



# Illinois Ethics Matters

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*Honesty, Integrity, Service*

A newsletter from the Office of Executive Inspector General for the Agencies  
of the Illinois Governor

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## Recent News

- The OEIG is pleased to announce that **Jennifer McMahon** recently began as an Assistant Inspector General in the General Investigations Division in Chicago, and **Kaci Tompkins** recently began as an Investigative Assistant in the Regional Transit Board Division.
- The Executive Ethics Commission released additional materials related to the settlement of a revolving door case involving the former Acting Director of the Illinois Department of Insurance, including the OEIG founded report that preceded the filing of a complaint with the EEC: [In re: Anne Melissa Dowling \(Case #17-01511\)](#).
- The EEC released an OEIG report that found that the former Chair of the Illinois Gaming Board engaged in political activity prohibited by State gaming laws. [In re: Don Tracy \(Case #18-01946\)](#).

## Ethics Officer Guidance: Duties and Best Practices



Section 20-23 of the Ethics Act sets forth the duties of agency-appointed Ethics Officers. One of those duties is to “provide guidance to officers and employees in the interpretation of [the Ethics Act], which the officer or employee may in good faith rely upon.” Frequently, in accordance with this section, employees ask Ethics Officers for advice on ethics-related issues.

The Ethics Act also provides, however, that “[s]uch guidance shall be based, wherever possible, upon legal precedent in court decisions, opinions of the Attorney General, and the findings and opinions of the Executive Ethics Commission.” This means that Ethics Officers should be familiar with these types of precedents and/or be prepared to research them. In addition, Ethics Officers should attempt to elicit all the relevant facts when responding to requests for guidance from employees.

Employees must provide all the relevant facts to an Ethics Officer when seeking such ethics guidance. Failure to provide all the facts may render the guidance invalid.

Particularly when the advice is novel, fact-intensive, or otherwise noteworthy, Ethics Officers should consider maintaining written documentation of the guidance provided and the legal and factual bases for it.

Full and accurate guidance is critical for high-ranking officials who are on an agency’s revolving door “h-list,” and are prohibited from working for certain vendors and regulated entities for one year after leaving State employment regardless of whether they participated personally and substantially in the award of a contract or a regulatory decision. These officials, because of their high-level positions, may not know the full contractual or regulatory relationship between their prospective employer and their agency. The Ethics Officer may be required to conduct more research to understand and fully advise such an official.