**Section 1620.1000 Investigation Reports Finding a Violation**

*If an Executive Inspector General* or the Attorney General, pursuant to Section 20-50 or 20-51 of the Act, respectively, *upon the conclusion of an investigation, determines that reasonable cause exists to believe that a violation has occurred, then the Executive Inspector General* or Attorney General*, shall issue a summary report of the investigation. The report shall be delivered to the appropriate Ultimate Jurisdictional Authority and to the head of each State agency affected by or involved in the investigation, if appropriate.* [5 ILCS 430/20-50]

a) The summary report of the investigation shall include the following:

1) The unique tracking number of the investigation.

2) *A description of any allegations or other information received by the Executive Inspector General* or Attorney General *pertinent to the investigation.*

3) A summary of investigative steps taken. This summary need not disclose any confidential investigation techniques.

4) *A description of any alleged misconduct discovered in the course of the investigation.*

5) *Recommendations for any corrective or disciplinary action to be taken in response to any alleged misconduct described in the report, including but not limited to discharge.*

6) *Other information the Executive Inspector General* or Attorney General *deems relevant to the investigation or resulting recommendation.* [5 ILCS 430/20-50(b)]

7) The last known mailing addresses for all subjects or, if the subjects are represented by counsel, the mailing address for their counsel.

8) The date of the last alleged violation of the Act or other State law, rule or policy giving rise to the investigation.

9) Other information deemed necessary by the Commission to fulfill its duties.

b) *The appropriate UJA or agency head shall respond to the summary report within 20 days, in writing, to the Executive Inspector General* or Attorney General, as appropriate. *The response shall include a description of any corrective or disciplinary action to be imposed.* [5 ILCS 430/20-50] If the appropriate UJA or agency fails to respond in writing within 20 days, the Executive Inspector General or Attorney General shall inform the Commission of this failure within 5 business days.

c) *Within 30 days after receiving a response from the appropriate UJA or agency head, the Executive Inspector General* or Attorney General, as appropriate, *shall:*

1) *notify the Commission and the Attorney General that he or she believes that a complaint should be filed with the Commission and submit the summary report and supporting documents to the Attorney General;* or

2) *deliver to the Commission a statement setting forth the basis for his or her decision not to file a complaint and a copy of the summary report and response from the UJA or agency head.* [5 ILCS 430/20-50(c-5)]

d) A summary report submitted to the Commission shall be accompanied by a copy of any impact statement submitted by a 20-63 Complainant with respect to the report.

e) *If, after reviewing the documents, the Commission believes that further investigation is warranted, the Commission may:*

1) *request that the Executive Inspector General provide additional information or conduct further investigation;* or

2) *appoint a Special Executive Inspector General;* or

3) *refer the summary report and response to the Attorney General for further investigation or review.*

f) *If, after review, the Attorney General determines that reasonable cause exists to believe that a violation has occurred, then the Attorney General may file a complaint with the Commission. If the Attorney General concludes that there is insufficient evidence that a violation has occurred, the Attorney General shall notify the Commission and the appropriate Executive Inspector General.* [5 ILCS 430/20-50(c-10)]

g) If a given investigation results in a determination by the EIG that reasonable cause exists to believe that violations of both the Ethics Act (including rules or policies adopted to implement the Ethics Act) and laws other than the Ethics Act have occurred, and if the Attorney General files a complaint with the Commission related to the Ethics Act violations, then the EIG must file its summary report as to the non-Ethics Act violations no later than 30 days after the final administrative decision is made with respect to the complaint filed by the Attorney General.

(Source: Amended at 47 Ill. Reg. 12045, effective July 31, 2023)