

TONI PRECKWINKLE

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April 17, 2012

Honorable Toni Preckwinkle
and Members of the Board of Commissioners
of Cook County, Illinois
118 North Clark Street
Chicago, Illinois 60602

Re: Independent Inspector General Quarterly Report (1st Qtr. 2012)

Dear President Preckwinkle and Members of the Board of Commissioners:

This report is written in accordance with Section 2-287 of the Independent Inspector General (OIIG) Ordinance, Cook County, Ill., Ordinances 07-O-52 (2007), to apprise you of the activities of this office during the time period beginning January 1, 2012 through March 31, 2012.

In connection with the number of complaints received during the subject reporting period, please be advised that this office has received a total of 122 complaints.¹ Please be aware that during the subject reporting period, 13 OIIG investigations have been initiated. This number also includes those investigations resulting from the exercise of my own initiative (OIIG Ordinance, Sec. 2-284(2)). Additionally, 15 OIIG case inquiries have been initiated during this reporting period while a total of 88 OIIG case inquiries remain pending at the present time. Three matters have been referred to other enforcement or prosecutorial agencies for further consideration.

In connection with the recently opened investigations by the OIIG, the following is a general description of the issues under review:

¹ Upon receipt of a complaint, an OIIG complaint number is assigned to the contact and a triage/screening process of each complaint is undertaken. We will initiate a formal investigation when appropriate by assigning an OIIG case number and investigator to the matter. In order to streamline the OIIG process and maximize the number of complaints that will be subject to review, if a complaint is not initially opened as a formal investigation it may also be reviewed as an "OIIG inquiry." This level of review involves a determination of corroborating evidence before assigning an OIIG case number to the complaint. When the initial review reveals information warranting the opening of a formal investigation, an OIIG case number is assigned. Conversely, if additional information is developed to warrant the closing of the OIIG Inquiry, the matter will be closed.



Fraudulent insurance practices by an employee;
Unlawful political discrimination and obstruction of an OIIG investigation;
Review of the practices of the Office of the Medical Examiner;
Medical Benefits Fraud;
Falsification of time records involving 2 separate matters;
Hostile work environment;
Mismanagement within the Department of Animal Control;
Sexual Harassment;
Theft;
Post-SRO Complaints (3 matters).²

The OIIG currently has a total of 137 matters under investigation. The number of open investigations beyond 180 days of the issuance of this report is 124 due to various issues including the nature of the investigation, availability of resources and prosecutorial considerations.

Summary Reports

During the 1st quarter of 2012, the OIIG issued 9 summary reports. The following is a general description of each matter and whether an OIIG recommendation for remediation/discipline has been adopted, if applicable due to the time permitted for corrective action. Specific identifying information is being withheld in accordance with the OIIG Ordinance where appropriate.

IIG10-0038. This investigation relates to improper hiring of various individuals in connection with a disaster grant awarded to Cook County. The investigation revealed that a former Director of Homeland Security and Emergency Management (HSEM) violated existing policy by hiring individuals without preparing requests to hire, posting the positions to the public or following established hiring protocols. One of the people hired in this improper manner was the brother-in-law of the subject Director. The investigation also revealed that a former Project Manager in HSEM breached his fiduciary duty to the County by causing individuals to be hired by a third party agency in an apparent effort to conceal their identities and avoid the established hiring protocols of Cook County. The names of individuals hired in this manner were provided to the subject Project Manager through a "clout list" on which the names of specific individuals were listed next to the names of high ranking County officials who apparently sponsored them for the positions. As a result of the investigation, the OIIG made policy recommendations relating to public officials and the third party contractor hiring process and also recommended that the subject Director and Project Manager not be rehired by Cook County government in the future due to their unethical conduct. The recommendations pertaining to policy have not been

² As outlined below, on February 22, 2012, the United States District Court entered an order transitioning the responsibility for investigating all Post-SRO claims from the Office of the Complaint Administrator to the OIIG.

responded to by Cook County government in violation of Section 2-285(e) of the OIIG Ordinance.

IIG10-0063. This investigation involved a Forest Preserve District employee who allegedly failed to disclose a criminal history on his employment applications. The investigation confirmed the criminal history (theft and criminal trespass to vehicle) of the subject employee and the failure of the employee to disclose the required conviction information on at least four occasions when completing employment forms for the FPD. The FPD imposed discipline on the employee as a result of the OIIG investigation.

IIG11-0037. This investigation relates to allegations of waste and mismanagement in the Safety and Training Division of Highway Department. The investigation revealed certain inefficiencies in that two *Shakman*-exempt employees had been transferred to that division to perform duties previously performed by a single employee. In addition, these employees were logging overtime which is not permissible for *Shakman* exempt employees. Finally, the subject employees were given take home vehicles even though their typical duties do not fall within the type that would require a take home vehicle under County rules. The OIIG made recommendations to address these human resources, overtime and take home vehicle issues. Cook County has adopted our recommendation relative to county car assignments to the individuals. In connection with the efficiency issue, we have been informed that the Highway Department has now assigned sufficient duties to the 2 employees to justify their full-time status.

IIG11-0053. During the course of a related sexual harassment investigation, the OIIG learned of the operation of a so called "Payday Club" allegedly being operated by a Division Head within the Highway Department in which employees gave money from each of their paychecks to the Division Head in return for receiving a lump sum payment on a later date. In order to determine specific details regarding the Payday Club, as well as to determine whether such activities violated any County rules or caused any of the participants to become the victim of a financial scheme, the OIIG interviewed various individuals. One of the Highway Department employees interviewed by the OIIG, after being admonished of his duty to cooperate with the OIIG by answering questions truthfully, stated that he was never a participant in the Payday Club, that he tried to get in but was too young, and that he thought the Payday Club was a savings club but did not know how it worked. Contrary to the statements made by this employee during the OIIG interview, documents obtained during administrative searches of the Division Head's County office revealed numerous documents confirming his participation in the Payday Club. As such, the subject employee violated Section 2-291(a)(2) of the Independent Inspector General Ordinance by interfering with and obstructing an investigation conducted by the OIIG. The subject employee was terminated shortly before the issuance of the OIIG report.

IIG11-0063. The subject of this investigation, an employee at the Medical Examiner's Office, allegedly falsified an accident report in order to fraudulently obtain Workers' Compensation benefits from Cook County government. The employee certified in the accident report that he had become injured while assisting a funeral director lift a heavy person from the

ground after the cart supporting the person tipped over. However, during interviews with the OIIG, both the funeral director involved in the incident and two other employees at the Medical Examiner's Office who assisted the funeral director stated the subject employee did not assist and was not involved with the incident at issue. In addition, the evidence showed that the subject employee tried on multiple occasions to solicit a false statement from his co-worker in order to support his claim for benefits. The subject employee has been terminated from employment at the Medical Examiner's Office.

IIG11-0066. This investigation was initiated based upon a hotline complaint regarding an individual who was observed hauling scrap metal in a Forest Preserve District vehicle to a private scrap metal business. The subsequent investigation led to the identification of the subject FPD employee. A review of the scrap metal business records revealed there were at least 17 documented incidents over a six month period of the subject employee selling scrap metal for several thousand dollars in cash. When questioned by the OIIG, the subject employee initially denied culpability, but after being presented with the sales receipts and photographs of himself and the FPD truck, the subject employee admitted to selling scrap metal collected from FPD property and keeping the proceeds for his own personal gain. He further admitted to misappropriating County-owned vehicles during scheduled work hours to collect scrap metal and sell it to various scrap yards on numerous occasions over the last 3 to 4 years. Further investigation revealed a practice within the FPD of employees selling scrap metal found on FPD property and using the proceeds for cook outs, holiday parties and other purposes. As a result of the investigation, the OIIG recommended termination of the subject employee and the implementation of policies and procedures regarding FPD vehicles and scrap metal sales. The subject employee resigned before discipline could be imposed and the FPD has taken into consideration or implemented the other OIIG recommendations.

IIG12-0008. This investigation was initiated after the OIIG received two Political Contact Logs regarding a staff member in the office of a Cook County Commissioner. According to the Political Contact Log, the subject staff member contacted members of the Bureau of Administration to inquire about the employment status of an employee in the Medical Examiner's Office who was concerned about a potential reclassification and decrease in salary. The investigation confirmed that the subject employee, who was a former campaign worker for the Commissioner, requested the Commissioner's Office to inquire into his employment situation. The investigation further confirmed that the Commissioner's office, through a staff member, made several contacts with the Bureau of Administration, regarding the employee's employment concerns. During the course of the investigation, the subject employee provided false information during his OIIG interview in an attempt to conceal his contact with the Commissioner and thus violated the Independent Inspector General Ordinance. As a result of this investigation, the OIIG recommended that the subject employee receive a significant level of discipline, at least a 25-day suspension. In connection with the involved Commissioner and the staff member, both of whom cooperated fully in the investigation, the OIIG recommended additional training relative to the SRO and related ordinances prohibiting political contacts to

involving employment actions. The subject employee was suspended for a period of 30 days. The remaining OIIG recommendations are pending.

IIG12-0012. This investigation was initiated upon allegations that a former surgeon for the Cook County Health and Hospitals System continued to receive a full-time County salary while actively employed elsewhere. The OIIG investigation revealed that the surgeon had expressed an interest in resigning his position at Stroger Hospital to pursue a practice out of state but that an official within the Department of Surgery persuaded the surgeon to obtain a personal leave of absence rather than resign so that the surgeon could later elect to return to Stroger Hospital. The surgeon followed the official's advice and obtained a leave of absence using accrued sick and vacation time while on leave. As a result, the surgeon continued to receive compensation from the County in the amount of \$76,776.14 plus \$12,050.15 for family level PPO health insurance coverage despite the fact that he was no longer working at the hospital and instead was working full-time at his new practice. The investigation resulted in a finding of negligence on the part of the subject Hospital official as well as two other employees in the Hospital administration for allowing the improper payment of compensation and benefits to the former surgeon. The OIIG has issued a recommendation for disciplinary action as well as the enactment of policy to address the vulnerability in the system that was exposed by these circumstances. OIIG recommendations also include policy training for all time keepers and the conduct of an audit to ensure that no other instances exist where an employee is on personal leave while being extended benefits. The recommendations are pending. The former surgeon has reimbursed Cook County.

IIG12-0018. This investigation originated with an allegation that an employee at the Cook County Health and Hospitals System was driving a taxicab during County working hours. Although the evidence obtained during the investigation indicated that the original allegation was without merit, the investigation did reveal that the subject employee is a licensed public chauffeur who owned two City of Chicago taxicab medallions. The investigation further revealed that the subject employee had failed to properly disclose his secondary employment as a taxicab medallion owner and occasional taxicab driver on his County Dual Employment Form as required by Cook County employment policy. As a result, the OIIG has recommended that disciplinary action be imposed. The OIIG recommendations are pending.

Activities Relating to Unlawful Political Discrimination

It has been one year since the County implemented the requirement to file Political Contact Logs with the Office of the Independent Inspector General. The Logs must be filed by any County employee who receives a contact from a political person or organization or any person representing any political person or organization where the contact relates to an employment action regarding any applicant or County employee. From March 8, 2011 to December 31, 2011, the Office of the Independent Inspector General received 23 Political Contact Logs. The Logs resulted in three full OIIG investigations. From January 1, 2012 to March 31, 2012, the Office of the Independent Inspector General received seven Political

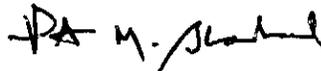
Contact Logs. One investigation has resulted from the Political Contact Logs filed in 2012. While each of the investigations (all involving an elected official) resulted in a sustained finding, we do not believe that the circumstances under review were the product of bad faith or an intentional effort to circumvent law and policy. Rather, we believe the circumstances resulted in a failure of each official to be fully aware of the applicable prohibitions. Accordingly, we are recommending a supplemental training for all elected officials and their staff relative to these issues.

On February 22, 2012, Judge Sidney Schenkier executed an order in the *Shakman v. Cook County* litigation transitioning to the Office of the Independent Inspector General the duty to investigate all complaints filed pursuant to the *Supplemental Relief Order* that pertain to Cook County government (offices under the President and Health and Hospital System) and the Forest Preserve District of Cook County. Previously all complaints were received by the Post-SRO Complaint Administrator's Office. The Office of the Independent Inspector General has received three such Post-SRO Complaints alleging unlawful political discrimination since the date of transition and has initiated an investigation with respect to each Complaint in accordance with the SRO.

The Employment Plan for the Forest Preserve District was initially filed July 14, 2011. The Plan, which continues to be updated and revised as needed by the parties in the *Shakman* litigation, imparts a duty upon the Office of the Independent Inspector General to review any proposed changes to the District's Exempt List. During the first quarter of 2012, the President submitted a revised proposed Exempt List in accordance with the Plan. The Office of the Independent Inspector General has researched and responded to the President's proposal pursuant to the terms of the Plan and the matter of the final District Exempt List will now be determined by the District Court.

Thank you for your time and attention to these issues. Should you have any questions or wish to discuss this report further, please do not hesitate to contact me.

Very truly yours,



Patrick M. Blanchard
Independent Inspector General
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cc: Mr. Kurt Summers, Jr., Chief of Staff, Office of the President
Ms. Laura Lechowicz Felicione, Legal Advisor to the President
Dr. Ramanathan Raju, Chief Executive Officer, Health and Hospitals System
Mr. Arnold Randall, General Superintendent, Forest Preserve District
Ms. Mary Laraia, Deputy Superintendent, Forest Preserve District