

2020

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 Office of Executive Inspector General for the Agencies of the Illinois Governor (OEIG). This report highlights our FY2020 efforts toward better State government.

FY2020 brought the additional challenge of the COVID-19 pandemic, which was in place for approximately one-third of this fiscal year. The OEIG responded quickly, by having employees work remotely and implementing procedures to use and maximize efficiencies with virtual systems in order to keep our work going. The strong presence of an independent inspector general is more critical than ever during the pandemic, and the OEIG is proud of its work to serve Illinoisans during this unprecedented time.



While our investigations can have a significant impact, the OEIG also conducts other essential compliance work to help improve State government through our Hiring & Employment Monitoring (HEM) Division that oversees State hiring. We also produce and review ethics and harassment and discrimination prevention training for State employees. To the extent allowable by our statute, we share our insight or recommendations in a proactive manner to help improve the efficiency and quality of the entities we oversee.

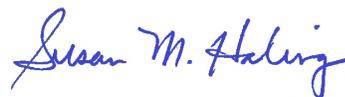
Below are some highlights from the OEIG's work during FY2020.

- ▶ **OEIG Investigation Leads to a Record \$193K Fine for Revolving Door Violations.** A recent OEIG investigation revealed that Michael Wons violated the Ethics Act when he left State employment and accepted employment and compensation from a private company. In June 2020, the EEC concluded that Mr. Wons violated the revolving door provisions of the Ethics Act on four separate occasions and fined him \$193,689.60. As a result of this, and other OEIG revolving door investigations, the OEIG worked with the Governor's Office to present four revolving door webinars in June 2020. The webinars focused on practical guidance to ethics officers on the law, creation and maintenance of a "c-list," notification to employees, and the OEIG determination process.
- ▶ **OEIG Investigation Revealed the Irreplaceable \$20 million Gettysburg Address Was Improperly Loaned.** In FY2020, the OEIG issued a founded report detailing its findings of mismanagement by Abraham Lincoln Presidential Library and Museum (ALPLM) Executive Director Alan Lowe, based on the improper loaning of the \$20 million, irreplaceable, Gettysburg Address. The investigation, in part, revealed that Mr. Lowe loaned the Gettysburg Address to Mercury One Inc., a nonprofit founded by media personality Glenn Beck, to be used in a "pop-up" museum where it was displayed in Mr. Beck's office. This loan was done without following proper standards and protocols necessary to ensuring the safety of this treasured artifact. As a result of the OEIG's investigation, Mr. Lowe was terminated. The OEIG also recommended that the Governor's Office appoint members to the vacant ALPLM Board, and after the OEIG's report, 11 members were appointed.

- ▶ **Hiring & Employment Monitoring Division Initiates Written Advisories to Assist Agencies in Compliance, Releases 59 Advisories in FY2020.** The OEIG's Hiring & Employment Monitoring (HEM) Division conducts compliance reviews and works directly with State agencies to ensure that State hiring procedures and decisions are lawful, merit based, and/or justifiable. In late 2019, on its own initiative, HEM began producing written Advisories at the conclusion of its hiring reviews to provide more information to agencies reforming their hiring practices. These Advisories are sent to the chief agency personnel officer and the Illinois Department of Central Management Services (CMS) Compliance Officer, with copies to the Governor's Office, the head of the agency, *Shakman* Plaintiffs' Counsel, and the *Shakman* Special Master and include: a summary detailing the subject and scope of the review; a description of the conclusions regarding compliance with applicable rules and procedures; and recommendations on how to proceed, if necessary. In response to the Advisories, agencies have agreed to implement HEM's recommendations in future hiring sequences and have requested additional training.
- ▶ **OEIG Spearheads Successful Passage of Legislation to Protect Victims of Sexual Harassment, Harassment, and Discrimination.** During the FY2020 Veto Session, the OEIG successfully worked to pass a law amending the Ethics Act that further protected victims of sexual harassment, harassment, and discrimination. Public Act 101-0617 struck recent Ethics Act amendments that had the unintended consequences of undermining OEIG investigations into sexual harassment, harassment, and discrimination and shortening the time the Attorney General's Office has to bring an Ethics Act complaint. Because of the serious impact of those provisions on the OEIG's operations, we worked diligently to amend the law so that it better represented the intent of the legislators to protect victims and maintain the integrity of OEIG investigations. The passage of this law was the result of months of collaboration with government entities, legislators, and stakeholders. Public Act 101-0617 went into effect on December 20, 2019, and passed with overwhelming bipartisan support.

It is my strong belief that the OEIG's oversight 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



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 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. The OEIG also investigates allegations of hiring improprieties and conducts compliance-based reviews of employment procedures and decisions. In addition, the OEIG plays a role in reviewing Ethics Act-mandated trainings.

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

Susan M. Haling was appointed as Acting Executive Inspector General 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.

Susan M. Haling,
Executive Inspector
General

Neil P. Olson,
General Counsel

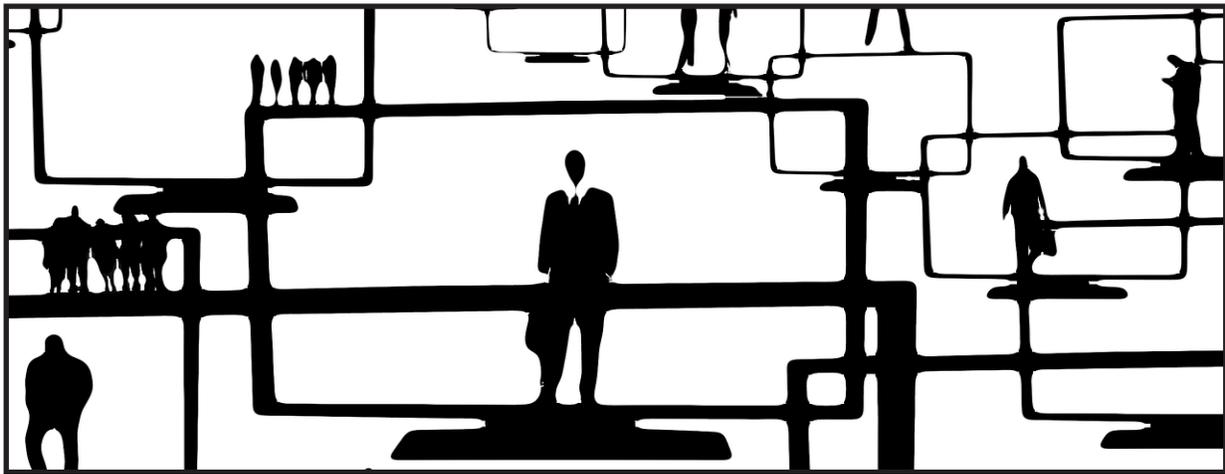
Fallon Opperman,
Deputy Inspector General
and Chief of Chicago
Division

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

Claudia P. Ortega,
Chief Administrative
Officer



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 also initiates its own investigations based on publicly reported information or information developed during other investigations.

The OEIG evaluates all new complaints to determine the appropriate action. In FY2020, the OEIG received 2,461 complaints, initiated 76 investigations, and completed 86 investigations, including 14 with findings of wrongdoing. In FY2020, 14 founded reports were made public by the EEC. The EEC also decided three cases based on OEIG investigations finding Ethics Act violations. At the close of the fiscal year, 87 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 visit www.inspectorgeneral.illinois.gov; call the OEIG at 886-814-1113; send a fax to 312- 814-5479; TTY at 888-261-2734; or write 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, in FY2016, the OEIG created the Hiring & Employment Monitoring 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.

HEM also assists the Special Master in the *Shakman* litigation that involves ensuring that the Illinois Department of Transportation is in substantial compliance. Pursuant to court orders filed in this litigation, HEM also determines whether positions should be added or deleted from the State Exempt List. The State 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; CMS is responsible for maintaining this list. In addition, the OEIG took the lead on working with the members of the Governor’s administration to ensure that a completed Comprehensive Employment Plan (CEP) was put in place

and was filed with the court in November 2019. The CEP, which contains the Agreed Exempt Employment Plan, also sets forth general principles and commitments applicable to all hiring and implements hiring processes for non-exempt positions.

Also in late 2019, in order for HEM’s compliance work to be more informative and impactful for agencies reforming their hiring practices, on its own initiative, HEM began issuing written Advisories to the agencies and other relevant parties at the conclusion of its reviews, summarizing HEM’s findings and making recommendations for the agency. In FY2020, HEM issued 59 Advisories. HEM will continue to facilitate State hiring reforms designed to ensure that decisions are lawful, merit based, and/or justifiable.

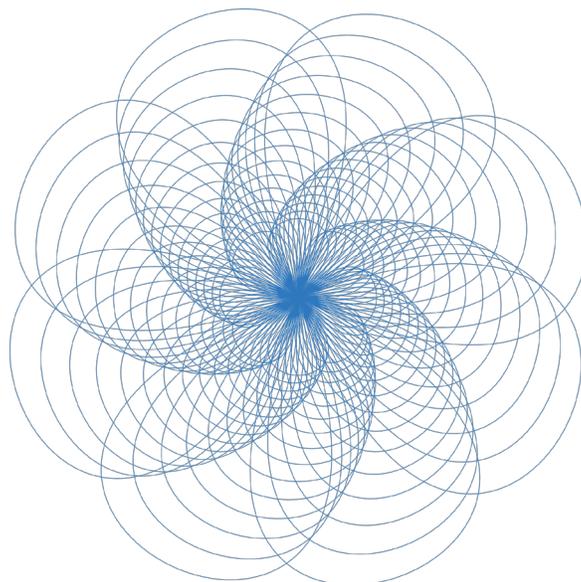
Revolving Door Determinations

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, may accept non-State employment or compensation within one year of leaving State employment. These determinations are called “revolving door” determinations.

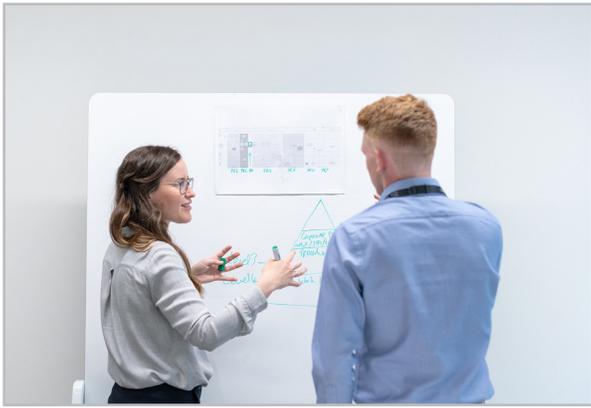
Generally, the revolving door restrictions under the Ethics Act are intended to prevent former public servants who participated in certain contracting, licensing, or regulatory decisions from accepting employment from an entity that was directly implicated in those decisions.

In FY2020, the OEIG investigated and issued 169 revolving door determinations. It determined that five 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.

In addition, in FY2020, the OEIG worked with the Governor’s Office to host webinars for agency ethics officers and general counsels regarding the revolving door process. It focused on practical guidance to ethics officers on the law, creation and maintenance of a “c-list” (as will be described later in this Annual Report), requirements for notifying employees about their obligations under the Ethics Act, and on the OEIG determination process.



Training and Compliance



The Ethics Act requires individuals under the OEIG’s jurisdiction to complete ethics training on an annual basis. Similarly, under the Ethics Act, sexual harassment training became mandatory for the same categories of employees in 2018. Beginning on January 1, 2020, this training was expanded to become a broader harassment and discrimination prevention training program.

The OEIG reviews and approves training programs proposed by entities under its jurisdiction. In calendar year 2019, the OEIG reviewed and approved 38 ethics training programs and 37 harassment and discrimination prevention training programs.¹

Ultimate jurisdictional authorities are required to report compliance with these training requirements on an annual basis.

For the 2019 calendar year reporting period, agencies reported that individuals completed approximately 193,000 ethics training sessions and approximately 181,000 sexual harassment and discrimination prevention training sessions.

In order to best use available State resources, in calendar year 2019, the OEIG continued to work with the Illinois Department of Innovation & Technology to facilitate the use of an online training platform, OneNet, for both ethics training and sexual harassment training for those employees, appointees, and officials under the Illinois Governor. For agencies under the Illinois Governor, the OEIG directly provided more than 59,000 online ethics training sessions in calendar year 2019. For calendar year 2020, the ethics training and harassment and discrimination prevention training programs both remain on OneNet.

¹ This number includes both sexual harassment trainings and harassment and discrimination prevention trainings. Due to the transition between programs, during calendar year 2019, the OEIG reviewed both sexual harassment training programs and harassment and discrimination prevention training programs. As discussed further, in 2019, the OEIG oversaw sexual harassment training. In 2020, sexual harassment training was expanded to include training on preventing other unlawful harassment and discrimination.

Meeting the Challenges of COVID-19

The onset of the COVID-19 pandemic presented challenges for all State of Illinois agencies, including the OEIG, which were required to limit in-person interactions and conduct remote work in unprecedented ways. The OEIG rose to the challenge to contribute to the cause of slowing the spread of COVID-19, while continuing to serve the people of Illinois.

The OEIG responded to the pandemic by quickly adjusting its investigative, compliance, and training strategies to work in remote settings. Starting in March 2020, OEIG employees have been working from home. Any employee attendance and visitors to the OEIG's offices are carefully monitored so that the density of people remains well below State guidelines.

- ▶ **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. Complaints continue to be timely processed and reviewed.

For safety purposes, OEIG investigators conduct interviews via video conference, and collect and analyze records and other information through electronic means.

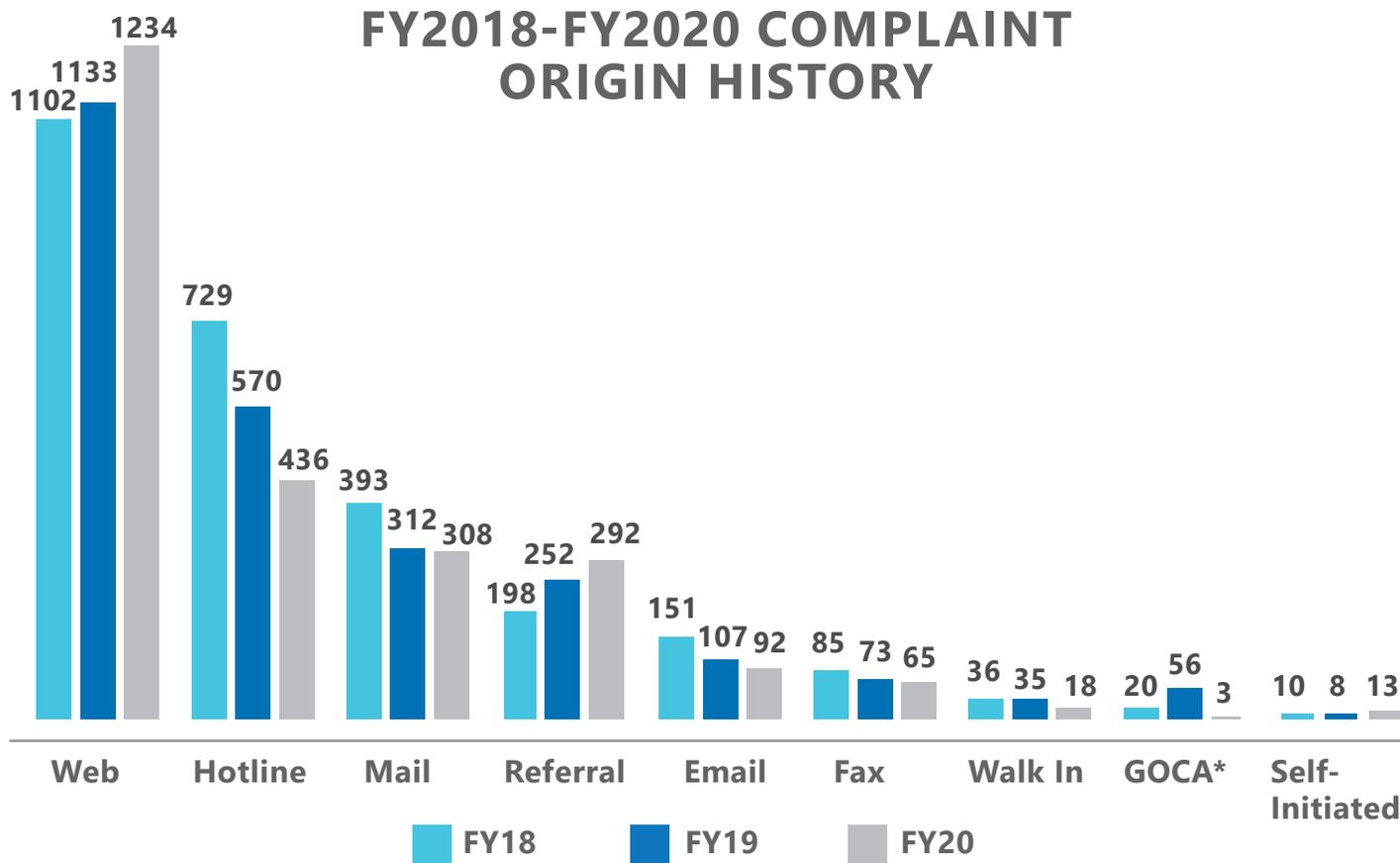
- ▶ **Hiring & Employment Monitoring:** HEM continues to monitor hiring sequences that have transitioned to teleconference or video conference in real time. HEM remotely reviews and audits required hiring documentation. In addition, HEM has worked on expediting its review of exempt position appointments to assist the State in meeting the needs of the pandemic, while still confirming the appointees have the necessary minimum qualifications. The HEM Division also issued the first two quarterly reports detailing its activity pursuant to the Governor's Comprehensive Employment Plan.
- ▶ **Training:** Since 2019, the trainings mandated by the Ethics Act have been available year-round on the State's OneNet training website for employees of agencies under the Governor. Therefore, new and existing employees are able to take mandated training approved by the OEIG remotely so long as they have

access to the internet. The pandemic has been an opportunity for some agencies to complete required training well ahead of the close of the calendar year.

During the COVID-19 Period, the OEIG participated in virtual training sessions on the revolving door process sponsored by the Governor's Office. This training was held via videoconference, and remotely attended by numerous legal and human resources employees. The OEIG also continues to provide virtual orientation sessions for new ethics officers.

Investigations

FY2018-FY2020 COMPLAINT ORIGIN HISTORY



* Governor's Office of Constituent Affairs

Complaints Received and Evaluated

During FY2020, the OEIG received 2,461 complaints. The OEIG received these complaints through many different methods, including, among others, complaint forms found on its website at: 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. The above chart shows the origin of the complaints received by the OEIG in FY2018 - FY2020.

Complaints about entities 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:

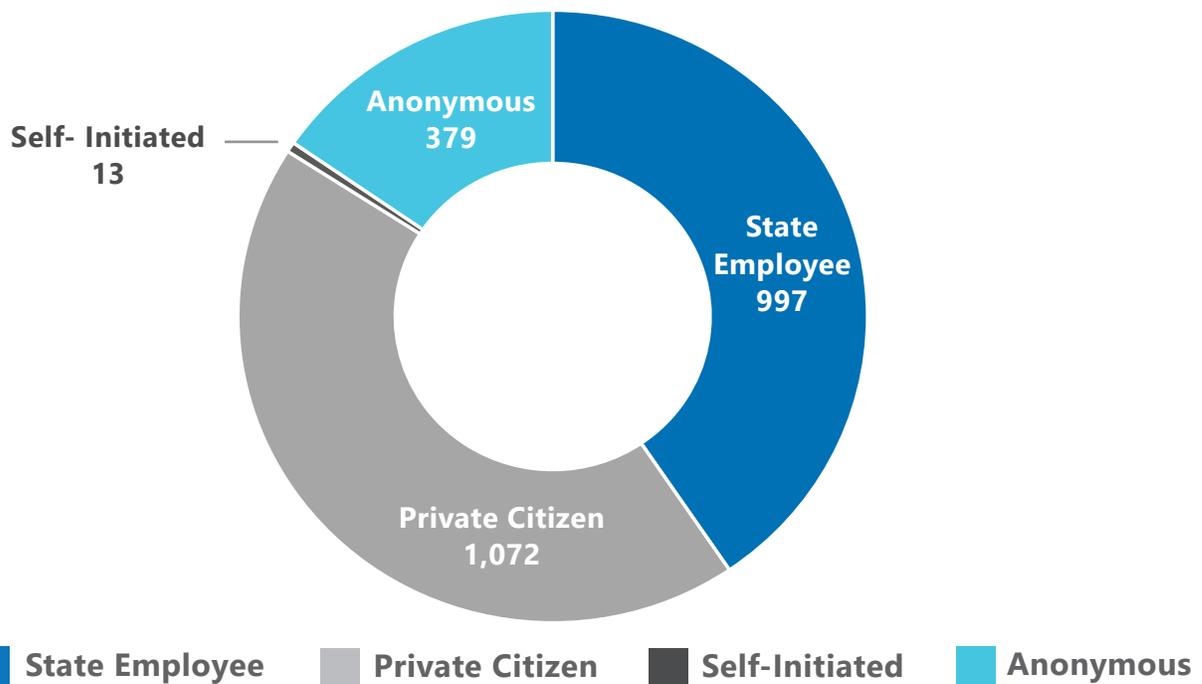
- ▶ an employee of an executive branch State agency, board, or commission, or State public university under the jurisdiction of the OEIG;
- ▶ an employee of one of the Regional Transit Boards (the Regional Transportation Authority, Chicago Transit Authority, Metra, or Pace); or
- ▶ a person or entity (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 self-initiated 13 investigations based on public information or information generated by other investigations. Below is a chart showing generally how complainants were identified in FY2020.

FY2020 COMPLAINT HISTORY

2,461 Complaints



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

- ▶ open an investigation;
- ▶ refer the matter to the appropriate authority; or
- ▶ administratively close the file.

The OEIG opened 76 investigations in FY2020. 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 FY2020, the OEIG referred 1,995 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.

During FY2020, the OEIG worked on streamlining processes and reducing the time it takes to process complaint referrals. The following chart shows the average number of days it took OEIG staff to input complaints, read them, evaluate what action to take, and then to refer the complaints to another agency or law enforcement agency, by fiscal year quarter.

FY 2020 Quarter	Number of Complaints Received	Average Number of Days from Receipt to Referred
1st Quarter	555	22
2nd Quarter	467	22
3rd Quarter	459	16
4th Quarter	357	12

In FY2020, the OEIG also administratively closed 313 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 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 means such as 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 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 of its decision to close the matter to the EEC. Alternatively, the OEIG may “administratively close” an investigation for various reasons, including, for example, an expired statute of limitations, when the OEIG discovers there is a pending parallel proceeding, or when the agency has already adequately investigated and/or addressed all of the allegations.

If the OEIG determines there is reasonable cause to believe that a violation of law or policy has occurred, it will write a founded report that documents:

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

In accordance with State law, the OEIG provides founded reports to the head of each agency affected by or involved with the investigation and the appropriate ultimate jurisdictional authority (for instance, to the Governor’s Office for agencies under the Governor’s authority or the boards of trustees for public universities).

Disposition of Investigations	FY2018	FY2019	FY2020
Founded Reports	24	27	14
Unfounded Reports	55	64	58
Administrative Closures	17	8	14
Total Closed Investigations	96	99	86

OEIG Recommendations and Agency Responses

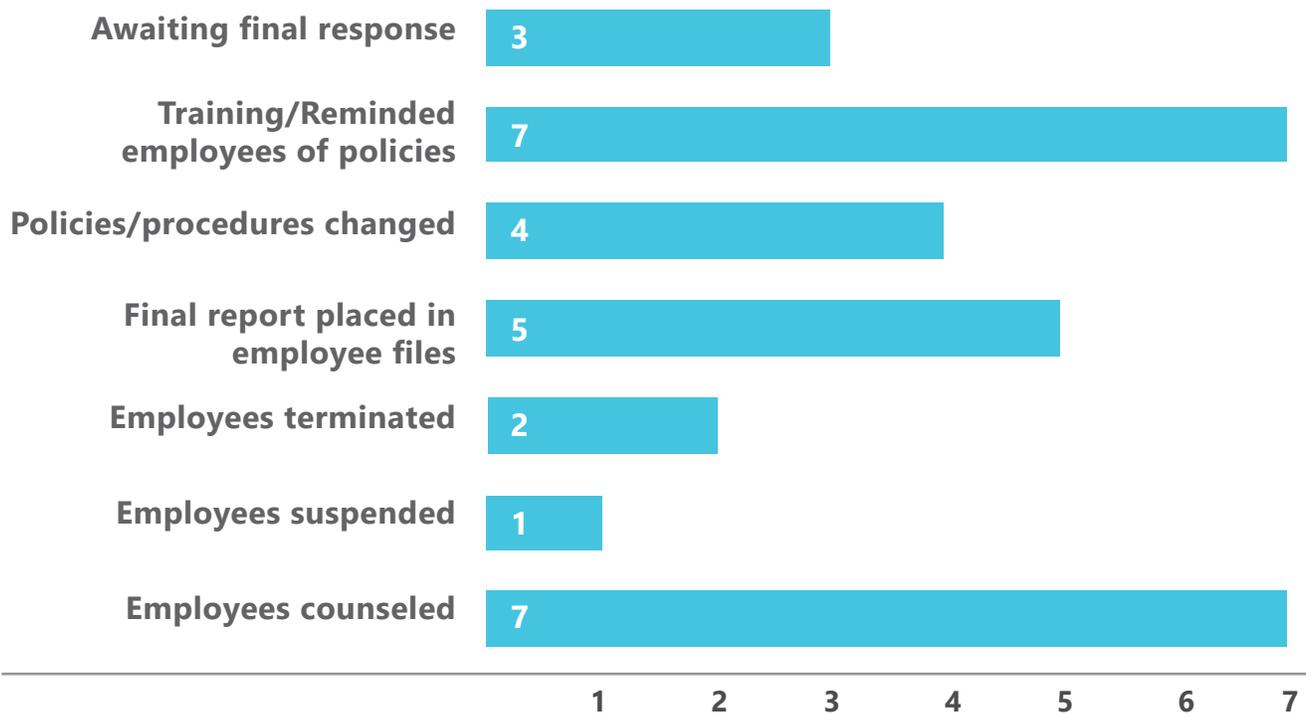
The OEIG completed 86 investigations in FY2020. As noted above, if the OEIG found violations of law or policy, the OEIG issued a founded report and made various recommendations to the affected agencies, which included, for example:

- ▶ 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; and
- ▶ attempting to recoup 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 FY2020,

OEIG investigations yielded various results, such as employee discipline, training, policy changes, or board appointments. Certain cases are still awaiting final responses from agencies as they implement disciplinary procedures and policy changes. The following chart displays how agencies responded to OEIG founded reports issued in FY2020.

AGENCY RESPONSES TO FY2020 OEIG RECOMMENDATIONS



Within 30 days after receiving the agency response, the OEIG must forward a copy of the founded report and agency response to the Executive Ethics Commission (EEC). The exception is when the OEIG believes a complaint should be filed alleging a violation of the Ethics Act. That process will be further described later in this Annual Report.

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 at its discretion.

Publicly Disclosed Founded Reports

During FY2020, the EEC made 14 founded reports of OEIG investigations available to the public. The EEC redacted these reports, as it deemed appropriate, and then placed them on the EEC’s website, along with the relevant agency responses and responses that the subjects chose to submit. The OEIG subsequently placed the redacted versions of these founded reports on its own website. 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, are available at www.inspectorgeneral.illinois.gov.

Mismanagement

In re: Alan Lowe and Michael Little, Case #19-00300

The Abraham Lincoln Presidential Library and Museum’s (ALPLM) copy of the Gettysburg Address is one of five known copies in the world in President Lincoln’s handwriting, and is valued at \$20 million. The OEIG received a complaint alleging that the ALPLM loaned out the Gettysburg Address in a manner contrary to standard museum lending policies, and that then-ALPLM Executive Director Alan Lowe received a free trip to Texas.

The OEIG discovered that in June 2018, Mr. Lowe loaned the Gettysburg Address and other valuable ALPLM and Abraham Lincoln Presidential Library Foundation artifacts to a pop-up exhibition at Mercury One, a television and radio studio in Texas owned by media personality Glenn Beck. The loan was made with only eight days’ notice, based on an informal verbal request, and without receiving a report providing necessary detailed information

“The ALPLM holds the Gettysburg Address and other treasures of Lincoln and Illinois history in public trust. Its responsibility, on behalf of the people of Illinois, is to exhibit its artifacts to educate and inspire current visitors to the museum, while taking care to preserve the artifacts for future generations.”

about Mercury One, its exhibition space, and its staff. The loan violated a 2013 Historic Preservation Agency Board resolution that prohibited any loans of the Gettysburg Address unless the Board voted unanimously to allow an exception; it also violated standard museum practices and Historic Preservation Agency policies that required precautions such as lengthy advance notice, a formal written request,

and written proof that the borrower could adequately care for the loaned object.

In addition, the OEIG discovered that Mr. Lowe and then-ALPLM Chief Operating Officer Michael Little travelled to Texas for the exhibition at Mercury One’s expense, without obtaining required advance written approvals from the Executive Director of the EEC and the ALPLM’s Ethics Officer. Mr. Little later accepted employment with Mercury One, and falsely certified on revolving door forms that he submitted to the OEIG that he had not had any interactions with Mercury One employees during the year before he left ALPLM employment, other than interviewing for the Mercury One job.

As a result, the OEIG found that Mr. Lowe mismanaged the ALPLM by making the loan to Mercury One. The OEIG further found that Mr. Lowe and Mr. Little improperly accepted the payment of their travel expenses from Mercury One without obtaining required advance approval, and that Mr. Little intentionally interfered with an OEIG revolving door investigation conducted under the Ethics Act.

The OEIG recommended that the Governor’s Office immediately remove Mr. Lowe from the position of ALPLM

Mr. Lowe’s decision to loan Mercury One the Gettysburg Address “contravened the policies and standard practices that govern even the most ordinary loans, and exposed the ALPLM’s most precious holding to unnecessary risk.”

Executive Director and ensure that Mr. Little is not rehired as a State employee. In addition, because no ALPLM Board of Trustees had been appointed since the ALPLM was split off from the Historic Preservation Agency in 2017, the OEIG also recommended that the Governor’s Office appoint a Board of Trustees of the ALPLM to provide needed oversight.

The Governor’s Office responded that it terminated Mr. Lowe and appointed eleven members to the ALPLM Board of Trustees. The Governor’s Office also stated that it would strive to ensure that Mr. Little is not rehired as a State employee.

In re: Governors State University and Elaine P. Maimon, Case #17-01703

The OEIG investigated allegations that Governors State University (GSU) and then-GSU President Elaine Maimon paid employees after they were terminated from GSU and required those employees

to submit timesheets falsely indicating that they were still working for GSU.

Based on its investigation, the OEIG learned that GSU had a long-standing

"This investigation revealed that GSU had a practice of paying at-will employees after they were terminated without cause regardless of the circumstances... Rather than determining on a case-by-case basis whether severance pay was appropriate, GSU continued to pay these terminated employees, sometimes for up to a year, even if they completed no work, or only minimal work, for the university."

practice of automatically paying at-will employees after they were terminated without cause. In fact, the OEIG determined that GSU had paid over \$1.5 million to 33 at-will employees after they were terminated without cause. The amount of payment was based on the start date of the employee and the length of their service without any regard to the individual circumstances. These employees continued to be paid by GSU without completing any work, or only minimal work, for the university, and even after they obtained other employment. Furthermore, these terminated employees were instructed to continue to submit timesheets, after they left GSU, falsely indicating that they had worked a full-time schedule for GSU. While GSU had a termination with notice policy setting out how much notice an employee needed to be given regarding their termination, the policy did not impose an obligation that GSU continue to pay employees following their termination. GSU did not have any

policies regarding how these terminations should be handled and evaluated, nor by whom. GSU also failed to provide clear instructions to terminated employees with regard to future employment or the submission of timesheets.

The OEIG concluded that, as the head of the university, Ms. Maimon provided little to no guidance on this process, nor did she effectively delegate this role to other individuals, and thus, the OEIG found that she mismanaged the terminations of numerous at-will employees. Among other things, the OEIG recommended that the GSU Board of Trustees take whatever action it deemed appropriate regarding Ms. Maimon, that GSU ensure timesheets were not falsely submitted by employees no longer conducting work for GSU, and implement consistent practices and/or procedures to ensure terminations of at-will employees were being effectuated in an appropriate, consistent, and transparent manner. In response to the report, the GSU Board of Trustees stated that it was preparing new timekeeping and termination pay policies to address the issues raised in the OEIG report and that it was forming an executive search committee to begin the process of selecting the next GSU President, due to the upcoming expiration of President Maimon's contract. The GSU Board of Trustees later selected a new President for GSU, effective July 1, 2020.

Violation of Agency Policies on Sexual Harassment

In re: Eduardo Alvarado, Case # 17-01670

The OEIG received complaints regarding then-Illinois Department of Public Health (DPH) HIV/AIDS Section Chief Eduardo Alvarado, alleging, among other things, that Mr. Alvarado was sexually inappropriate with members of DPH staff and other professional colleagues. The OEIG expanded the investigation to examine other alleged wrongdoing by Mr. Alvarado and DPH's handling of complaints it received against him.

As part of the investigation, the OEIG interviewed numerous DPH employees who worked with or for Mr. Alvarado, as well as other professional colleagues and relevant community members who had contact with Mr. Alvarado. Those interviews revealed that Mr. Alvarado regularly greeted some DPH staff and other professional colleagues with a kiss on the lips at the DPH office and other professional events, engaged in unwanted touching of an DPH intern, and initiated an inappropriate interaction with a student volunteer at a bar following a professional event. Many DPH employees who witnessed or were subjected to these behaviors by Mr. Alvarado found them to be unwelcome and offensive, with some detailing how they altered their behavior to avoid similar interactions with Mr. Alvarado in the future. The OEIG concluded that Mr. Alvarado engaged in repeated physical conduct with DPH staff and professional colleagues that created a hostile work environment for numerous

people and violated DPH's policy against sexual harassment. Because DPH failed to refer complaints of sexual harassment it received against Mr. Alvarado to the EEO Officer who had the responsibility to investigate sexual harassment allegations and failed to take other investigative steps since the complaints were made anonymously, the OEIG recommended that DPH review its procedures for addressing complaints or alleged wrongdoing.

During interviews with DPH staff, the OEIG also learned that Mr. Alvarado: engaged in a pattern of making sexually based comments and using an aggressive tone while speaking with many DPH staff under his supervision; falsified his CMS-100 employment applications submitted to DPH by falsely indicating he had never been terminated from a position before entering State service; and abused State time by regularly coming in late to work or not coming in at all, without taking paid time off or accurately and truthfully recording the time he spent on official State business.

The OEIG recommended that DPH terminate Mr. Alvarado and place a letter in his personnel file indicating he should never be rehired into State employment. In response to the report, DPH accepted the OEIG's recommendations and proceeded with a termination meeting for Mr. Alvarado, where he resigned from his position.

In re: Manuel Zepeda, Case #18-01447

The OEIG investigated an allegation that Illinois Department of Human Services (DHS) Office of Inspector General (OIG) Internal Security Investigator II Manuel Zepeda made several inappropriate and sexually directed comments to female staff members of two DHS Division of Developmental Disabilities service providers while visiting the agencies to conduct interviews as part of DHS OIG investigations.

Investigators learned that in early July 2018, Mr. Zepeda visited DHS provider agency Marcfirst and spoke with three female employees while there. Mr. Zepeda admitted to OEIG investigators that he used profanity and made several inappropriate comments to the employees, including a comment about one employee's appearance and comments of a sexual nature about himself and others. The investigation revealed that Mr. Zepeda's comments made each of the Marcfirst employees uncomfortable, and concerned them, given his role as an OIG investigator. Similarly, the OEIG learned that in late July 2018, Mr. Zepeda visited DHS provider agency EPIC and, again, self-admittedly made

inappropriate comments and gestures while speaking with two female employees. Specifically, during their meeting, Mr. Zepeda gestured toward one employee's body and made several comments about her appearance. Both EPIC employees told investigators that Mr. Zepeda's conduct during their meeting was unwanted and unwelcomed by them.

Ultimately, the OEIG found that Mr. Zepeda violated DHS' policies on sexual harassment and employee conduct by making sexually explicit comments and gestures to the employees at the two service provider agencies while conducting OIG investigations in July 2018. The OEIG recommended that DHS take whatever disciplinary action it deemed appropriate with respect to Mr. Zepeda; implement measures to help ensure that Mr. Zepeda did not continue to engage in such inappropriate conduct and behavior; and place a copy of the OEIG's report in Mr. Zepeda's personnel file. As a result, Mr. Zepeda received a 30-day suspension, and a copy of the OEIG's report was placed in his personnel file.

In re: Harry Sawyer, Case #18-00921

The OEIG received a complaint alleging that then-Assistant Director of the Illinois Department of Veterans' Affairs (DVA), Harry Sawyer, engaged in sexual harassment by making inappropriate, sexually oriented comments, and used a racial slur on at least two occasions.

The OEIG found that on four occasions, Mr. Sawyer made inappropriate sexual comments regarding female employees, including implicit sexual references, sexual innuendo regarding female employees' bodies, and remarks with a double sexual meaning. Witnesses agreed that the

comments were at least inappropriate and outright offended some of them. The OEIG ultimately concluded that Mr. Sawyer’s conduct violated the DVA’s prohibition against sexual harassment.

The OEIG investigation also revealed that Mr. Sawyer used a racial slur to refer to an African American employee on at least two different occasions when talking to other DVA employees. One witness recalled another incident when Mr. Sawyer made a race-based comment about an African American employee’s hair. The OEIG concluded that Mr. Sawyer’s use of highly offensive, race-based language violated the State of Illinois Code of Personal Conduct, which requires employees to conduct

themselves “with integrity and in a manner that reflects favorably upon the State.”

Mr. Sawyer resigned before the conclusion of the OEIG’s investigation, so the OEIG recommended that a copy of the report be placed in his DVA employment file; in its response to the report, DVA confirmed that it had done so. The OEIG also recommended that DVA consider revising its handbook to incorporate additional provisions against racial discrimination and harassment; in its response, DVA indicated that it was working on updating its policies to address conduct involving racial slurs and race-based harassment in the workplace.

Unlawful Political Activity

In re: Dwayne Truss, Case #19-00361

Dwayne Truss is an Auditor with the Illinois Department of Employment Security (IDES). Mr. Truss ran for alderman of Chicago’s 29th Ward in the election that took place in February 2019. The OEIG received a complaint alleging that Mr. Truss posted campaign-related material to social media accounts during State-compensated time.

During the investigation, OEIG investigators identified at least nine social media entries on accounts attributed to Mr. Truss, made during State-compensated time, involving canvassing and fundraising events for his aldermanic campaign, as



well as posts criticizing Mr. Truss’ political rivals. The OEIG also subpoenaed phone records for Mr. Truss’ personal cellular phone for the months of November 2018 through January 2019 and found that on

seven occasions during this time period, Mr. Truss called or took calls from a phone number belonging to his campaign manager while on State-compensated time.

During his OEIG interview, Mr. Truss confirmed that he posted all nine of the campaign-related social media entries and that he discussed, among other matters, a potential endorsement of a Chicago mayoral candidate during a few of his phone calls with his campaign manager, all during State time. Mr. Truss also admitted that he made photocopies of at least two pieces of campaign material for

his aldermanic campaign using a State photocopier and on State time.

The OEIG concluded that Mr. Truss engaged in prohibited political activity in violation of the Ethics Act and IDES policy by posting social media material promoting his aldermanic campaign, discussing a potential endorsement of a Chicago mayoral candidate with his campaign manager, and photocopying campaign materials using State equipment, all during State-compensated time. The OEIG recommended that IDES discipline Mr. Truss. In response to the OEIG report, IDES suspended Mr. Truss for seven days.

In re: Don Tracy, Case # 18-01946

The OEIG received a complaint alleging that Don Tracy, while Chairman of the Illinois Gaming Board, made an illegal campaign contribution to a political committee. Pursuant to the Illinois Gambling Act (previously known as the Riverboat Gambling Act), 230 ILCS 10/5 (5.5), members of the Gaming Board are prohibited from engaging in political activity, which specifically includes “any activity in support of or in connection with any campaign for federal, State, or local elective office or any political organization ...” minus a few exceptions not relevant in the case at hand.

The OEIG’s investigation showed that prior to his tenure on the Gaming Board, Mr. Tracy had a long history of making hundreds of contributions to many political committees; during that same time period, the OEIG found only one

such contribution made in the name of Mr. Tracy’s wife. The investigation also revealed that Mr. Tracy continued to engage in political activity after he became the Gaming Board Chairman in February 2015 and was thereby prohibited from engaging in such political activity.

First, Mr. Tracy chaired a political committee for nearly two years after he became Chairman of the Gaming Board and made two contributions to that committee during that time. Second, Mr. Tracy made contributions to a candidate committee and to a political party committee in the year after he became Chairman.

Finally, in addition to the few contributions made in his own name, Mr. Tracy appeared to make many political contributions through his wife. Specifically, his wife’s name appeared on numerous checks

written from their joint account for contributions to the same political committees, and in similar amounts, that he made prior to his tenure on the Gaming Board. While Mr. Tracy told investigators that his wife independently made all of these new contributions, the OEIG believed that the evidence – including him largely stopping making contributions and her now starting – instead indicated that Mr. Tracy, at a minimum, made joint decisions with his wife to make these political contributions.

The OEIG ultimately concluded that Mr. Tracy engaged in unlawful political

activity while a member of the Illinois Gaming Board and recommended that the Governor's Office take whatever action it deemed appropriate with respect to Mr. Tracy. In response, the Governor's Office accepted Mr. Tracy's resignation. In addition, the OEIG recommended that the Governor's Office train future Gaming Board appointees on their obligations as board members, including restrictions on political activity; the Governor's Office agreed to implement specific measures to do so.

Procurement / Hiring Improprieties

In re: Courtney Avery, William Dart, and Debbie Magerl, Case #18-01396

The OEIG received a complaint alleging that Health Facilities and Services Review Board (HFSRB) Administrator Courtney Avery created the specifications for the procurement of services for the HFSRB, and wrote the resume for the bidder that received the contract, Don Williams. Because DPH provided procurement support to the HFSRB, the OEIG also examined whether DPH employees took improper action to steer the contract to Mr. Williams.

The OEIG's investigation revealed that Ms. Avery drafted the specifications for the procurement to be unduly restrictive, so

that Mr. Williams would be one of the few vendors, if not the only one, who could meet them. In addition, the OEIG discovered that then-DPH Deputy Director Bill Dart and DPH Public Service Administrator Debbie Magerl were aware that the specifications were problematic, but failed to take action. As a result, the OEIG found that Ms. Avery, Mr. Dart, and Ms. Magerl's actions or inactions improperly prevented competition in the procurement. The OEIG also found that Ms. Magerl, who was the contact person for the procurement, improperly gave guidance to Mr. Williams in drafting his resume that was submitted as part of his bid.

Because there was no HFSRB Board Chair at the time the OEIG's report was issued, the OEIG recommended that the Governor's Office take whatever action it deemed appropriate regarding Ms. Avery and also appoint an HFSRB Board Chair. The OEIG recommended that DPH take whatever action it deemed appropriate regarding Ms. Magerl, and place a copy of the OEIG's report in Mr. Dart's personnel file, as he was no longer a DPH employee.

"It is important for State agencies to comply with the Procurement Code's rules and competitive principles in all procurements to which they apply, to avoid fostering a culture that can lead to greater abuses."

The Governor's Office responded that it appointed an HFSRB Board Chair, and at the Governor's Office's request, the HFSRB responded that Ms. Avery completed training relating to hiring and the Procurement Code. DPH responded that it voided Mr. Williams' contract, and that it intended to counsel Ms. Magerl and to implement procurement training for Ms. Magerl, Ms. Avery, and HFSRB associated staff.

Finally, the OEIG recommended that the EEC, Governor's Office, and any other appropriate entities consider collaborating with the OEIG to conduct a comprehensive review of the State procurement system to determine whether better practices could be implemented to assist those tasked with procurement oversight. The Governor's Office responded that it would consider its options for collaborating with the appropriate entities to review the State's procurement system.

Document Falsification

In re: Jorge Roman & Bright Beginnings Academy, Case #15-02389

The OEIG investigated allegations that DHS Child Care Assistance Program (CCAP) child care provider Jorge Roman, owner of Bright Beginnings Academy, falsified child enrollment and attendance records and created false employment records on behalf of parents with children

at Bright Beginnings in order to establish their eligibility for the CCAP.

During the investigation, the OEIG learned that Mr. Roman or his staff regularly completed documents, including CCAP applications, saying that parents whose

children attended Bright Beginnings worked for the daycare center. However, State licensing records and interviews with parents and former Bright Beginnings employees established that many of the parents Mr. Roman claimed worked for Bright Beginnings actually did not. In addition, Bright Beginnings failed to provide any of its own documentation or other evidence that these individuals worked there as claimed. Given that Bright Beginnings either could not or would not provide employment records to substantiate its operations and its employees, the OEIG found sufficient evidence to conclude that Mr. Roman mismanaged Bright Beginnings Academy.

Interviews conducted during the investigation also revealed that Bright Beginnings continued to bill the State for childcare services for certain children after they stopped attending the daycare center. State records show that Bright Beginnings was paid over \$15,000 by the State as a result of these fraudulent bills. Once again, Bright Beginnings failed to provide any documentation or other evidence that these children attended as claimed. Given this, the OEIG determined there was sufficient evidence to conclude that Bright Beginnings falsified bills submitted to the State for these children, and that Mr.



Roman either failed to maintain childcare attendance records for his daycare, as required by the State, or he obstructed the OEIG's investigation by failing to provide these records.

As a result, the OEIG recommended that DHS terminate Bright Beginnings from the CCAP and attempt to recoup funds paid to Bright Beginnings as a result of the falsified billing certificates. The OEIG also recommended that the Illinois Department of Children & Family Services (DCFS) review the status of Bright Beginnings' daycare license. Ultimately, the OEIG learned that both DHS and DCFS implemented the OEIG's recommendations.

In re: Steve Hilgers, Case #15-01408

The OEIG investigated allegations that Illinois Department of Healthcare and Family Services (HFS) Internal Security Investigator II Steve Hilgers failed to disclose past criminal conduct on his

State employment application and failed to report additional criminal conduct that occurred after he became an investigator.

Mr. Hilgers began working in 2008 in the



HFS Office of Inspector General, Bureau of Internal Affairs, an office responsible for rooting out misconduct, fraud, waste, and abuse within HFS. The OEIG discovered that when Mr. Hilgers completed his employment application for the HFS investigator position in December 2007, he failed to disclose that he pled guilty to two misdemeanor charges in October 2007, for operating a watercraft in a careless and imprudent manner and failing to register a watercraft, and was sentenced to two years' probation and a \$500 fine. However, in answer to the question on his employment application, "Have you ever pled guilty to or been convicted of any criminal offense other than a minor traffic violation?" Mr. Hilgers checked "No."

Mr. Hilgers claimed that he failed to report the misdemeanor charges because he believed they were "minor" traffic violations. He told the OEIG that he interpreted the application question to require disclosure of more serious offenses, such as vehicular homicide or running a car into a crowd and injuring someone. The OEIG found that Mr. Hilgers' explanation was not reasonable, considering that the criminal charges

to which he pled guilty carried possible prison time. Thus, the OEIG found that Mr. Hilgers misrepresented a material fact on his employment application.

In addition, the OEIG learned that after he began working as an investigator, Mr. Hilgers was again arrested in August 2008 for driving while intoxicated. Because he was on probation at the time, he was given a two-week jail sentence, which he served in 2009 while taking State vacation time. However, HFS did not have an explicit policy in place requiring employees in sensitive positions like Mr. Hilgers' to notify HFS of such arrests or convictions on an ongoing basis. The OEIG thus recommended that HFS institute a policy requiring Bureau of Internal Affairs employees to report any arrests or convictions that occur during the term of their employment.

The OEIG recommended that HFS take whatever action it deemed appropriate with regard to Mr. Hilgers. In response, HFS issued Mr. Hilgers a suspension pending discharge. Ultimately, that action was modified to a 90-day suspension plus the duration of the prior suspension pending discharge.

Revolving Door

In re: Anne Melissa Dowling, Case #17-01511

The OEIG received a complaint alleging that former Acting Director of the Department of Insurance (DOI) Anne Melissa Dowling violated the revolving door provision of the Ethics Act when, after she left State employment, she received compensation for serving on the Board of Advisors for Prosperity Life Insurance Group (Prosperity).

Under the Ethics Act revolving door provisions, as the head of DOI, Ms. Dowling was prohibited from receiving compensation from any entity, during the year after leaving State employment, if DOI made a regulatory decision involving that entity or its subsidiaries during the year before she left State employment. The OEIG discovered that during the year after she left State employment, Ms. Dowling received compensation from Prosperity, which was sourced from Prosperity's subsidiaries, including Shenandoah Life Insurance Company (Shenandoah).

"This restriction applies to an agency Director's post-State employment regardless of whether she participated personally and substantially in the making of the regulatory or licensing decision in question."

The investigation revealed that during the year before Ms. Dowling left State employment, DOI made two regulatory decisions concerning Shenandoah.

Based on its investigation, the OEIG determined that Ms. Dowling violated the revolving door provision of the Ethics Act, and referred the violation to the Attorney General's Office to file a complaint with the EEC.

Time and/or Resources for Secondary Employment

In re: Richard Gallivan, Case # 17-02400

The OEIG investigated allegations that University of Illinois Urbana-Champaign (UIUC) Construction Project Coordinator

II Richard Gallivan used his UIUC email account and computer software for his personal business. The OEIG's



investigation revealed that Mr. Gallivan operated a private drafting and design business and used his UIUC email account approximately 70 times to communicate with clients and/or send regular emails between his personal and State email accounts related to his drafting and design business. Investigators also discovered that Mr. Gallivan included his State email address in his signature block for his private business, and regularly carbon copied his State email address when communicating with customers about his personal business.

During its email review, the OEIG also discovered emails showing that Mr. Gallivan requested to use architectural design software licensed to UIUC on

his personal computer and obtained instructions on how to connect to the UIUC data networks in order to use the software “from off campus, at home.” In an OEIG interview, Mr. Gallivan admitted that he downloaded the software license from the UIUC webstore specifically to use for his personal business and he did not intend to use it for any other UIUC purpose. Mr. Gallivan explained that he did not want to pay for a license for the software for his business because of “cost.”

Based on the investigation, the OEIG concluded that Mr. Gallivan’s use of his UIUC email account for his personal business violated UIUC policy and that he improperly used the architectural design software for his personal business when he obtained it through UIUC’s “educational use” license. The OEIG recommended that UIUC take whatever action it deemed appropriate in regard to Mr. Gallivan and ensure he understood UIUC’s policies on property use. In response, UIUC disciplined Mr. Gallivan by putting him on a “decision-making leave” and advised him regarding appropriate use of university resources.

In re: Charles Kean, Case # 18-00366

The OEIG received two anonymous complaints collectively alleging that then-Illinois Department of Financial and Professional Regulation (IDFPR) Enforcement Administration Unit Chief Charles Kean: used State resources and State time to facilitate his secondary employment at a community college; watched television and movies on his State

computer; and committed other time abuse.

In its investigation, the OEIG reviewed Mr. Kean’s State email account, printer, and internet usage. The analysis revealed that Mr. Kean sent over 100 emails during a four-month period that were not related to his IDFPR duties, many of which appear

to be related to his secondary employment. In addition, the OEIG found that during the 10-month period reviewed, he used a State printer approximately 135 times to print over 1,700 pages of material that appeared unrelated to his IDFPR duties; this represented 93% of his total State printer usage. His internet usage history reflected that 65% of his usage was for streaming media. In interviews with the OEIG, two of Mr. Kean's co-workers said they saw documents on the State printer that appeared to be related to his secondary employment and they frequently saw or heard movies playing from Mr. Kean's office anywhere from six to eight hours per day.

During its investigation, the OEIG also discovered that Mr. Kean was an independent contractor at a local hospital and failed to obtain the required agency approval for this secondary employment. The OEIG reviewed Mr. Kean's employment records with the local hospital and compared them to his State timesheets and leave requests. The analysis revealed that over a 17-month period, Mr. Kean engaged in unapproved secondary employment 33 times, and on some of those dates, he either submitted a leave request for an improper amount of time, used sick time, or failed to use any benefit time when he performed those duties during his State working hours.

In his interview, Mr. Kean admitted that he did not disclose his secondary employment with the local hospital. He initially denied conducting secondary employment during his State working hours without using the proper benefit time. However, when confronted with the evidence, he responded by saying that it was an "oversight" or he did not have an explanation. Mr. Kean also admitted that he used his State email account, printer, and internet for his secondary employment and other non-IDFPR related purposes, including watching movies.

The OEIG concluded that Mr. Kean violated IDFPR policies by failing to request and receive approval of his secondary employment, using computers and printers for secondary employment and other personal purposes, and by conducting secondary employment activities during his work hours on multiple occasions without using appropriate benefit time.

Mr. Kean left State employment less than two months after his OEIG interview. Since Mr. Kean left State employment during the investigation, the OEIG recommended that a copy of the report be placed in his IDFPR personnel file and that he not be rehired for State employment; IDFPR responded by concurring with both recommendations.

Violation of State Laws / State Rules / Agency Policies

In re: Sam Cooper and Michael Little, Case #18-01776

The OEIG received a complaint alleging that an employee of the Abraham Lincoln Presidential Library and Museum sawed up a State-inventoried wooden desk unit into pieces and disposed of it in a dumpster.

In its investigation, the OEIG confirmed that ALPLM staff cut up and dumped the wall portion of a State-owned desk and wall set previously valued at \$22,600. The investigation revealed that then-ALPLM Director of Facilities Sam Cooper directed staff to dispose of the wall unit, without first obtaining the required approval of Central Management Services' (CMS) Property Control Division, and that then-ALPLM Chief Operating Officer Michael Little failed to take steps to ensure that the required process was followed. Mr. Cooper and Mr. Little both left State employment during the investigation.

Based on its investigation, the OEIG determined that Mr. Cooper and Mr. Little improperly disposed of State property without CMS approval, in violation of applicable administrative rules. Because Mr. Cooper and Mr. Little were no longer State employees at the conclusion of the investigation, the OEIG recommended that the ALPLM place a copy of the OEIG's report in their personnel files and not rehire them. The ALPLM responded that it implemented the OEIG's recommendations.

"Had the ALPLM staff transferred the wall unit to CMS or requested CMS's permission to dispose of it, as required, CMS would have had an opportunity to consider what steps to take to obtain the greatest benefit for the State."

EEC Ethics Act Decisions 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. The OEIG may request that the Illinois Attorney General’s Office (Attorney General) 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.

In FY2020, the EEC publicly disclosed three decisions after the OEIG found reasonable cause to believe that violations of the Ethics Act occurred, and the Attorney General brought complaints to the EEC on the OEIG’s behalf. This year’s decisions implicate violations of the Ethics Act revolving door, prohibited political activity, and cooperation provisions.

Revolving Door

The revolving door provisions of the Ethics Act prohibit State employees from accepting non-State employment with, or receiving compensation from, 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 to his or her prospective employer, or in a regulatory or licensing decision directly applicable to his or her prospective employer. 5 ILCS 430/5-45(a) and (b). The EEC has the authority to fine a State employee who accepts compensation or employment in violation of these provisions, in an amount of up to three times the annual compensation that would have been obtained in violation of the Ethics Act’s revolving door employment prohibitions.

Haling v. Wons (20-EEC-001)

\$193,689.60 Fine

“... it is clear that Respondent [Mr. Wons] was in a position of substantial authority and was aware of his dealings with respect to PayIt and of his duty to seek a determination from the EIG with respect to the employment offer. He stood to gain substantial financial advantage by avoiding an adverse determination.”

Michael Wons worked for the Department of Innovation and Technology (DoIT) until he left State employment in January 2018. Mr. Wons was classified as a “c-list” employee (after Section 5-45(c) of the Ethics Act), which meant that he was required to notify the OEIG prior to accepting non-State employment for a period of one year following the termination of his State employment. In May 2017, DoIT’s general counsel affirmatively notified Mr. Wons of his “c-list” status and provided him with information regarding the revolving door process. Like all State employees, Mr. Wons also participated in annual ethics training, which outlined the revolving door restrictions and notification requirements.

The OEIG’s investigation revealed that during the year preceding termination of State employment, Mr. Wons participated personally and substantially in the award of a \$58,000 State contract to a technology company called PayIt and then proceeded to accept offers of employment

or compensation from PayIt during the year after he left State employment. As part of a concerted effort to facilitate the State’s delivery of services and programs to Illinois residents, DoIT entered into intergovernmental agreements and statements of work with the Illinois Student Assistance Commission (ISAC), a State agency, pursuant to which ISAC was to provide DoIT with IT services. Under one such statement of work, which Mr. Wons signed in February 2017, Mr. Wons was identified as the “business owner” and DoIT’s main point of contact for the purposes of the procurement and roll-out of a mobile device application called “Illinois First.” Meanwhile, ISAC entered into and renewed contracts with PayIt to develop the Illinois First application, including a \$58,000 contract entered in February 2017.

Prior to leaving State employment in January 2018, Mr. Wons sought a determination from the OEIG about an offer of employment from a different employer (not PayIt); the OEIG determined that Mr. Wons was not restricted from accepting that offer of employment. However, Mr. Wons did not notify the OEIG, or any official at DoIT, that he accepted two roles with PayIt in the year following his termination of State employment: first as a paid advisor or consultant starting in January 2018, and second as an employee starting in July 2018.

The OEIG brought a four-count complaint to the EEC through the Attorney General,

alleging that Mr. Wons violated the Ethics Act when he failed to notify the OEIG prior to accepting two roles at PayIt and when he accepted these two roles, despite his personal and substantial involvement in a State contract awarded to PayIt valued in excess of \$25,000.

Based on stipulations by the parties, the EEC concluded that Mr. Wons violated the

revolving door provisions of the Ethics Act on four separate occasions and fined Mr. Wons \$193,689.60. This fine represented the total salary paid to, and insurance benefits paid on behalf of, Mr. Wons in violation of the revolving door provisions of the Ethics Act, plus a portion of the value of the equity given to Mr. Wons as compensation for his roles as a PayIt consultant and employee.

Haling v. Dowling (19-EEC-005)

Anne Melissa Dowling served as Acting Director of DOI from July 2015 through January 2017. As discussed earlier in this report, the OEIG's investigation revealed that during the year after she left State employment, Ms. Dowling received compensation from Prosperity Life Insurance Group, which was sourced from its subsidiaries, including Shenandoah Life Insurance Company (Shenandoah); \$20,625 of that compensation was attributable to services Ms. Dowling rendered to Shenandoah. The

investigation further revealed that DOI made two regulatory decisions concerning Shenandoah during the year before Ms. Dowling left State employment.

The OEIG brought a complaint to the EEC through the Attorney General, alleging that Ms. Dowling violated the revolving door provision of the Ethics Act. The EEC approved the parties' settlement agreement, in which Ms. Dowling agreed to pay the State \$20,625, without admitting wrongdoing.

Prohibited Political Activity and Failure to Cooperate

The Ethics Act prohibits State employees from “intentionally perform[ing] prohibited political activity during any compensated time ...” 5 ILCS 430/5-15(a). “Prohibited political activity” is defined in the Ethics Act to include various types of actions such as “preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.” 5 ILCS 430/1-5.

In addition, the Ethics Act specifically states that it is the “duty of every officer and employee under the jurisdiction of an Executive Inspector General ... to cooperate with the Executive Inspector General and the Attorney General in any investigation undertaken pursuant to this Act. Failure to cooperate includes, but is not limited to, intentional omissions and knowing false statements.” 5 ILCS 430/20-70.

Haling v. McMechan (20-EEC-004)

Timothy McMechan is employed by the Illinois Department of Transportation (IDOT) as a Highway Maintainer. In addition to his job with IDOT, Mr. McMechan was elected on March 20, 2018 to serve as a Republican Precinct Committeeperson in Cumberland County, Illinois, and Mr. McMechan was listed on Jeanne Ives' official 2018 gubernatorial campaign website as the Cumberland County contact for Ms. Ives' campaign.

During its investigation, the OEIG obtained four Facebook posts made over a three-week period in February and March 2018 from accounts with the display name "Tim McMechan." Each of the posts were made during State-compensated time and either promoted Ms. Ives' campaign or the Cumberland County Republican Party. The OEIG's review of Facebook log-in and log-out information for both of Mr. McMechan's Facebook accounts, as well as his mobile phone internet data records, established that the four Facebook posts were made during user sessions tied directly to Mr. McMechan's cellular phone. During his interview with the OEIG, however, Mr. McMechan denied making the four posts and instead claimed that three of the posts were made solely by his fiancée from their "joint account," and that hackers changed the display name on the joint account to "Tim McMechan" instead of his name and that of his fiancée. Mr. McMechan claimed the fourth post must have come from another cloned or fake account. The OEIG concluded that

"Respondent made these false statements for the purpose of concealing his use of his Facebook accounts for prohibited political purposes during state-compensated time."

these statements and explanations were false.

The OEIG brought a complaint to the EEC, through the Attorney General, alleging that Mr. McMechan engaged in prohibited political activity and failed to cooperate with an OEIG investigation by making knowing false statements to OEIG investigators. Mr. McMechan ultimately stipulated to a series of facts from which the EEC concluded that Mr. McMechan violated the Ethics Act by engaging in prohibited political activity on State-compensated time by publishing the Facebook posts described above. The EEC also determined that Mr. McMechan failed to cooperate with the OEIG's investigation when he made false statements during his interview for the purpose of concealing his use of his Facebook accounts for prohibited political purposes during State-compensated time. The EEC levied a \$750 fine against Mr. McMechan, and in doing so, considered that IDOT had already suspended Mr. McMechan without pay for 30 days for these violations.

Hiring & Employment Monitoring

The OEIG’s Hiring & Employment Monitoring (HEM) Division — created in FY2016 to conduct hiring compliance reviews separate from the OEIG Investigative Division — ensures that State hiring procedures and decisions are lawful, merit based, and/or justifiable. 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, HEM 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. Highlights of HEM’s work and contributions during FY2020 are set forth below.

The State’s Comprehensive Employment Plan

Understanding the compelling need to implement an employment plan for State agencies regarding non-exempt positions, the OEIG took the lead on working with the current administration, once in office, to ensure that a completed Comprehensive Employment Plan (CEP) was put in place. The CEP, which contains the agreed Exempt Employment Plan, also sets forth general principles and commitments applicable to all hiring and implements hiring processes for non-exempt positions statewide for the first time in State history. Finalizing the CEP involved a number of discussions, meetings, and drafting of provisions and expectations between multiple parties. As a result of this work, the Governor’s Office filed the CEP with the Court on November 25, 2019 (Docket No. 6612-1).

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. To that end, the HEM Director and CMS staff met with agency personnel officers on January 30, 2020, to discuss the CEP’s contents and expectations regarding the CEP. The OEIG continues to meet with the current administration and CMS to discuss the implementation of monitoring processes to help ensure compliance with the CEP.

HEM Compliance Reviews

Hiring Sequence Desk Audits & Monitoring

As part of HEM’s compliance work, HEM monitors hiring sequences — which includes in-person or virtual real-time monitoring of interviews — and conducts desk audits, which are reviews of agency hiring sequences after the interviews have been completed. HEM reviews hiring sequences to ensure that personnel decisions are competitive, merit based, and/or in accordance with governing authority. 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, and conflict of interest forms, interviewer notes, candidate evaluation forms, and employment decision forms.

As a result of the COVID-19 pandemic, after March 2020, many State interview sequences were conducted remotely via videoconference or audioconference. In FY2020, HEM reviewed 76 hiring sequences either through on-site or virtual monitoring or by completing a desk audit.²

While monitoring hiring sequences, HEM has encountered process issues that agencies needed to address, ranging from candidate screening to the final selection decision. If, during a hiring sequence, HEM discovers or becomes aware of an issue that undermines the sequence’s integrity, HEM can request a halt of a hiring sequence. This occurred when HEM staff monitored the interviews for a position in the Illinois Department of Healthcare & Family Services (HFS) Bureau of Medical Programs. The sequence involved an incumbent whose term appointment was expiring. After discussions with CMS and agency personnel regarding deficiencies in this hiring sequence, HEM requested that the agency re-interview the candidates in a manner that complied with CMS and agency hiring guidelines. HEM then monitored the second set of interviews and found that HFS complied with the hiring guidelines. For more examples of HEM reviews such as this one, summaries of HEM Advisories can be found in HEM’s quarterly reports located on the OEIG’s website, click on the link here: <https://www2.illinois.gov/oeig/HEM/Pages/HEM%20Reports.aspx>.

² This includes term appointment hiring sequences as well as a few hiring sequences that utilized the State’s Test Track system.

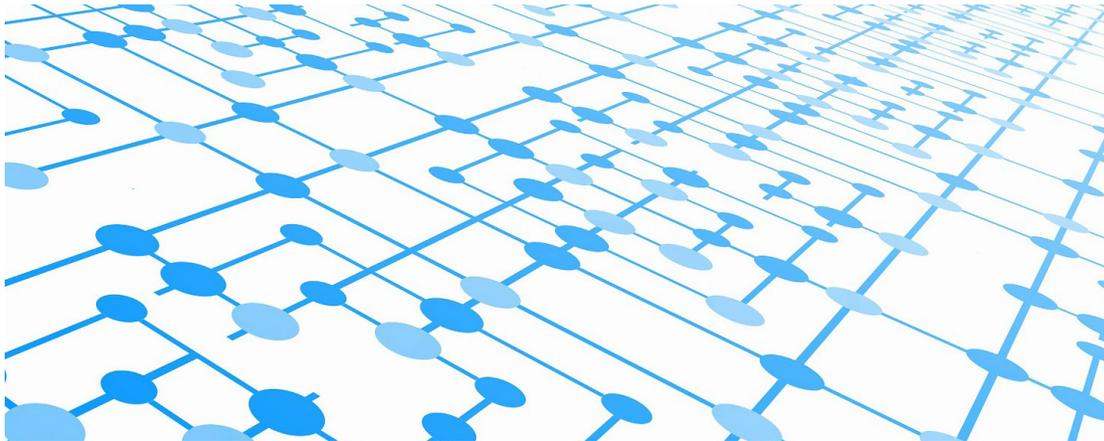
Term Appointment Renewal Reviews

HEM also reviews every term appointment renewal 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 did not occur or likely did not occur. When agencies have been unable to show that term appointees were originally hired through a competitive process, the agencies must post the term appointment positions at the time of renewal and fill them through a competitive process, which HEM also reviews and/or monitors. During FY2020, HEM received and reviewed the hiring files for 57 term appointment renewals.³

Complaint Referrals

During FY2020, the OEIG referred hiring-related complaints to HEM where there was an allegation of a CEP violation or breach of a policy or procedure related to hiring. In such cases, HEM may be better suited to respond quickly to the allegation and can potentially intervene before, during, or immediately after a hiring-related violation has occurred. 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. FY2020 saw an increase in HEM's review of complaint referrals. At the completion of a review, HEM issues an Advisory containing its recommendation for compliance. If HEM uncovers evidence of wrongdoing, as opposed to hiring errors, HEM may transfer matters to the Investigative Division for a more in-depth investigation involving interviews with multiple witnesses/informants.

³ Due to the COVID-19 pandemic, some term appointments due to expire in May and June 2020 were granted extensions by CMS to July or August 2020.



Increasing Transparency

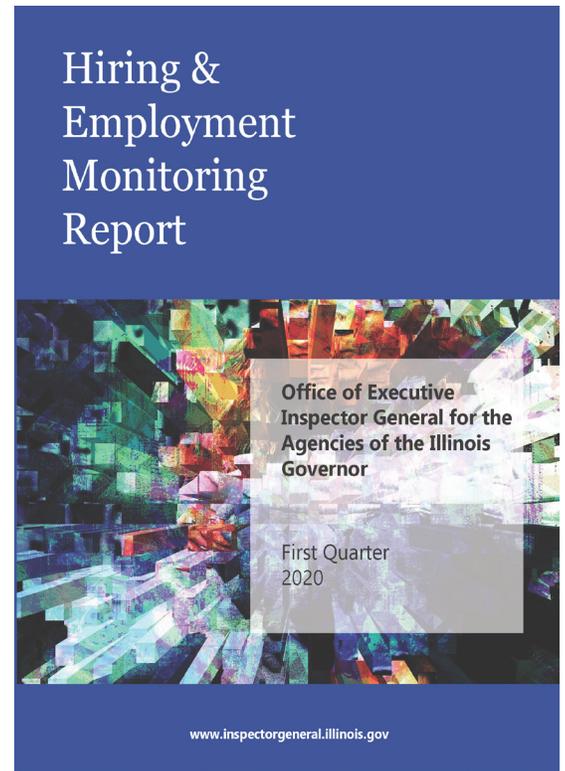
HEM Advisories

As noted throughout, HEM staff work directly with agency personnel officers and staff, CMS, and the Governor's Office to ensure necessary changes are implemented based on its reviews. As such, in November 2019, on its own initiative and in order to provide more guidance to State agencies, HEM began issuing Advisories that include a summarization of a specific hiring review conducted by HEM. 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 lengthy 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 59 Advisories in FY2020. 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.

HEM Quarterly 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 also deterring future wrongdoing. In addition to HEM Advisories, published founded reports, and the OEIG’s newsletters and annual reports that already exist, HEM also issues quarterly reports on its activities as described in the CEP. The reports include “statistics on the number of OEIG hiring complaints received, compliance reviews initiated, hiring complaints referred to agency, hiring complaints opened for OEIG investigation, and hiring complaints declined.” Per the CEP, a summary of OEIG HEM’s compliance reviews, recommendations, and actions taken on those recommendations are included in these reports.



In addition, the reports include statistical information and/or summaries of the following HEM work: hiring sequences monitored; hiring sequences reviewed; political contacts reviewed; exempt appointment notifications received and reviewed; Exempt List modification requests received, including determinations; and clarifications to exempt positions reviewed. And finally, the reports include a summary of any OEIG hiring investigation that was founded and published by the EEC. HEM issued its first quarterly report on April 2, 2020. The report detailed HEM’s activities from January 1 to March 31, 2020, providing data regarding the number of hiring sequences monitored, term appointment sequences reviewed, and desk audits conducted within that timeframe. The report also included summaries of all Advisories issued since November 1, 2019 and agency responses to the same. HEM’s second quarterly report, which summarized HEM’s activities between April 1 and June 30, 2020, was issued on July 2, 2020. The quarterly reports are available on the OEIG’s website.

***Shakman* Litigation**

HEM also works with the *Shakman* court-appointed monitor, whose initial and ongoing charge to review hiring practices within IDOT has since expanded to include a review of all exempt positions under the jurisdiction of the Governor. The OEIG agreed to this increase in duties in an attempt: (1) to reduce the cost of this litigation incurred by the State; (2) to expedite the State’s needed hiring reform; and (3) to be better equipped to monitor State hiring after the termination of this litigation.

Illinois Department of Transportation

During FY2020, HEM completed an extensive review of positions at the Illinois Department of Transportation (IDOT) to determine which positions were appropriately designated as “technical,” and thus not subject to the Personnel Code. This work, which was finalized in October 2019, included conducting a detailed analysis of the proposed minimum required qualifications (MRQs) for 1,054 positions, as well as reviewing and recommending MRQs for 15 IDOT technical classifications. HEM also assisted IDOT in filing agreed lists of positions and classifications deemed technical and positions that will convert from technical to Personnel Code-covered classifications.

HEM also monitored hiring sequences for incumbents whose positions were being converted to Personnel Code-covered classifications and monitored and reported on the Civil Service Commission’s determinations regarding IDOT positions recommended for the *Shakman* Exempt List. In addition, during FY2020, HEM assisted with the review process of applications of two former Staff Assistants for positions at IDOT (“John Doe Process”).

Monitoring of Exempt List

Federal court orders entered in January 2019 in the *Shakman* litigation led to the creation of the Exempt List, 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, and an Exempt Employment Plan for filling positions on the Exempt List. The Exempt Employment Plan 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 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 notification paperwork (also referred to as the exempt certification paperwork) for all exempt appointments to ensure compliance with the Exempt Employment Plan.

In FY2020, HEM staff ensured compliance with the Exempt Employment Plan by reviewing certification paperwork for 416 exempt appointments, verifying that the selected candidate met the minimum qualifications of the position being filled. HEM also reviewed 654 position description clarifications for positions on the Exempt List to ensure that the modifications did not impact the position's exempt status.

The Exempt Employment Plan also sets forth procedures for adding or deleting positions from the Exempt List, providing that only the Governor or the Executive Inspector General (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 Governor's request within 10 business days.

In recommending approval of or objection to each request from the Governor's Office 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 regularly communicates or meets with agency staff with questions about the position's history, duties, reporting structure, and necessity.

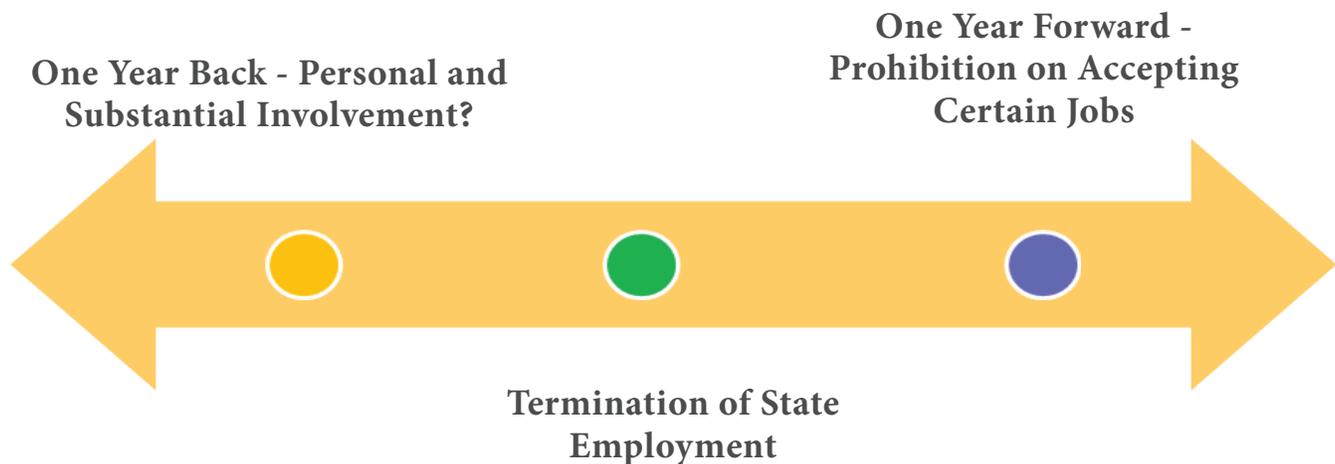
Pursuant to the Exempt Employment Plan, HEM received and vetted 49 requests from the Governor's Office to add or delete positions from the Exempt List during FY2020.⁴ HEM made 50 determinations on Exempt List change requests, ultimately recommending approval of 40 additions and 10 deletions during FY2020.⁵

4 This includes deletion requests that were prompted by HEM.

5 Some determinations may have been made on requests received in a previous fiscal year, and some requests received in FY2020 may not have received a determination. Additionally, some requests may have been withdrawn.

Revolving Door Determinations

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.



“C-list” Requirements and Determination Process

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). They should be instructed in writing by their agency that they are on the “c-list.” The duty to seek a determination from the OEIG continues for one year after ending State employment.

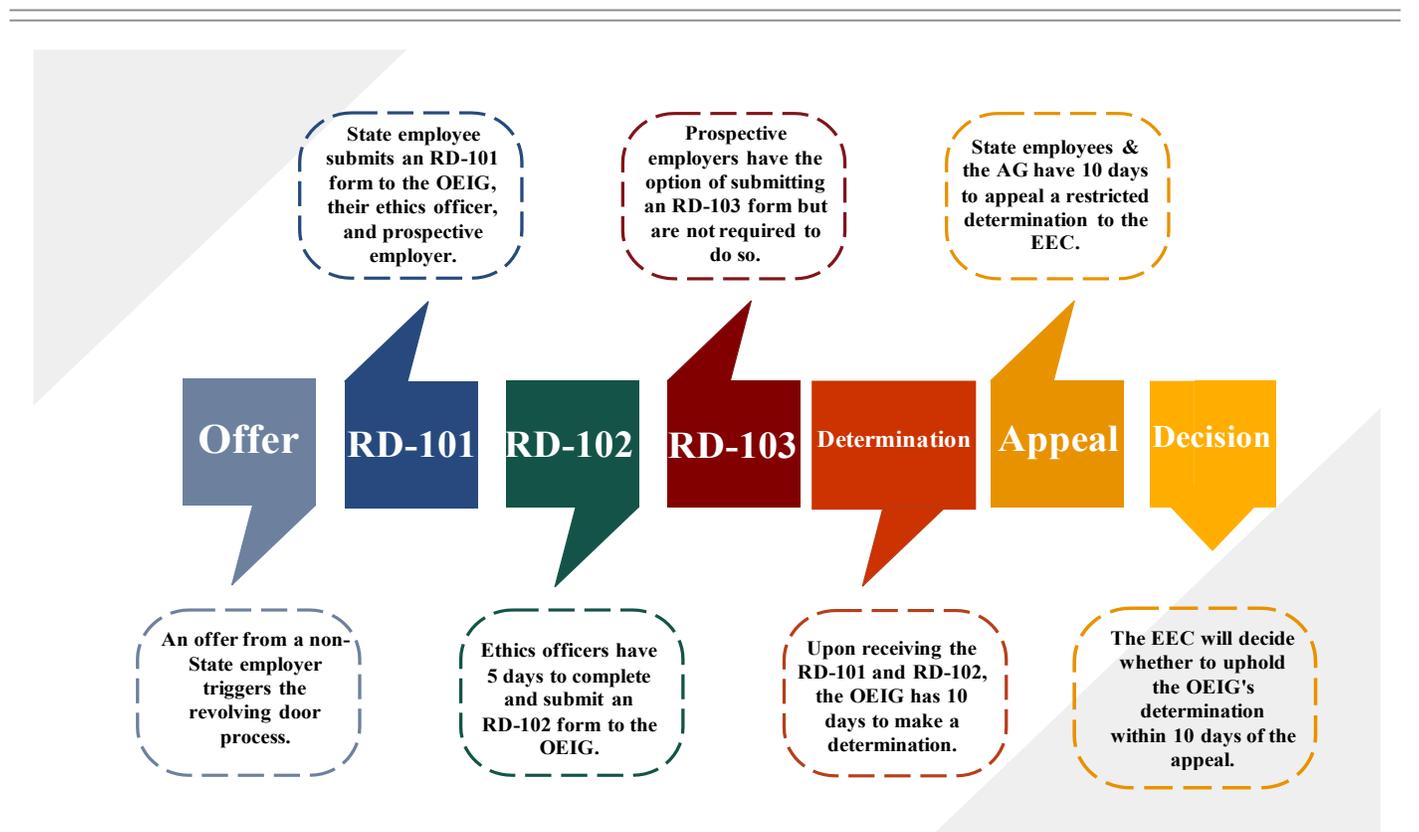
To notify the OEIG about a prospective job offer, employees should go to the OEIG’s website and follow the revolving door instructions, which include having both the employee and his/her ethics officer complete certain forms (the RD-101 and RD-102)

that are available on the OEIG’s website. OEIG staff will review information from these forms and conduct interviews of the employee, the employee’s supervisor, and others, as needed. 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 determinations and the resulting determinations are generally not public. However, once the EEC rules on an appeal, its decision becomes public.

Below is a graphic depicting the revolving door process from beginning to end.



“H-list” Restrictions

A limited number of State officers, employees, or appointees in certain high-level positions, called “h-list” employees (after subsection (h) of Section 5-45 of the Ethics Act), are strictly prohibited from accepting employment or compensation from people or entities who are parties to certain contracts involving their State agencies, or subject to regulatory or licensing decisions involving their agencies, regardless of whether they participated personally and substantially in the award of the contracts or the making of regulatory or licensing decisions. In addition, based on recent changes in the law, all employees of the Illinois Gaming Board and the Illinois Racing Board are now included on the “h-list.”

There is no determination process through the OEIG for people on the “h-list.” If “h-list” employees have questions about prospective job offers, they may contact their ethics officer for guidance.

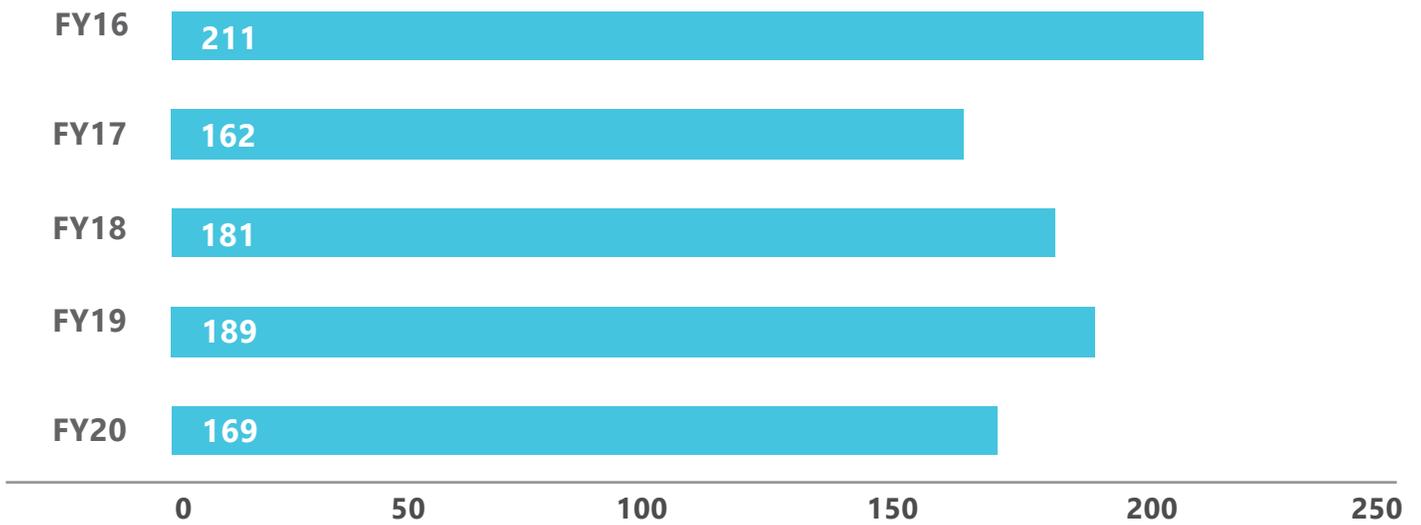
Penalties for Violations of the Revolving Door Provisions

As described above, the EEC has the authority to fine a State employee who accepts compensation or employment in violation of these provisions, in an amount of up to three times the annual compensation that would have been obtained in violation of the Ethics Act’s revolving door employment prohibitions. In addition, “c-list” employees who fail to seek a determination from the OEIG prior to accepting non-State employment or compensation may face a fine of up to \$5,000.

Revolving Door Statistics

In FY2020, the OEIG investigated and made 169 revolving door determinations. The OEIG determined that five of those individuals were restricted from accepting their post-State employment offers. Below you will find a chart showing the number of revolving door determinations made by the OEIG between FY2016 and FY2020.

REVOLVING DOOR DETERMINATIONS BY FISCAL YEAR



Revolving Door Decisions

In FY2020, two determinations by the OEIG for restricted future employment were appealed by the applicant to the EEC. The two publicly reported decisions are described below:

In re: Tara Byrne Meyer (20-EEC-002)

Tara Byrne Meyer was the IDFPR Deputy Director of Medical Cannabis from December 2017 to November 28, 2018. As the Deputy Director, Ms. Meyer had the

authority to issue regulatory or licensing decisions.

Ms. Meyer submitted a request for a

revolving door determination to work for Verano Holdings, LLC (Verano). Verano cultivates and sells cannabis products through dispensaries in Illinois, which include, among others, The Clinic Effingham; Zen Leaf, in Chicago; and Zen Leaf, in St. Charles. The OEIG’s revolving door investigation revealed that in the year prior to Ms. Meyer’s termination of State employment, IDFPR issued two regulatory decisions against dispensaries associated with Verano – a July 9, 2018 notice of violation against The Clinic Effingham (which Ms. Meyer signed on behalf of IDFPR) and an October 31, 2018 non-disciplinary ticket against both Zen Leaf facilities (which Ms. Meyer again signed on behalf of IDFPR). At the time of these two decisions, those dispensaries were not clearly owned by Verano, but the CEO of Verano was a “Principal Officer” with ownership interests in each dispensary, and according to various public documents and websites, as well as State documents, the dispensaries held themselves out as subsidiaries of Verano.

Based on this information, the OEIG determined that Ms. Meyer personally and substantially participated in regulatory and licensing decisions over subsidiaries of her prospective employer, Verano. On July 15, 2019, the OEIG issued a determination that Ms. Meyer was restricted from accepting employment with Verano.

Ms. Meyer appealed the OEIG’s decision. On August 8, 2019, the EEC affirmed the OEIG’s determination, concluding that Ms. Meyer’s prospective employment would violate the revolving door prohibitions. In affirming the OEIG’s decision, the EEC determined that a subsidiary relationship existed between The Clinic Effingham and both Zen Leaf facilities, based on the common ownership and control between Verano and the dispensaries. Thus, the EEC concluded that by issuing both decisions, which included signing off on the decisions, Ms. Meyer participated personally and substantially in making a regulatory or licensing decision that directly applied to her prospective employer.

In re: Daniel J. Wasmer (20-EEC-005)

Daniel J. Wasmer was employed as a Deputy Director of Regional Administration for the Division of Mental Health, a subdivision of DHS.

In November 2018, DHS published a notice of funding opportunity seeking to implement a new Front Door Diversion Program that was intended to achieve compliance with a consent decree entered in *Williams v. Pritzker*, No. 05-C-4673 (N. Dist. Ill.) (Williams Consent Decree).

Six grant applicants were awarded a grant under this program, including Mr. Wasmer’s prospective employer, The Thresholds, Inc. (Thresholds).

By August 2019, it became apparent that the Front Door Diversion Program was not achieving the outcomes expected under the Williams Consent Decree. In late 2019, DHS and the Williams Consent Decree court monitor decided to modify the Front Door Diversion Program contracts. Mr.

Wasmer and the DHS Front Door Diversion Program Project Manager discussed the changes that needed to be made with each of the six grantees, and the Project Manager drafted an internal decision memorandum to summarize and justify the changes. The changes to Thresholds' contract resulted in their funding increasing by \$199,328, for a total contract amount of \$899,000. Mr. Wasmer conducted the first level of review of the memorandum, adding information and ensuring the changes being requested were consistent with what the Williams Consent Decree court monitor requested. On February 3, 2020, Mr. Wasmer and the Project Manager signed the memorandum, and Mr. Wasmer was responsible for forwarding the memorandum for the remaining fiscal and upper level approvals. After these additional approvals were obtained, the contract amendment was executed on February 14, 2020.

As the Front Door Diversion Program contract modification process was occurring, Mr. Wasmer called Thresholds to inquire of a vacancy he heard about and then applied for the position. Mr. Wasmer interviewed and received a formal offer from Thresholds before the end of February 2020. In March 2020, Mr. Wasmer sought a revolving door determination from the OEIG to accept

employment with Thresholds. The OEIG ultimately determined that Mr. Wasmer was restricted from accepting this employment opportunity due to his participation in the internal decision memorandum that resulted in the award of a \$199,328 State contract change order to Thresholds.

Mr. Wasmer appealed the OEIG's restricted determination to the EEC. The EEC affirmed the OEIG's determination that Mr. Wasmer participated personally and substantially in the issuance of a change order to Thresholds. The EEC found that Mr. Wasmer's involvement with the internal decision memorandum effectuated steps that were necessary for the execution of the Front Door Diversion Program change orders, represented an exercise of judgment, and were substantial. Additionally, the EEC noted that the Front Door Diversion Program contract modifications occurred at roughly the same time that Mr. Wasmer was seeking employment with Thresholds. The EEC recognized that although there was no direct evidence that Mr. Wasmer's interest in seeking employment with Thresholds influenced his performance with respect to Thresholds' change order, this is exactly the kind of situation in which there could be such an effect and that presents at least an appearance of impropriety.

Mandatory Training



Ethics Training

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

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 2019, the OEIG reviewed and approved 38 ethics training programs. For agencies under the Illinois Governor, the OEIG directly provided more than 59,000 online ethics training sessions in calendar year 2019. For all of the entities under the OEIG's jurisdiction, it was reported that individuals completed over 193,000 ethics training sessions during the calendar year 2019 reporting period.

Sexual Harassment Training 2019

In November 2017, the Governor signed into law Public Act 100-0554. Among other things, that law amended the Ethics Act to require each officer, member, and employee to complete annual sexual harassment training beginning in 2018. The Ethics Act mandates that the OEIG, along with the EEC, oversee sexual harassment training for the agencies of the Illinois Governor, the State universities, and the Regional Transit Boards. Like ethics training, sexual harassment training is conducted on an annual basis, and new employees, appointees, and officials must complete initial sexual harassment training within 30 days of the commencement of their employment or office.

As part of overseeing sexual harassment training for the agencies within its jurisdiction, the OEIG has worked with the EEC to review and approve sexual harassment training program materials. In calendar year 2019, the OEIG reviewed and approved 26 sexual harassment training programs. In that same year, entities under the OEIG’s jurisdiction reported that over 181,000 sexual harassment training programs were completed.



Harassment and Discrimination Prevention Training 2020

On August 9, 2019, Public Act 101-0221 was signed into law. This law expanded the sexual harassment training to include mandatory topics of other harassment and discrimination. This new training went into effect on January 1, 2020, and is titled, “Harassment and Discrimination Prevention Training.” Per the Ethics Act, the OEIG and EEC oversee this training. Like sexual harassment training, each officer, member, and employee must complete a harassment and discrimination prevention training program at least annually. New employees, appointees, and elected officials are required to complete this training within 30 days of commencing office or employment. The harassment and discrimination prevention training is required by the Ethics Act to have

certain minimum requirements. Those requirements are:

1. the definition and a description of sexual harassment, unlawful discrimination, and harassment, including examples of each;
2. details on how an individual can report an allegation of sexual harassment, unlawful discrimination, or harassment, including options for making a confidential report to a supervisor, ethics officer, Inspector General, or the Department of Human Rights;
3. the definition and description of retaliation for reporting sexual harassment, unlawful discrimination, or harassment allegations utilizing examples, including availability of whistleblower protections under [the Ethics Act], the Whistleblower Act, and the Illinois Human Rights Act; and
4. the consequences of a violation of the prohibition on sexual harassment, unlawful discrimination, and harassment and the consequences for knowingly making a false report.

5 ILCS 430/5-10.5.

To assist entities in preparing for this new training, the OEIG provided guidance and information about the new training requirements. For example, the OEIG drafted and circulated to all of the entities under its jurisdiction responsible for submitting training, a reference guide containing information addressing the minimum requirements of the training. The reference guide also contained hypothetical examples of harassment, sexual harassment, and discrimination. Further, the OEIG had several conference calls or meetings with the Governor's Office, the universities, and the Regional Transit Boards regarding the new requirements and deadlines for harassment and discrimination prevention training. To prepare for calendar year 2020, in calendar year 2019, the OEIG reviewed and approved 11 harassment and discrimination prevention trainings.



Outreach & Development

Outside of mandated training under the Ethics Act, the OEIG works in a number of ways to better educate State employees about their ethical duties and obligations. In FY2020, those outreach and development activities included the following programs and initiatives.

Revolving Door Webinars

As a result of OEIG investigations identifying issues with the revolving door “c-list” process, the Governor’s Office presented four webinars in June 2020 with content produced by the OEIG. The training was conducted by the OEIG’s General Counsel and a Deputy General Counsel from the Governor’s Office. The webinars focused on practical guidance to ethics officers on the law, creation and maintenance of a “c-list,” notification to employees, and the OEIG determination process. The Governor’s Office required attendance by ethics officers and general counsels, and other legal and human resources staff also attended the webinars.

Hiring Monitoring Panel

On September 27, 2019, the OEIG participated in the “Government Employment Compliance Monitoring Programs” panel at the Association of Inspectors General 2019 Fall Conference. This panel discussion focused on: (a) developing an employment action compliance/monitoring program; (b) implementing effective compliance monitoring protocols; and (c) analyzing data and reporting outcomes to the public.

The panel featured: the OEIG Director of the Hiring & Employment Monitoring Division; the Chief of Hiring Oversight for the Office of Inspector General for City of Chicago; an Investigator V (5) - Supervisor, Cook County Office of the Independent Inspector General; and the Counsel to the *Shakman* Compliance Administrators for the Cook County Assessor’s Office and Cook County Recorder of Deeds.

Health Care Fraud Elimination Working Groups

The OEIG has spearheaded Health Care Fraud Elimination Working Groups to increase collaboration and coordination to address and prevent health care fraud, waste, and abuse in State-administered health care programs. The working groups stemmed from the Illinois Health Care Fraud Elimination Task Force, which was created by Executive Order (2016-05). Although the Task Force ended on June 30, 2019, the entities that participated in the Task Force wanted to continue to collaborate on health care fraud issues, and thus, formed working groups.

There are two working groups – the Medicaid Working Group and the Worker’s Compensation Working Group. The Health Care Fraud Elimination Working Groups bring together the Office of Inspector General for HFS, Illinois State Police Medicaid Fraud Control Unit, Department on Aging, CMS, HFS, DHS, DoIT, DOI, and Workers’ Compensation Commission.

These working groups are completely voluntary and are driven by the agencies’ desires to collaborate and coordinate on these important issues. The working groups participated in regular conference calls to discuss common schemes, trends, and issues relating to fraud, waste, and abuse in Medicaid and workers’ compensation programs.

New Ethics Officer Orientations

The OEIG continued to host orientation sessions for newly appointed ethics officers in agencies under its jurisdiction. The goal of these orientation sessions is to provide new ethics officers with information about their roles and the expectations of the OEIG. For the first time, in 2020, the OEIG distributed a handout on the content of the sessions to ethics officers.



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.

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.

Office of Executive Inspector General
to the Governor of the State of Illinois

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Please be advised that due to the COVID-19 outbreak, our staff members are working remotely at this time and thus our office is closed to the public. Accordingly, please file any complaints online here: <https://www2.illinois.gov/oeig/complaints/Pages/OnlineComplaint.aspx> and submit any revolving door paperwork via email here: oeig.revolutingdoor@illinois.gov

If you have any further questions, please contact 312-814-5600. We will try to respond to all inquiries as soon as feasible. We thank you for your cooperation during this time.

Welcome

This website is intended to provide you with information and resources related to the functions of this office. The menu above provides immediate access to our publicly disclosed investigative reports, related decisions, newsletters and other information.

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Illinois Ethics Matters

April 15, 2020 www.inspectorgeneral.illinois.gov

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

- In response to the COVID-19 pandemic and to do its part to slow the spread of the virus, the OEIG has closed its offices to the public and OEIG employees are working remotely. However, the OEIG continues to accept complaints online, by telephone, or by mail, and to perform its other duties.

Hiring & Employment Monitoring Quarterly Report

On April 2, the OEIG released its first Hiring & Employment Monitoring Report for the initial quarter of 2020. The report describes the OEIG's investigative and compliance work regarding State hiring.

As contemplated by the current Comprehensive Employment Plan, the report provides summaries and data on Hiring & Employment Monitoring (HEM) Division activities conducted or completed between January 1 and March 31, 2020. This data includes the number of hiring sequences in which desk audits were completed (18), the number of sequences where interviews were monitored (7), and the number of term appointment renewals reviewed (13). Since November 2019, these compliance reviews resulted in the issuance of 32 Advisories, all of which are summarized within the report. The summaries identify the substance of the review, HEM's recommendations, and the agency's response.

The report also explains the process by which hiring complaints are vetted by the OEIG and discloses that the OEIG received 39 hiring-related complaints, referred 11 hiring-related complaints to HEM, and closed 3 hiring-related investigations this quarter. Of note, an OEIG hiring-related founded report made public this quarter is summarized in the report.

The report also addresses HEM's role in ensuring the integrity of the Exempt List, the comprehensive list of positions for which hiring decisions may be made on the basis of political or other non-merit factors. This quarter HEM reviewed 107 exempt appointment notifications and 153 exempt position description clarifications and received 9 Exempt List modification requests.

The report is available on the OEIG website [here](#).

Prohibited Political Activity Reminder

The Executive Ethics Commission recently issued a decision relating to an Illinois Department of Transportation employee who was found to have conducted prohibited political activity.

In its investigation, the OEIG found that the IDOT employee engaged in prohibited political activity by posting campaign-related posts on social media during compensated time, and then made false statements to the OEIG for the purpose of concealing his wrongdoing. In response to the investigation, IDOT imposed a 30-day suspension. Based on the parties' stipulation, the EEC determined the Ethics Act had been violated when the employee performed prohibited political activity during compensated time and failed to cooperate with the OEIG. The EEC imposed a fine of \$750.

State employees are reminded that they may not perform political activity when on State time or using State resources, **including when working remotely.**

The EEC's decision, [Haling v. McMechan \(20-EEC-012\)](#), is available on the OEIG's website.

To file a complaint with the OEIG, please visit www.inspectorgeneral.illinois.gov, or call the hotline number above.

Legislative Activity

During FY2020, the OEIG continued its commitment to ensuring better government by collaborating on legislative matters. The OEIG actively worked to clarify newly enacted laws during the Veto Session in November 2019, and saw the successful passage of Public Act 101-0617. The OEIG also testified before the Joint Commission on Ethics and Lobbying Reform in February 2020. In addition, the OEIG continued to pursue Ethics Act amendments to clarify ethics rules and processes and protect public safety.



As a result of the COVID-19 pandemic, in March 2020, the legislature suspended its regular session. The General Assembly reconvened a Special Session from May 20, 2020 through May 24, 2020, the primary focus of which was the budget and issues relating to the COVID-19 pandemic.

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. 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 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.

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. The OEIG is often called on to provide background and expertise on matters relating to the Ethics Act, including how potential legislation impacts inspector general functions.

Successful Passage of Legislation on Sexual Harassment, Harassment, and Discrimination

During the FY2020 Veto Session, the OEIG successfully worked with legislators to pass a law amending the Ethics Act - Public Act 101-0617. Public Act 101-0617 went into effect on December 20, 2019 and passed with overwhelming bipartisan support. Importantly, this law contains provisions to protect complainants alleging sexual harassment, harassment, and/or discrimination.



Background on Senate Bill 75

Public Act 101-0617 was put forth to clarify amendments enacted with Public Act 101-0221 that went into effect on August 9, 2019 (hereinafter Senate Bill 75). Senate Bill 75 was passed to, among other things, address sexual harassment, harassment, and discrimination, but unfortunately it passed with some provisions that appeared to contradict the legislators’ original intent and the intent of the Ethics Act. Specifically, there were two provisions at issue. One provision allowed complainants to suggest changes to evidence in ongoing investigations, and another reduced the timeframe for the Attorney General to file an Ethics Act complaint before the EEC. These provisions had real consequences, including undermining investigations into complainants’ allegations, thereby harming alleged victims. Further, the law could result in a decrease in the number of the Ethics Act violations the Attorney General’s Office is able to file before the EEC, thereby not holding wrongdoers fully accountable.

OEIG’s Work to Uphold the Legislators’ Intent

Thus, in order to protect victims of sexual harassment, harassment, and/or discrimination, to safeguard the OEIG’s independent investigative process, and to ensure wrongdoers were held accountable, the OEIG worked diligently with legislators to amend the law. Namely, the OEIG worked with Senator Melinda Bush

and Representatives Ann Williams and Anne Stava-Murray. These legislators worked carefully with the OEIG to review Senate Bill 75 and enact amendments to carry out the purpose of the law.

As a result of this work, the law was successfully amended. The passage of Public Act 101-0617 was the result of months of collaboration with government entities, legislators, and stakeholders. Public Act 101-0617 addressed the two unintended consequences of Senate Bill 75 discussed above. First, the language allowing complainants to view OEIG evidence and make suggestions for changes was removed, and the intent of the provision was preserved by implementing a different process for complainants to supplement statements and evidence during an investigation. Second, the language regarding the timeframe for the Attorney General to file an Ethics Act complaint was clarified, giving the Attorney General more time to file the complaint.

Additionally, Public Act 101-0617 amended the harassment and discrimination prevention training section of Senate Bill 75 to require each ultimate jurisdictional authority to complete a yearly report that summarizes the harassment and discrimination prevention training program that was completed and outline the plan for the upcoming year.

OEIG's Participation in Ethics Reform Initiatives

As part of the OEIG's legislative engagement, it pursues ethics reform measures and works with the General Assembly to provide background and ideas on ethics initiatives. For example, as discussed below, the OEIG continued to pursue amendments to the Ethics Act as part of its ongoing ethics reform initiatives.

Ethics has been a focus in the General Assembly and the OEIG continues to work closely with members on ethics reforms. During the Veto Session, in November 2019, the General Assembly adopted House Joint Resolution 93, which created the Joint Commission on Ethics and Lobbying Reform. This Joint Commission is a bipartisan commission that includes both legislators and appointees from State agencies, including the Executive Inspector General for the Attorney General, the Executive Inspector General for the Secretary of State, and the General Counsel for the Governor's Office.

Shortly after the Joint Commission on Ethics and Lobbying Reform was created, the OEIG reached out to legislative staff and expressed its willingness to be of assistance to the Joint Commission. In addition, as part of the OEIG's regular legislative engagement, the OEIG kept current on new bills proposed to address ethics and lobbying reform so that it could provide input on those proposals.

On February 6, 2020, EIG Haling testified before the Joint Commission on Ethics and Lobbying Reform. EIG Haling was asked to testify with other executive inspectors general to discuss the Ethics Act, as well as its provisions regarding the complaint and

investigative process. During her testimony, EIG Haling provided a broad overview of the complaints and investigation process, including the confidentiality provisions of the Ethics Act, and how the OEIG's processes outlined in the Ethics Act differ from the provisions governing the Legislative Inspector General.

The Joint Commission on Ethics and Lobbying Reform was scheduled to issue a report with recommendation by March 31, 2020; however, no report was released and meetings of the Commission were suspended due to the COVID-19 pandemic. The OEIG has continued to follow proposed legislation, and has reached out to legislators and staff to continue to express our willingness to assist.

OEIG-Initiated Legislation

In FY2020, OEIG continued its efforts toward better State government by pursuing legislative changes. The OEIG continued its work on bills that would clarify ethics rules and processes and protect public safety. At the time this Annual Report was published, the bills the OEIG worked to introduce were not passed by the General Assembly. On February 25, 2020, House Bills 2535, 2536, and 2537 were assigned to the Executive Committee, but have not since advanced. Below is a summary of those bills.



Senate Bill 1233 / House Bill 2537

Senator Heather Steans introduced Senate Bill 1233 on February 6, 2019, and Representative Fred Crespo introduced House Bill 2537 on February 13, 2019. These bills amend the Ethics Act revolving door provisions to ensure State employees are acting in the best interest of the State.

First, these bills add 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 ends. The Ethics Act currently prohibits State employees who participated personally and substantially in the award of certain State contracts or contract change orders from accepting employment with the entity or individual that was awarded the contract.

However, after a contract is awarded, State employees may continue to have discretion to make fiscal decisions concerning that contract. This bill would address certain employees who make financial decisions during the life of a contract. For example, State employees may determine the validity of a claim submitted by a health care provider under a State contract.

Second, these bills add 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. The titles in the section should not control, and may omit individuals whose functions involve the top managerial oversight that these job titles were intended to capture. These bills modify the language that describes chiefs of staff, deputy chiefs of staff, associate chiefs of staff, assistant chiefs of staff, and deputy governors, to include positions that hold an equivalent level of managerial oversight.

Senate Bill 1234 / House Bill 2536

Senate Bill 1234 was introduced by Senator Heather Steans on February 6, 2019, and House Bill 2536 was introduced by Representative Fred Crespo on February 13, 2019. These bills would amend the Ethics Act to clarify that the EEC has jurisdiction over State of Illinois vendors. The OEIG has jurisdiction over State vendors and so it may make a finding, such as a gift ban violation, against a vendor. However, it is unclear whether the EEC has jurisdiction to hear a case involving the vendor or assess penalties for the vendor's wrongdoing because its jurisdiction is inconsistent with the OEIG's jurisdiction. It is important to clarify the EEC's jurisdiction to hear Ethics Act violations of vendors so that, when appropriate, it can administer penalties, including fines.

Senate Bill 1235 / House Bill 2535

Senate Bill 1235 was introduced by Senator Heather Steans on February 6, 2019, and House Bill 2535 was introduced by Representative Fred Crespo on February 13, 2019. These bills would amend 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. These bills are 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, currently an executive inspector general 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.

Sources of Funding

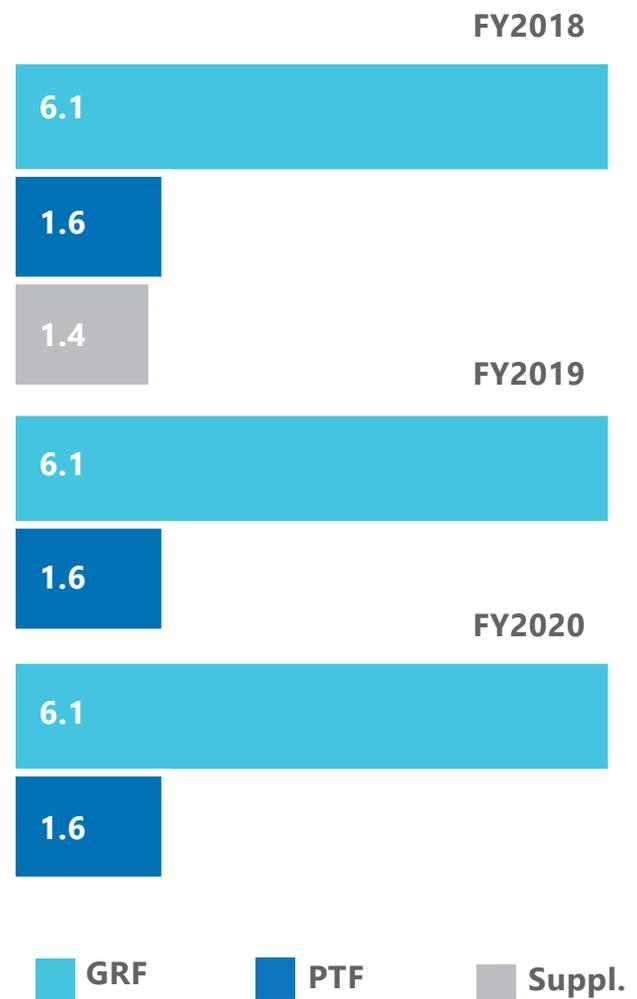
General Revenue Fund

The Illinois General Assembly appropriated \$6.1 million from the General Revenue Fund (GRF) for the OEIG’s FY2020 ordinary and contingent expenses. The same amount had been appropriated for the past two fiscal years (FY2018 and FY2019) for ordinary and contingent expenses. In June 2018, the OEIG also received a supplemental appropriation of \$1.4 million from the GRF to pay unpaid bills from past fiscal years accrued because of the State budget impasse.

Historically, the OEIG’s GRF appropriation was approximately \$7 million: \$7.1 million for FY2006 and \$6.931 million for FY2007-FY2011. The OEIG’s GRF appropriation has not approached those historic levels despite increased compliance duties such as the Hiring & Employment Monitoring Division and the oversight of new required harassment and discrimination prevention training.

In FY2020, the GRF appropriations of the agencies under the OEIG’s jurisdiction amounted to approximately \$37 billion. The OEIG’s FY2020 GRF appropriation represents less than .002% of those total GRF appropriations to agencies under its jurisdiction.

APPROPRIATIONS [IN MILLIONS]



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 83% of the FY2020 operating expenses. The bulk of the remaining operating expenses are office space rent for its Chicago and Springfield locations. The OEIG has reduced operational costs in recent years by using State services for training programs, rather than a private vendor and obtaining more favorable terms for its Springfield office space.

Total Operating Expenses [in thousands]	FY2019 GRF & PTF	FY2020 GRF & PTF
Personnel	\$5,556	\$5,659
Leases, Vendors, and CMS Chargebacks	\$954	\$1,034
Telecommunications	\$20	\$70
Travel and Conferences	\$20	\$6
Office Equipment	\$76	\$38
Automotive Repairs and Fuel	\$7	\$3
Other	\$8	\$2
Total	\$6,641	\$6,812



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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 and serving as the legislative attorney for all legislative matters pertaining to the OEIG. 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.

Claudia P. Ortega, Chief Administrative Officer

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

Complaints Received By Agency

Number of Complaints Received by Agency	FY2020
Abraham Lincoln Presidential Library and Museum	1
Aging, Department on	24
Agriculture, Department of	5
Appellate Court First District	1
Attorney General, Office of	12
Board of Higher Education	3
Capital Development Board	3
Central Management Services, Department of	28
Chicago State University	9
Chicago Transit Authority	106
Children & Family Services, Department of	91
Children & Family Services Inspector General, Department of	1
City of Chicago Inspector General	1
Commerce Commission, Department of	16
Commerce and Economic Opportunity, Department of	14
Community College Board	3
Comptroller, Office of	3
Corrections, Department of	238
Court of Claims	1
Court Officials	1
Criminal Justice Information Authority	1
Eastern Illinois University	8
Emergency Management Agency, Department of	1
Employment Security, Department of	63
Environmental Protection Agency	21
Financial and Professional Regulation, Department of	38
Gaming Board	11
General Assembly	3
Governor's Office	40
Governors State University	6

Number of Complaints Received by Agency	FY2020
Guardianship & Advocacy Commission	4
Healthcare and Family Services, Department of	56
Healthcare and Family Services Inspector General, Department of	3
Historic Preservation Agency	2
Housing Development Authority	2
Human Rights, Department of	37
Human Services, Department of	547
Illinois State University	3
Innovation and Technology, Department of	6
Insurance, Department of	11
Judicial Inquiry Board	2
Juvenile Justice, Department of	20
Labor, Department of	6
Law Enforcement Training and Standards Board	9
Legislative Reference Bureau	1
Lewis and Clark Community College	2
Liquor Control Commission	3
Local Police Department/Sheriff	3
Lottery	1
Math and Science Academy	1
Metra	35
Military Affairs, Department of	4
Natural Resources, Department of	19
Non-State Agency	352
Northeastern Illinois University	4
Northern Illinois University	9
Office of Executive Inspector General	3
Office of the State Fire Marshal	11
Other	12
Pace	29
Prisoner Review Board	3
Property Tax Appeal Board	3
Public Health, Department of	32
Racing Board	2
Regional Transportation Authority	4

Number of Complaints Received by Agency	FY2020
Revenue, Department of	25
Secretary of State, Office of	18
Senate	2
Southern Illinois University - Carbondale	20
Southern Illinois University - Edwardsville	6
Southern Illinois University - School of Medicine	4
Southern Illinois University	9
Social Security Administration Inspector General, Office of	4
Southwestern Illinois College	1
Sports Facilities Authority	1
State Board of Education	11
State Employees Retirement System	2
State Police	51
State Police Merit Board	9
State's Attorney	3
State Treasurer, Office of the	3
Supreme Court	1
Teachers Retirement System	10
Toll Highway Authority	9
Transportation, Department of	133
Universities Retirement System	1
University of Illinois	42
Unknown	10
Vendor	10
Veterans' Affairs, Department of	39
Western Illinois University	37
Workers Compensation Commission	6
Total	2,461

Allegations Received By Type of Misconduct

Allegations Received by Type of Misconduct	FY2020
Abuse	25
Breach of Confidentiality	30
Bribery	1
Child Support	5
Conflict of Interest	48
Customer Service	84
Discrimination	164
Document Falsification	59
Ex Parte Communications	2
Extortion	1
Failure to cooperate	1
Failure to follow dept policy	62
False Employment Application	2
Fraud	70
Gift Ban Violation	8
Grant Fraud	7
Harassment	144
Hiring/Promotional improprieties	170
Misappropriation/Misuse of Funds	15
Misconduct	158
Mismanagement	684
Misuse of property	36
None	19
Other	111
Prisoner Complaint	26
Procurement Improprieties	24
Prohibited Political Activity	14
Retaliation	162
Revolving Door Violation	7

Allegations Received by Type of Misconduct	FY2020
Sexual Harassment	76
Theft	46
Time abuse	171
Unethical Behavior/Practices	297
Unlawful Disclosure - OEIG Records	1
Violence in the workplace	11
Waste	5
Wrongfully convicted	1
Wrongful termination	32
Total Allegations	2779

Founded Reports By Agency

Founded Reports by Agency	FY2020
Abraham Lincoln Presidential Library and Museum	1
Agriculture, Department of	1
Corrections, Department of	1
Employment Security, Department of	1
Financial and Professional Regulation, Department of	1
Guardianship & Advocacy Commission	1
Healthcare and Family Services, Department of	1
Natural Resources, Department of	1
Public Health, Department of	1
Teachers Retirement System	1
Transportation, Department of	2
University of Illinois	1
Veterans' Affairs, Department of	1
Total	14

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 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

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

Printed by authority of the State of Illinois

12/2020

In an effort to conserve resources and be green, the FY2020 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



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