**Section 3430.80 Investigations**

a) Once an investigation has been opened, it shall be assigned a unique tracking number and the Inspector General shall assign an investigator to conduct the investigation.

b) At a minimum, all investigations are required to be conducted autonomously, independent of direction from the Authority, impartially, and in a professional and timely manner. Investigations shall be properly documented to ensure the appropriate handling and correct recording of all investigations.

c) Possible methods of investigation include, but are not limited to, the following:

1) Site visits.

2) Telephone contacts.

3) Personal interviews.

4) Requests for written responses.

5) Voluntary production of documents and/or information.

6) Seizure and analysis of State, vendor or subcontractor property and documents, including electronic files and databases.

7) Document requests.

8) Subpoenas for records and/or testimony.

d) Determining which method of investigation is appropriate will vary depending on the nature of the allegation and the balancing of various criteria that include, but are not limited to, the following:

1) Maintaining the confidentiality of the complainant and/or source of the information and other confidentiality requirements.

2) The efficient use of OIG time and resources.

3) The type of information being sought.

4) Whether the allegation is ongoing and/or involves possible danger to the health or safety of employees or the public.

5) Whether the destruction or altering of evidence is possible and/or likely.

6) Availability of potential witnesses and/or information.

e) Minimum investigatory requirements for completing an investigation:

1) An investigation will be sustained if the Inspector General *determines that reasonable cause exists to believe that fraud, waste, abuse, mismanagement, misconduct, nonfeasance, misfeasance, or malfeasance has occurred* [605 ILCS 10/8.5(e)(1)].

2) An investigation will be closed if the Inspector General *concludes that there is insufficient evidence that a violation has occurred* [605 ILCS 10/8.5(e)(4)]. The Inspector General may close an investigation if, during the course of the investigation, the OIG determines that the events under investigation took place outside of the applicable statute of limitations, that the subjects of the investigation are not under the OIG's jurisdiction, or if the investigation is referred elsewhere.

3) A complete OIG investigation consists of the retrieval of relevant records, review of all relevant documentation, and interviews of all relevant persons.

f) Subpoena Powers

1) *The Inspector General shall have the power to subpoena witnesses and compel the production of books and papers pertinent to an investigation* [605 ILCS 10/8.5(f)(2)]*.*

2) Only the Inspector General may issue a subpoena, not members of the Inspector General's staff. (See 605 ILCS 10/8.5(f)(2).)

3) The Inspector General may not subpoena a *person or documents of a labor organization or its representatives insofar as the person or documents of a labor organization relate to the function of representing an employee subject to investigation under this Section* [605 ILCS 10/8.5(f)(2)]*.*

4) *Subject to a person's privilege against self-incrimination, any person who fails to appear in response to a subpoena, answer any question, or produce any books or papers pertinent to an investigation under this Section, except as otherwise provided in this Section, or who knowingly gives false testimony in relation to an investigation under this Section is guilty of a Class A misdemeanor* [605 ILCS 10/8.5(f)(2)].