage.” Doyle v. Executive Ethics Commission, et al., 2021 IL App (2d) 200157, ¶29.

The revolving door provisions of the Ethics Act prohibit State employees, for one year after leaving public service, from accepting non-State employment or compensation from a person or entity if, during the year prior to leaving State employment, the employee participated “personally and substantially” in the award of certain contracts or change orders to, or in regulatory or licensing decisions directly applicable to, the person or entity, or its parent or subsidiary. 5 ILCS 430/5-45.



OEIG Revolving Door Determinations

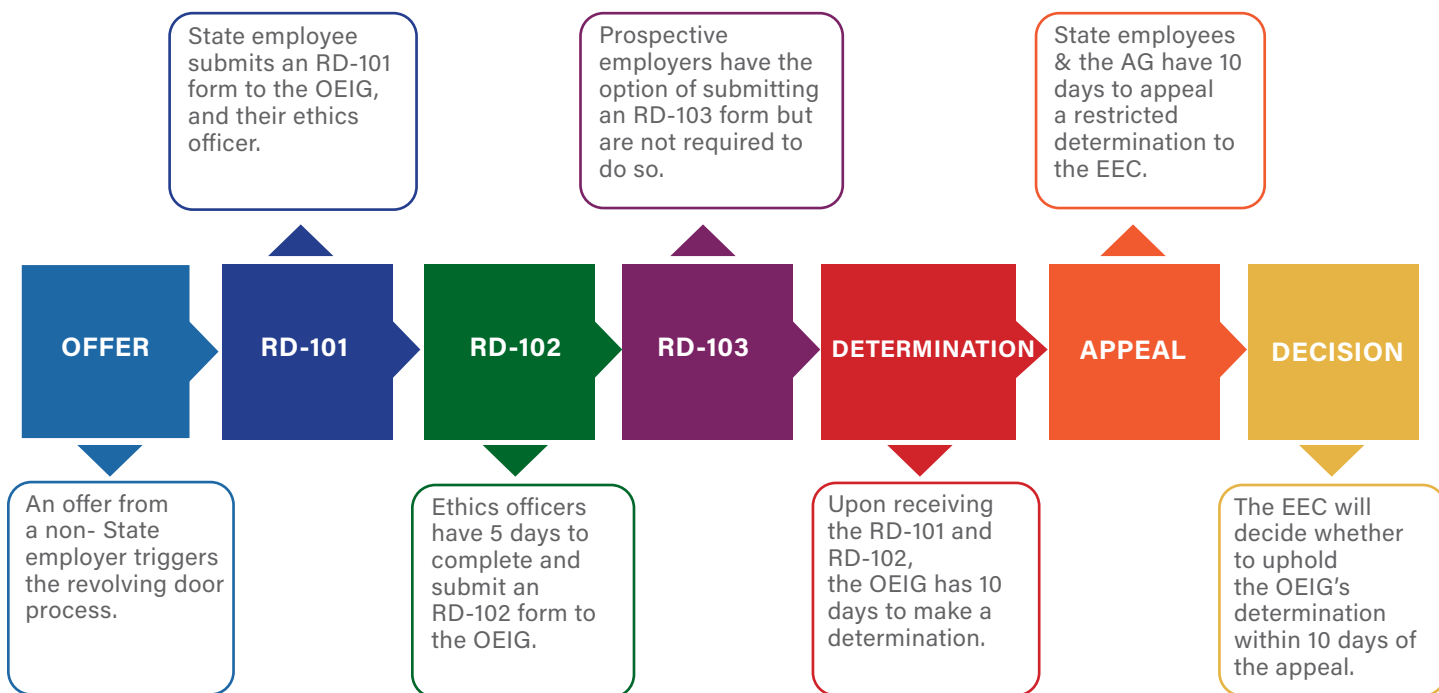
Certain State employees whose positions may have the authority to participate personally and substantially in such decisions must seek a determination from the OEIG that they may accept employment prior to accepting an offer. These employees are on what is known as the c-list (after subsection (c) of Section 5-45 of the Ethics Act). Ethics Officers for agencies are generally responsible for maintaining and updating the c-list.

C-List employees should be notified in writing by their agency of their designation and obligations pursuant to the Ethics Act. The duty to seek a determination from the OEIG continues for one year after ending State employment.

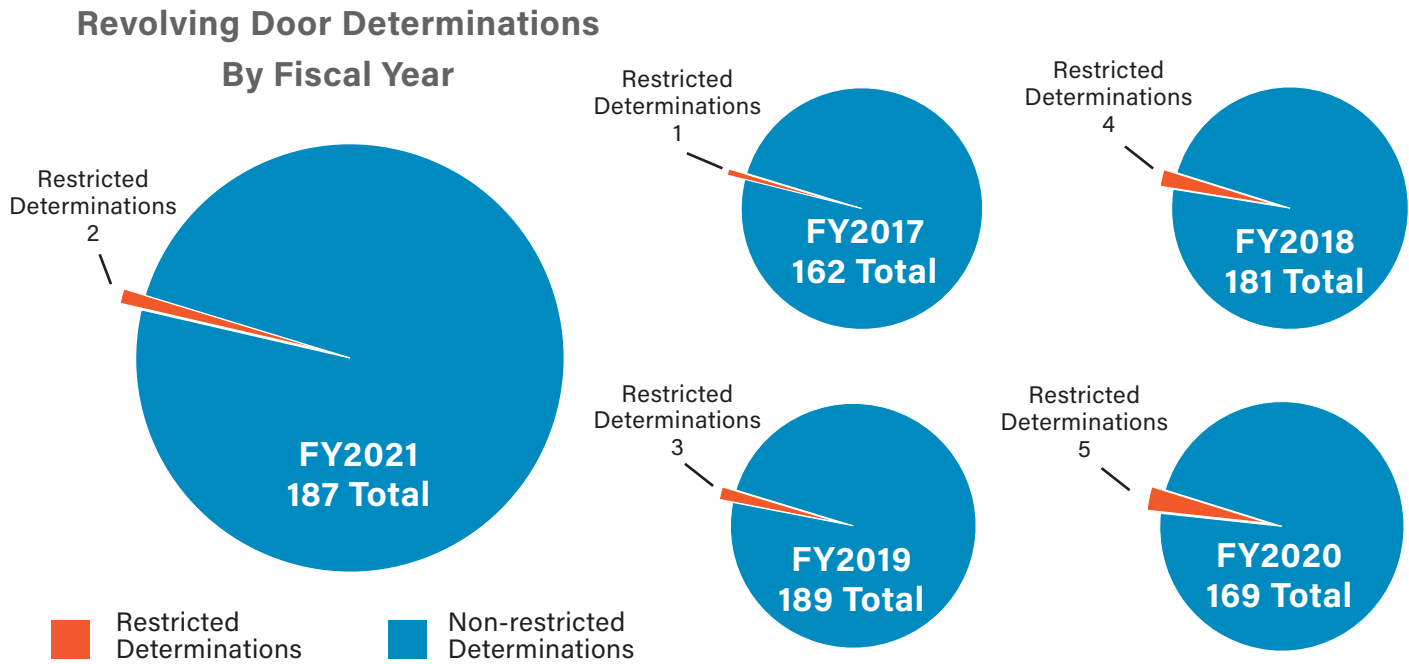
To notify the OEIG about a prospective job offer, employees should go to the OEIG's website and follow the revolving door instructions. Initially, the employee and his/her ethics officer must complete certain forms regarding the employee's State duties and prospective employment. In its determination, OEIG staff will review information from these forms and conduct interviews of the employee, the employee's supervisor, and others, as necessary. The OEIG also examines various records relating to any contract awards or regulatory or licensing decisions involving the employee.

Within 10 calendar days of receiving the forms from both the employee and the ethics officer, the OEIG 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. In making this determination, the OEIG also examines the effect that the prospective employment may have had on any such awards or decisions.

The OEIG's determination may be appealed to the EEC by either the affected employee or the Attorney General no later than 10 calendar days after the date of the determination. The EEC must issue its decision within 10 calendar days. Therefore, the OEIG's determination is not final until the time to appeal has expired or the EEC has made its decision on an appeal. Requests for revolving door review and the resulting OEIG's determinations are generally not public. However, when a determination is appealed to the EEC, its decision becomes public.



During FY2021, the OEIG made 187 revolving door determinations using the process described above. The OEIG timely completed these time-sensitive reviews while working remotely during the COVID-19 pandemic. The OEIG restricted two employees from accepting non-State employment, which is approximately one percent of determinations. Appeals to the EEC by those two employees are described further below.



EEC Revolving Door Decisions after OEIG Determinations

As described above, an employee whom the OEIG has determined to be restricted from prospective employment may appeal that determination to the EEC. In FY2021, two employees appealed to the EEC. The EEC upheld one determination and reversed the other.

In re: Jayashree Jayaraj (21-EEC-005)

Jayashree Jayaraj appealed the OEIG's determination that she was restricted from accepting employment with the Metropolitan Water Reclamation District of Greater Chicago (District). Ms. Jayaraj applied and completed an examination for an Associate Civil Engineer position with the District in September 2018. After passing a qualifying

examination, Ms. Jayaraj was notified in January 2019 that she had been placed on the District's employment "eligible list," which had a duration of three years. Beginning on November 18, 2019, Ms. Jayaraj began employment with the IEPA as an Environmental Protection Engineer I assigned to IEPA's Bureau of Water, Field

Operations Section. She was automatically promoted to the position of Environmental Protection Engineer II.

Beginning in March 2020 – well before her promotion to Engineer II – Ms. Jayaraj was instructed to begin conducting inspections alone. Ms. Jayaraj conducted routine, annual National Pollutant Discharge Elimination System (NPDES) compliance inspections of four different District facilities in the year prior to her anticipated separation from State employment. These inspections took place on October 6, 2020 (Kiri facility), March 18, 2021, April 1, 2021, and May 20, 2021. The purpose of such inspections was to ensure compliance with the Environmental Protection Act, environmental regulations, and NPDES permits. As she was required to do, Ms. Jayaraj conducted such investigations in accordance with an inspection plan prescribed by her supervisor and IEPA's Field Procedures Manual for her division.

In accordance with IEPA processes, Ms. Jayaraj was required to submit reports of her inspections to her supervisor for review and approval. She submitted a report of her October 6, 2020 Kiri facility Compliance Evaluation Inspection on February 10, 2021, but, as of the date of her revolving door appeal, she had not yet submitted a final report with respect to her inspections of the other three District facilities. As part of the Kiri facility inspection report, Ms. Jayaraj submitted a Field Report containing technical information and photos related to the District's operations. The Field Report also contained a "Summary" section that described a deficiency observed by Ms. Jayaraj, her recommendation related to the deficiency, and the anticipated District action to address the deficiency.

“[R]egulatory’ in this type of context means ‘relating to the activity of checking whether a business is working according to official rules or laws.’” In re: Jayashree Jayaraj (21-EEC-005).

Ms. Jayaraj was contacted by the District and interviewed for the Associate Engineer Position in early 2021 and received an offer of employment from the District on June 7, 2021. After she submitted a revolving door notification to the OEIG, the OEIG determined that Ms. Jayaraj was restricted from accepting the employment opportunity with the District due to her personal and substantial involvement in a regulatory decision that directly applied to the District, specifically the inspections of District facilities conducted in October 2020, March 2021, April 2021, and May 2021.

On appeal, Ms. Jayaraj contended that her activities were ministerial in that she merely collected the information from required facility records and took required photographs and samples. Moreover, she argued that she had nothing to do with any regulatory decision; the only regulatory decisions to be made had to do with the making of determinations that violations had occurred or that enforcement action should be taken, and her position did not allow her to recommend, make, or participate in any of those decisions.

The EEC affirmed the OEIG's restricted determination. In doing so, the EEC first defined the term “regulatory” as meaning “relating to the activity of checking whether a business is working according to official rules or laws.” The EEC concluded that

the inspection and report can be viewed both as regulatory decisions in their own right and as merely the first steps in IEPA's regulatory decision of whether to take enforcement action with respect to the inspected facility. The EEC found that Ms. Jayaraj's participation in the inspections was personal and substantial, noting that in matters involving facilities she inspects alone, Ms. Jayaraj was the only person in the decision chain who actually observes conditions in the field firsthand, and the relevant manuals make it clear that

inspections were to be conducted and reports prepared with enforcement action in mind. The EEC also noted that Ms. Jayaraj had conducted four inspections of District facilities even though she knew she was on the District's eligibility list, conducted three of them even after she interviewed for a position, and still had reports of three inspections left to complete after the offer of employment was made; the EEC commented: "This is the sort of situation that seems to fall squarely within the purpose of the prohibition."

In re: Edward Matthew Charles (21-EEC-001)

Edward Matthew Charles appealed the OEIG's determination that he was restricted from accepting employment with NorthShore University Health System (NorthShore). Mr. Charles was employed by the Illinois Department of Public Health (DPH) as a Division Chief for the Division of Laboratories. He was responsible for directing the Division of Laboratories and developing and implementing policies impacting the Statewide laboratory program.

NorthShore is a teaching hospital and an integrated healthcare delivery system. According to news reports, NorthShore began developing its own coronavirus test in January 2020 and had been using the test it had developed to test about 400 people per day before mid-March. Mr. Charles had provided an RNA sample to NorthShore in early March to validate its test.

On March 13, 2020, Mr. Charles attended a meeting with the Governor, other State personnel, and lab directors to discuss

lab COVID-19 testing capacities. After this meeting, labs began submitting daily surveys of their COVID-19 tests to the Governor's Office and the Governor's Office began cold calling hospitals and labs. The Governor's Office used Mr. Charles as a resource to contact labs across the State. During this time, individual COVID-19 testing sites began opening up and the Governor's Office began identifying labs with the capability to test samples from testing sites and having conversations with those labs about entering into contracts with the State for COVID-19 testing. On April 8, Mr. Charles exchanged emails with the Governor's Office regarding NorthShore's testing results having been validated previously. On April 10, NorthShore was provided a draft lab services agreement with some issues identified. NorthShore provided edits that were forwarded by the Governor's Office to DPH Assistant Deputy Directory Brandy Lane, who, in turn, forwarded them to Mr. Charles along with a request that he take a look at proposed changes. He responded, "Seems fine to me. Really,

this is outside my purview but from a lab perspective looks fine.” That same day the State executed a contract with NorthShore for COVID-19 testing services at a cost not to exceed a total of \$1,897,500.

Recollections varied as to whether Mr. Charles recommended NorthShore for a contract. There was no disagreement, however, that he had no direct role in contract negotiations or in determining contract rates, duration, or scope. NorthShore indicated that they worked on the contract with the Governor’s Office and not with Mr. Charles. The person responsible for facilitating the process for the State’s COVID-19 testing contracts, Senior Counsel Mollie Foust, stated that Mr. Charles participated in conversations regarding COVID-19 contracts but that ultimately it was DPH Chief of Staff Justin DeWitt’s decision which labs were awarded a contract, except for the NorthShore contract. Ms. Foust explained that there were no questions about whether the NorthShore contract would be awarded and it would have been awarded even without DPH’s involvement. DPH Assistant General Counsel Elizabeth Paton advised that Mr. Charles was not a decision maker in awarding the NorthShore contract, but his expertise may have been sought in determining deliverables and he had input on the final contract.

On June 8, the State and NorthShore executed an amendment to NorthShore’s April 10 testing contract, increasing the total amount payable to over \$5 million. DPH Deputy Chief of Staff Joanne Olson stated that Mr. Charles was not necessarily involved in the decision to extend the contract but was consulted as to whether there were any issues with NorthShore during the first contract.



At the end of March 2020, Mr. Charles applied online for a job with NorthShore. Mr. Charles received an offer of employment on July 30 to work as AVP Lab and Pathology Medicine. Mr. Charles notified the OEIG of the offer, and the OEIG determined that Mr. Charles was restricted from accepting employment with NorthShore due to his personal and substantial involvement in the award of the April 10, 2020 State contract.

The EEC reversed the OEIG’s determination and found that there was insufficient evidence to conclude Mr. Charles participated personally and substantially in the award of NorthShore’s April 2020 COVID-19 testing contract. The EEC explained that the evidence indicated that Mr. Charles’ opinion had no real bearing on the selection of NorthShore and that there was no documentation provided to indicate if Mr. Charles’ advice was provided specifically with regard to NorthShore or the testing contracts generally. The EEC further explained that one would expect that if Mr. Charles truly participated personally and substantially in the award of a contract of the magnitude of the NorthShore contract, there would be some documentation of that participation beyond recollection of conversations months after the fact.

Results of OEIG Revolving Door Investigations

Apart from the revolving door determination process for c-listers, OEIG investigations of revolving door matters have helped develop the interpretation of the law and improve agency practices and policies.

Illinois Appellate Court Decision – *Doyle v. Executive Ethics Commission, et al.*, 2021 IL App (2d) 200157

In June 2021, the Illinois Appellate Court, Second District, reinstated a revolving door fine against a former DHS employee who had been found to violate the Ethics Act by the EEC after an OEIG investigation. The \$154,056.10 fine assessed against Mark Doyle, at the time it was first issued, was the largest penalty ever assessed in an Ethics Act case. (Currently, the largest fine is \$193,689.60 assessed in another revolving door matter: *Haling v. Wons* (20-EEC-001)).

Mr. Doyle had been responsible for overseeing the closure of State-operated developmental disability and psychiatric care centers and for moving the residents of these centers to community-based settings. To assist with these closures and transitions, DHS had contracted with Community Resource Associates, Inc. (CRA). CRA was controlled by the same person as CRA Consulting (CRA-C), which had entered into a contract with the State of Georgia to perform similar services.

CRA-C offered Mr. Doyle an opportunity to work on the Georgia contract, but the OEIG restricted Mr. Doyle from accepting that job in a revolving door determination. The EEC affirmed the OEIG's restricted determination based on Mr. Doyle's personal and substantial participation in the award of the contract to CRA, which the EEC determined was essentially the same entity as CRA-C. *In re: Mark Doyle* (15-EEC-007).

About a month later, Mr. Doyle submitted a revolving door determination request to the OEIG to provide consulting work for another entity called BennBrook, Inc. However, he did not disclose to the OEIG that BennBrook was contracting with CRA-C to do the same work in Georgia that the OEIG and EEC had previously found to be restricted. The EEC found that BennBrook was acting merely as a "pass through" organization or conduit for the improper compensation from CRA-C to Mr. Doyle, and thus violated the revolving door prohibition. *Haling v. Doyle* (17-EEC-003).



Mr. Doyle sought administrative review in the Circuit Court of the EEC's decision. The Circuit Court vacated the EEC's decision on the basis that the compensation did not come directly from the prohibited entity (CRAC-C). The EEC and OEIG appealed the Circuit Court's decision.

The Appellate Court reversed the Circuit Court in the first published appellate opinion on the revolving door prohibition. The court noted the purpose of the statute: "[T]he purpose of revolving door statutes is to ensure that public officials adhere to the highest standards of conduct, avoid the appearance of impropriety, and do not use their positions for private gain or advantage." The court held that the EEC's interpretation of the Ethics Act, which does not specify whether or not the compensation must be "direct," was not unreasonable. The court focused on the statutory language that the compensation must be "knowingly" received and pointed to Mr. Doyle's emails to BennBrook indicating that he knew the compensation would be coming from CRAC-C.

The Appellate Court's decision is reported at *Doyle v. Executive Ethics Commission, et al.*, 2021 IL App (2d) 200157. Mr. Doyle sought leave to appeal from the Appellate Court's decision to the Illinois Supreme Court. The Supreme Court denied the petition for leave to appeal, and the Appellate Court decision stands.

Improved Policies and Practices at State Agencies

The impact of OEIG revolving door investigations extends beyond individual employees, and OEIG investigations often have broader recommendations for improvements across agencies. Such was the case for a matter involving IDOT, which is the State agency with the most revolving door determinations. In FY2021, 78 (42%) of the OEIG's revolving door determinations involved current or former IDOT employees.

As described above, the report in investigation No. 19-01254 revealed that an IDOT employee participated personally and substantially in the award of more than \$3 million in State discretionary grants to CMAP, a metropolitan planning organization, during the year preceding the termination of her State employment. Then, less than six months after leaving State employment, the employee accepted a position as Executive Director of CMAP in violation of the revolving door provisions. In addition, the employee, who was on IDOT's c-list, failed to notify the OEIG prior to accepting the position at CMAP. The employee stated that she mistakenly believed that the notification requirement only applied to private sector employment and not to units of local government, like CMAP. However, the Ethics Act states that all "non-State" employment is covered by the revolving door provisions.

The OEIG recommended that IDOT revise its revolving door policy consistent with the Ethics Act, as the OEIG's investigation revealed that IDOT's policy only referred to a c-list

employee's obligation to seek an OEIG revolving door determination prior to accepting private sector employment as opposed to any non-State employment. Finally, the OEIG made recommendations to the Governor's Office to work with the agencies under its purview to ensure compliance with the Ethics Act revolving door provisions.

As a result of this investigation and others, the Governor's Office and the OEIG collaborated in administering training to all agency general counsels and ethics officers in June and September 2020. The training included addressing common issues regarding the revolving door provisions, including the misconception that the notification requirement only applies to private sector employment. In addition, IDOT updated its policies to correct this misconception and undertook a comprehensive process to review all positions, place appropriate positions on the c-list, and notify employees of their c-list designations.

In another extensive investigation regarding revolving door practices, the OEIG reviewed the conduct of 33 State agencies to determine those agencies' compliance with Ethics Act requirements. The investigation resulted in an administrative referral to the Governor's Office as the ultimate jurisdictional authority (5 ILCS 430/20-95(d)). In this referral, the OEIG identified whether agencies complied with notifying employees of their c-list status and obtained certifications of that status from employees as required by the Ethics Act. At the time the investigation was completed:

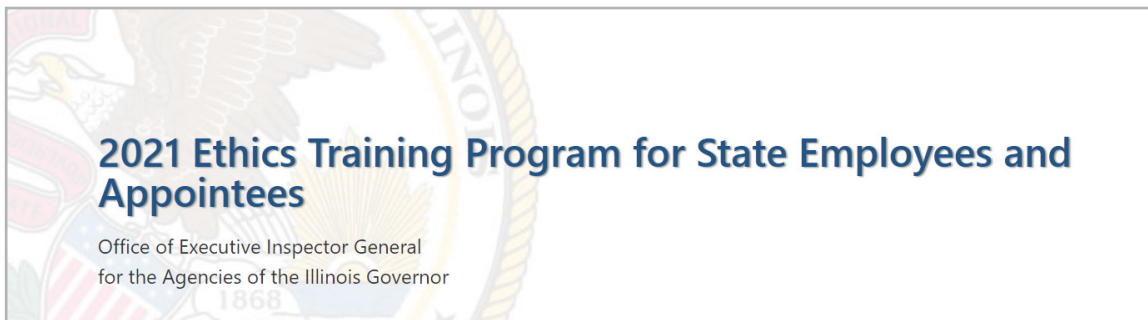
- 18 agencies had complied with the Ethics Act requirements prior to the OEIG's initial inquiry;
- Eight agencies complied after the OEIG's initial inquiry, but prior to the closure of the investigation; and
- Seven agencies still had failed to meet their responsibilities under the Ethics Act.

The OEIG referred the matter to the Governor's Office to follow up with those seven agencies to take corrective action. The Governor's Office responded with the corrective actions that each of those agencies had taken.

Mandatory Training

The Ethics Act mandates that the OEIG, along with the EEC, oversee ethics training and harassment and discrimination prevention training for the agencies of the Illinois Governor, the State universities, and the Regional Transit Boards. Ethics Act trainings are conducted on an annual basis, and new employees, appointees, and officials must complete initial training within 30 days of the commencement of their employment or office.

In order to best use available State resources, in calendar year 2020, the OEIG continued to work with DoIT to facilitate the use of an online training platform, OneNet, for both ethics training and harassment and discrimination prevention training for those employees, appointees, and officials under the Illinois Governor. For calendar year 2021, the ethics training and harassment and discrimination prevention training programs both remain on OneNet.



Ethics Training

The OEIG drafts and designs the online ethics training for agencies under the Governor, and reviews training for other entities under its jurisdiction to ensure they meet prescribed training standards. Every year, the OEIG develops ethics training standards to ensure quality training programs that cover relevant ethics laws and rules. The ethics training program includes topics such as the gift ban, prohibited political activity, hiring rules and laws, and procurement rules, among other things.

In calendar year 2020, the OEIG reviewed and approved 31 ethics training programs. For all of the entities under the OEIG's jurisdiction, it was reported that individuals completed over 175,000 ethics training sessions during the calendar year 2020 reporting period. For agencies under the Illinois Governor, the OEIG directly provided more than 61,000 online ethics training sessions in calendar year 2020.

Harassment and Discrimination Prevention Training

The OEIG reviews and approves harassment and discrimination prevention training materials for entities under its jurisdiction. The harassment and discrimination prevention training is required by the Ethics Act to have certain minimum requirements. For example, the trainings must include definitions of sexual harassment, unlawful discrimination, and harassment, as well as information on how to report allegations of misconduct, and the consequences for engaging in that conduct. *See* 5 ILCS 430/5-10.5.

To assist entities in preparing for this new training, the OEIG provided guidance and information about the training requirements. For example, the OEIG drafted and circulated a reference guide containing information addressing the minimum requirements of the training to all of the entities under its jurisdiction responsible for submitting training. The reference guide also contained hypothetical examples of harassment, sexual harassment, and discrimination. Further, the OEIG corresponded with the Governor's Office, the universities, and the Regional Transit Boards regarding the minimum requirements and deadlines for harassment and discrimination prevention training.

In calendar year 2020, the OEIG reviewed and approved 34 harassment and discrimination prevention training programs. For all of the entities under the OEIG's jurisdiction, it was reported that individuals completed over 165,000 harassment and discrimination prevention training sessions during the calendar year 2020 reporting period.

Outreach

Ethics Officer Conference

OEIG staff presented at the Executive Ethics Commission's virtual conference for ethics officers on March 23 and 24, 2021. The three presentation topics included:

- an introduction to ethics officers' duties (Ethics Officer 101: Just the Facts of the Job), presented by OEIG General Counsel Neil Olson and Governor's Office Deputy General Counsel Whitney Rosen;
- practical advice to ethics officers (Ethics Conference Office Hours: Practical Advice for Ethics Officers), presented by Executive Inspector General Susan Haling, Mr. Olson, and Ms. Rosen; and
- updates on State hiring and employment (Hiring and Employment: *Shakman* Explained), presented by HEM Director Erin Bonales and Department of Central Management Services Senior Policy Advisor Sarah Kerley.



Comprehensive Employment Plan (CEP) Training

In the beginning of FY2021, the OEIG's HEM Division assisted CMS with implementation of an eight-part Statewide training program on the requirements of the CEP for agency personnel staff. The trainings – led by CMS's Senior Policy Advisor and Chief Compliance Officer, with HEM's Director serving as a panelist – provided an in-depth review of the general principles and agreed-upon procedures applicable to State hiring processes for both non-exempt and exempt positions. Each training session was approximately two hours in length and covered the following topics:

- Session 1 – Introduction & Exempt Employment Plan;
- Session 2 – Position Descriptions;
- Session 3 – Hiring Sequence PreWork;
- Session 4 – After Posting Closes;
- Session 5 – Interviews/Evaluation;
- Session 6 – Miscellaneous Topics (e.g., Temporary and Interim Assignments/ Personal Services Contracts); and
- Session 7 – Compliance & Reporting.

A wrap-up question and answer session regarding these areas was held in February 2021. All of the training sessions were recorded and are available to agency personnel staff on OneNet.

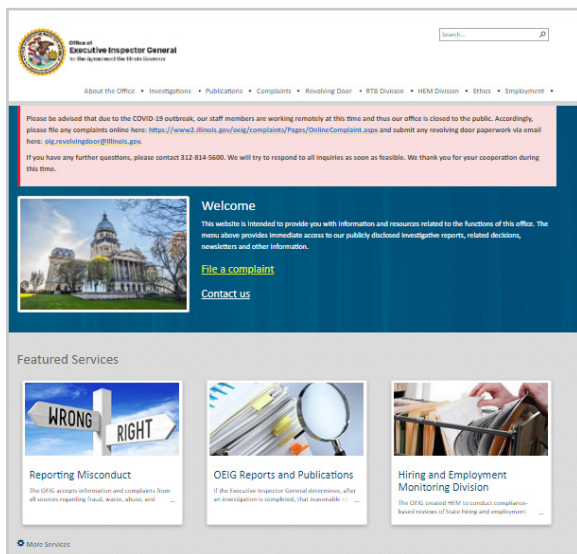
New Ethics Officer Trainings

The OEIG continued to host orientation sessions for newly appointed ethics officers of agencies under its jurisdiction. The OEIG hosted orientation sessions for 10 new ethics officers in FY2021. The goal of these orientation sessions is to provide new ethics officers with information about their roles and the expectations of the OEIG.

OEIG Website

www.inspectorgeneral.illinois.gov

The OEIG website, www.inspectorgeneral.illinois.gov, provides 24/7 access to complaint forms, revolving door forms, ethics officer contact information, publicly disclosed OEIG reports, and other information about the OEIG. The OEIG has updated its website so that reports and decisions are searchable by involved employee, agency, and subject matter.



Electronic Newsletter

Illinois Ethics Matters

The OEIG produces a one-page monthly electronic newsletter, Illinois Ethics Matters. The OEIG electronically delivers Illinois Ethics Matters to State agencies, the General Assembly, news media, and the public, and the newsletter is posted to the OEIG website. 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.

Any person wishing to receive Illinois Ethics Matters should contact the OEIG to be added to the electronic distribution list.

Legislative Activity

OEIG Legislative Engagement

The OEIG is committed to better State government, and therefore, regularly works with legislators and stakeholders on matters related to ethics reform. Throughout the year, the OEIG works with other executive inspectors general, the EEC, the Attorney General's Office, the Governor's Office, legislators, and other stakeholders to discuss potential amendments to the Ethics Act as well as to the Illinois Administrative Code. Further, the OEIG works to ensure that amendments to the Ethics Act reflect the intent of the Act. In recent years, the OEIG has expanded its involvement in legislative matters by weighing in on key amendments to the Ethics Act, including OEIG processes, the mandated harassment and discrimination prevention training, penalties for violating the Ethics Act, the prohibition on sexual harassment, and the expansion of OEIG monthly reports, among other things.

OEIG-Initiated Bills

In FY2021, the OEIG worked with Representative Fred Crespo to introduce two bills with proposed amendments to the Ethics Act.

House Bill 2651.

1. Representative Crespo introduced House Bill 2651 on February 18, 2021. This bill amends the Ethics Act revolving door provisions to ensure State employees are acting in the best interest of the State. First, this bill adds language to the revolving door section to ensure that employees who are personally and substantially involved in making fiscal decisions during a contract are prohibited from accepting certain employment for one year after public service. Second, the bill adds language to clarify that certain high-level employees, based on their job functions, fall under the revolving door restrictions. The Ethics Act currently states that chiefs of staff, deputy chiefs of staff, associate chiefs of staff, assistant chiefs of staff, and deputy governors have some revolving door restrictions. However, some of these titles are outdated and would not capture individuals who are performing these same job functions.

House Bill 2654.

2. Representative Crespo introduced House Bill 2654 on February 18, 2021. This bill amends the Ethics Act to allow executive inspectors general to disclose investigatory files and reports, as necessary, to the head of the State agency affected by or involved in the investigation. This bill is important because executive inspectors general need a mechanism to disclose information directly to agency heads, for example when there is a potential risk to public safety. Due to the confidentiality provisions of the Ethics Act, an executive inspector general currently cannot directly disclose information to an agency head while an investigation is pending. Amending the Ethics Act to clarify that executive inspectors general can disclose investigatory files and reports to agency heads furthers the public interest.

In FY2021, the General Assembly continued its work on crafting ethics legislation. As part of that effort, it held hearings and had meetings regarding proposed amendments to the Ethics Act, including a hearing on the OEIG's proposals. In April 2021, EIG Haling was invited to testify regarding House Bills 2651 and 2654 during the Ethics & Elections Committee hearing. At the hearing, EIG Haling explained why the language in these bills is important for ethics reform and how the bills would impact the OEIG.

In addition to House Bills 2651 and 2654, the Ethics & Elections Committee held several hearings regarding ethics proposals and bills with the goal of crafting an omnibus ethics package. The OEIG engaged with legislators, legislative staff, and stakeholders throughout this process and provided its prospective on the proposals.

General Assembly's Ethics Omnibus Bill

On May 31, 2021, Senate Bill 539, an omnibus ethics bill was introduced containing some of the ethics proposals discussed during the Ethics & Elections Committee hearings. One day later, on June 1, 2021, that bill passed both the House and Senate. This bill makes several amendments to the Ethics Act, Illinois Governmental Ethics Act, Election Code, General Assembly Compensation Act, and Lobbyist Registration Act. **Notably, Senate Bill 539 amendments to the Ethics Act include the OEIG's proposed amendments to strengthen the revolving door provisions.** Senate Bill 539 also amended section 20-95(d) of the Ethics Act to clarify that investigatory files and reports of the EIG are confidential and privileged.

Unfortunately, Senate Bill 539 also amended the Ethics Act section 20-20 unnecessarily to mirror the EIG's jurisdiction with the Legislative Inspector General's jurisdiction. For example, it added that the EIGs do not need advance approval from the EEC (when this was not previously required) to investigate allegations based on a complaint. The OEIG sought to correct these errors and the unintentional consequences of changing this language. EIG Haling brought this to the attention of the bill's House sponsor and the



Governor's Office explaining the potential negative impact to the OEIG's current authority.

On August 27, 2021, the Governor issued an amendatory veto of Senate Bill 539. The amendatory veto strikes the proposed changes to section 20-20(1) in the Ethics Act and restores the original language: "(1) To receive and investigate allegations of violations of this Act. An investigation may not be initiated more than one year after the most recent act of the alleged violation or of a series of alleged violations except where there is reasonable cause to believe that fraudulent concealment has occurred."

On August 31, 2021, the Senate voted to accept the Governor's amendatory veto and on September 9, 2021, the House voted to accept the Governor's amendatory veto. On October 8, 2021, Senate Bill 539, became law – Public Act 102-0664. This law goes into effect on January 1, 2022.

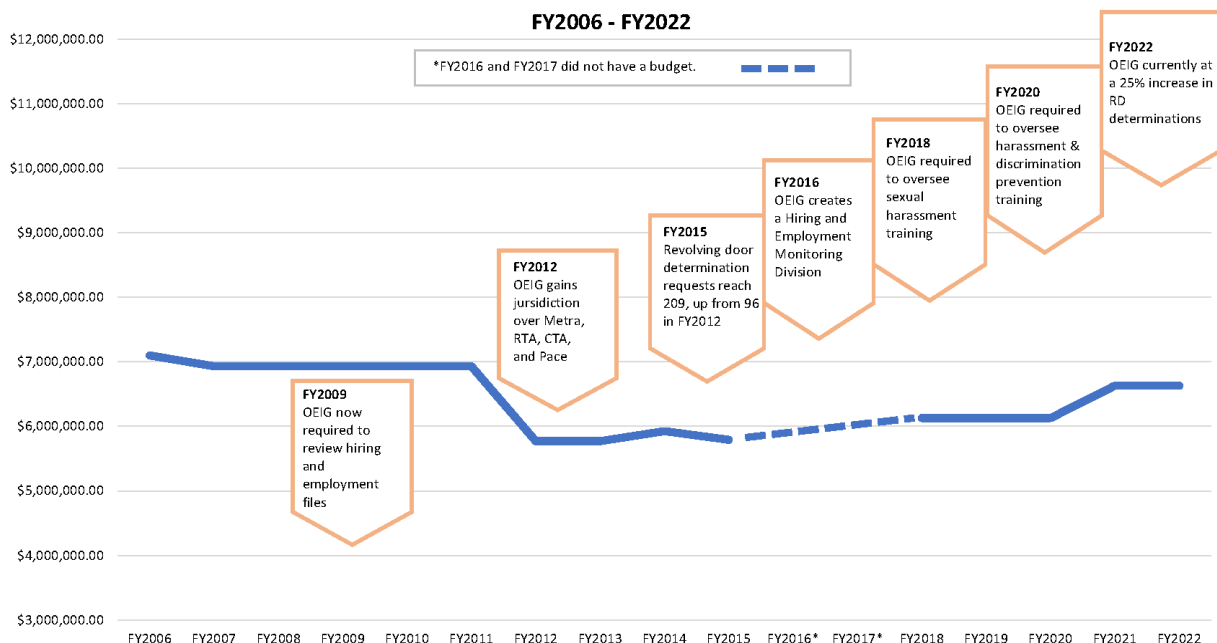
While the OEIG will continue to strive for stronger ethics laws, we are pleased that this law has made important changes to the revolving door provisions of the Ethics Act, among other reforms.

Finances

General Revenue Fund

The Illinois General Assembly appropriated \$6.6 million from the General Revenue Fund (GRF) for the OEIG's FY2021 ordinary and contingent expenses. Historically, the OEIG's GRF appropriation was approximately \$7 million: \$7.1 million for FY2006 and \$6.931 million for FY2007-2011. The OEIG's GRF appropriation has not recently reached those historic levels despite increased compliance duties such as revolving door determinations, the Hiring & Employment Monitoring Division, and the oversight of harassment and discrimination prevention training. The chart below illustrates the dip in GRF funding as compared to increased duties.

Historical GRF Budget & Added Responsibilities



Public Transportation Fund

The Illinois General Assembly appropriated \$1.6 million to the OEIG from the Public Transportation Fund (PTF) to support the OEIG's jurisdiction of matters involving the Regional Transportation Authority, Chicago Transit Authority, Metra, and Pace. This \$1.6 million appropriation from the PTF has remained flat since FY2014.

Operating Expenses

Personnel-related expenses accounted for 82% of the FY2021 operating expenses. The OEIG strives to limit non-personnel operating expenses as much as possible to prioritize spending for its chief resource, its staff.

FY2021 Operating Expenditures (in thousands)

	FY2021 GRF	FY2021 PTF	Total
Personnel	\$5,077	\$751	\$5,828
Leases, Vendors, and CMS Chargebacks	\$842	\$147	\$989
Office Equipment	\$159	\$21	\$180
Telecommunications	\$72	\$15	\$87
Other	\$2	\$1	\$2
Total	\$6,152	\$934	\$7,086

Appendices

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Leadership

Susan M. Haling, Executive Inspector General

Ms. Haling was nominated as Executive Inspector General in March 2018, and confirmed by the Illinois Senate in May 2019. She first joined the OEIG in December 2011 as Special Counsel, and served as the First Assistant Inspector General beginning in 2015. In addition, she has more than nine years of experience as an Assistant U.S. Attorney in Chicago, where she tried over 20 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.

Neil P. Olson, General Counsel

Mr. Olson returned to the OEIG in May 2018 and serves as General Counsel. Mr. Olson previously worked at the OEIG as Deputy Inspector General and Chief of Springfield Division before leaving the OEIG in 2013 to serve as General Counsel in the Office of the Illinois State Treasurer. Prior to his return to the OEIG, Mr. Olson also served as an Assistant Attorney General and then the Deputy Public Access Counselor in the Office of the Illinois Attorney General. He also previously worked for the Massachusetts Attorney General's Office, the Massachusetts Commission on Judicial Conduct, as a litigator in private practice, and as the law clerk to the Honorable Kenneth Laurence of the Massachusetts Appeals Court. Mr. Olson is a graduate of Grinnell College and Northeastern University School of Law, and is licensed to practice law in Massachusetts and Illinois.

Fallon Opperman, Deputy Inspector General and Chief of Chicago Division

Ms. Opperman joined the OEIG as an Assistant Inspector General in June 2008 and then served as Chief of the Regional Transit Board Division. As Deputy Inspector General and Chief of Chicago Division since February 2015, 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.

Erin K. Bonales, Director of Hiring & Employment Monitoring

Ms. Bonales is responsible for directing the OEIG's Hiring & Employment Monitoring Division, which engages in compliance reviews and monitoring activities related to hiring and employment decisions, policies, and practices. Ms. Bonales previously worked for the OEIG for nearly eight years, including serving as Deputy Inspector General and Chief of the Chicago Investigative Division. Prior to joining the OEIG in May 2006, Ms. Bonales was an Assistant General Counsel for the Illinois Department of Human Services for approximately five years. Ms. Bonales received a JD from the University of Illinois College of Law, and a BA in Political Science from Southern Illinois University.

Christine P. Benavente, Deputy Inspector General - Executive Projects

Ms. Benavente joined the OEIG as an Assistant Inspector General in August 2011 and later served as a Legislative Assistant Inspector General. As Deputy Inspector General—Executive Projects, Ms. Benavente leads numerous executive projects, including overseeing the Division of External Compliance & Outreach, serving as the legislative attorney for all legislative matters pertaining to the OEIG, and serving as the Diversity, Equity, and Inclusion Coordinator. Prior to working at the OEIG, she was an Associate at Jenner & Block, LLP. Ms. Benavente obtained her law degree from DePaul University College of Law, where she graduated Order of the Coif and magna cum laude. During law school, she served as Editor-in-Chief of the Women's Law Caucus Digest and Moot Court Representative for the Hispanic National Bar Association. She obtained BAs from the University of Iowa.

Angela Luning, Deputy Inspector General and Acting Chief of Springfield Division

Ms. Luning joined the OEIG as an Assistant Inspector General in 2012, became a Deputy Inspector General for Investigations in 2015, and currently serves as Acting Chief of the Springfield Division. Ms. Luning previously served as an Assistant State's Attorney in the Will County State's Attorney's Office, an Assistant Attorney General, and an Assistant Corporation Counsel for the City of Chicago; she also was a law clerk to the Hon. George W. Lindberg in the U.S. District Court for the Northern District of Illinois. Ms. Luning has a BA from Yale University, and received her law degree from Loyola University Chicago, where she served as the Executive Editor for Lead Articles on the Loyola University Chicago Law Journal.

Complaints Received By Agency

Number of Complaints Received by Agency	FY2021
Abraham Lincoln Presidential Library and Museum	3
Aging, Department on	14
Agriculture, Department of	12
Attorney General, Office of	9
Attorney Registration and Disciplinary Commission	3
Board of Higher Education	3
Board of Investment	2
Capital Development Board	3
Central Management Services, Department of	30
Chicago Public Schools Inspector General	2
Chicago State University	8
Chicago Transit Authority	60
Children & Family Services, Department of	84
Children & Family Services Inspector General, Department of	4
City of Chicago Inspector General	6
Commerce Commission, Department of	4
Commission on Human Rights	1
Commerce and Economic Opportunity, Department of	11
Comptroller, Office of	9
Corrections, Department of	208
Court Officials	2
Criminal Justice Information Authority	2
Eastern Illinois University	2
Emergency Management Agency, Department of	5
Employment Security, Department of	253
Environmental Protection Agency	14
Executive Ethics Commission	2
Financial and Professional Regulation, Department of	24
Gaming Board	2
General Assembly	15

Number of Complaints Received by Agency	FY2021
Governor's Office	27
Governors State University	4
Guardianship & Advocacy Commission	3
Healthcare and Family Services, Department of	54
Historic Preservation Agency	5
Housing Development Authority	8
Human Rights, Department of	23
Human Services, Department of	314
Human Services Inspector General, Department of	1
Illinois State University	1
Innovation and Technology, Department of	6
Insurance, Department of	9
Judicial Inquiry Board	2
Juvenile Justice, Department of	16
Labor, Department of	4
Law Enforcement Training and Standard Board	7
Liquor Control Commission	2
Local Police Department/Sheriff's Office	14
Lottery	7
Math and Science Academy	4
Metra	15
Natural Resources, Department of	20
None Given	12
Non-State Agency	437
Northeastern Illinois University	4
Northern Illinois University	5
Office of Executive Inspector General	12
Office of the State Fire Marshal	15
Other	51
Pace	12
Prisoner Review Board	1
Property Tax Appeal Board	3
Public Counsel	1
Public Health, Department of	44
Racing Board	1

Number of Complaints Received by Agency	FY2021
Regional Transportation Authority	2
Revenue, Department of	36
Secretary of State, Office of	57
Southern Illinois University - Carbondale	9
Southern Illinois University - Edwardsville	5
Southern Illinois University - School of Medicine	3
Southern Illinois University	4
Social Security Administration Inspector General, Office of	5
State Board of Education	6
State Board of Elections	1
State Employees Retirement System	4
State Police	35
State Police Merit Board	3
State's Attorney	6
State Treasurer, Office of the	3
Teachers Retirement System	1
Toll Highway Authority	26
Toll Highway Authority Inspector General	1
Transportation, Department of	111
United States Postal Service Inspector General	1
University of Illinois	32
Unknown	25
Vendor	12
Veterans' Affairs, Department of	18
Western Illinois University	7
Workers Compensation Commission	6
Total	2,360

Allegations Received By Type of Misconduct

Allegations Received by Type of Misconduct	FY2021
Abuse	24
Breach of Confidentiality	21
Bribery	4
Child Support	1
Conflict of Interest	33
Customer Service	102
Discrimination	166
Document Falsification	27
Ethics/sexual harassment training	1
Extortion	1
Failure to cooperate	10
Failure to file SEI	1
Failure to follow dept policy	32
False Employment Application	1
Fraud	156
Gift Ban Violation	2
Grant Fraud	8
Harassment	158
Hiring/Promotional improprieties	93
Misapprop./Misuse of Funds	11
Misconduct	344
Mismanagement	786
Misuse of property	24
None	13
Other	112
Other Ethics Act violation	1
Prisoner Complaint	36
Procurement Improprieties	11
Prohibited Political Activity	12
Retaliation	110

Allegations Received by Type of Misconduct	FY2021
Revolving Door Violation	10
Sexual Harassment	36
Theft	21
Time abuse	74
Unethical Behavior/Practices	246
Violence in the workplace	3
Waste	4
Wrongfully convicted	1
Wrongful termination	16
Total Allegations	2712

Founded Reports By Agency

Founded Reports by Agency	FY2021
Chicago Transit Authority	1
Department of Commerce and Economic Opportunity	1
Department of Corrections	2
Department of Human Services	3
Department of Juvenile Justice	1
Department of Natural Resources	1
Environmental Protection Agency	1
Governors State University	1
Property Tax Appeal Board	1
Southern Illinois University - School Of Medicine	1
Teachers Retirement System	1
Vendor with the Department of Natural Resources	1
Western Illinois University	1
Total	16

Online References

State Officials and Employees Ethics Act (5 ILCS 430)

<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ChapterID=2&ActID=2529>

OEIG Monthly Investigations Reports

https://www2.illinois.gov/oeig/publications/Pages/monthly_reports.aspx

OEIG Revolving Door Decisions

<https://www2.illinois.gov/oeig/RevolvingDoor/Pages/RevolvingDoorDecisions.aspx>

Publicly Disclosed OEIG Founded Reports

<https://www2.illinois.gov/oeig/investigations/Pages/PublishedOEIGCases.aspx>

OEIG Investigations Policy and Procedures Manual

https://www2.illinois.gov/oeig/Documents/OEIG_Investigation_Policy_Procedures_Manual_11_09_2012.pdf

OEIG Hiring and Employment Monitoring Quarterly/Annual Reports

<https://www2.illinois.gov/oeig/HEM/Pages/HEM%20Reports.aspx>

OEIG FOIA Officer:

Neil P. Olson, General Counsel

Office of Executive Inspector General

for the Agencies of the Illinois Governor

607 E. Adams, 14th Floor

Springfield, IL 62701-1634 OEIG.FOIA@illinois.gov

Photocopy costs for FOIA requests: First 50 black-and-white copies are at no charge;
\$.15 per page for each additional page.

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In an effort to conserve resources and be green, the FY2021 Annual Report will be distributed electronically.

An online copy of this report in PDF format may be found at:

https://www2.illinois.gov/oeig/publications/Pages/annual_reports.aspx

Report Misconduct



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

Toll Free: (866) 814-1113

TTY: (888) 261-2734

www.inspectorgeneral.illinois.gov

69 W. Washington

Suite 3400

Chicago, IL 60602-9703

607 E. Adams

14th Floor

Springfield, IL 62701-1634