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April 15, 2014

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. 2014)

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, 2014 through March 31, 2014.

OIIG Complaints

The Office of the Independent Inspector General received a total of 119 complaints during this reporting period.¹ Please be aware that 12 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, 27 OIIG case inquiries have been initiated during this reporting period while a total of 157 OIIG case inquiries remain pending at the present time. There have been six matters 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, a triage/screening process of each complaint is undertaken. 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 opening a formal investigation. When the initial review reveals information warranting the opening of a formal investigation, the matter is upgraded to an "OIIG Investigation." Conversely, if additional information is developed to warrant the closing of the OIIG Inquiry, the matter will be closed.

- Contractor fraud;
- Improper use of County resources;
- Compliance review of HHS cash handling procedures;
- Compliance review of the Department of Facilities Management;
- Unlawful political discrimination matters (4);
- Post-SRO complaints (3); and
- False impersonation of government employee.

The OIIG currently has a total of 69 matters under investigation. The number of open investigations beyond 180 days of the issuance of this report is 60 due to various issues including the nature of the investigation, availability of resources and prosecutorial considerations.

OIIG Summary Reports

During the 1st Quarter of 2014, the OIIG issued summary reports relating to 16 investigations. 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.

IIG12-0375. This investigation was initiated based on allegations of misconduct regarding a subject who served both as a Cook County Health and Hospitals System (CCHHS) contractor and later as an employee of the System. The investigation revealed that while a contractor, the subject failed to perform certain specific deliverables, failed to maintain records regarding how his time was spent, and failed to develop the program he was hired to create. When later hired as a CCHHS employee, the subject violated the CCHHS Dual Employment Policy by falsifying his Dual Employment Forms and working at other health institutions during his normal CCHHS work hours and in excess of hours permitted under the policy. In order to conceal this fact, the subject would swipe in to the CCHHS timekeeping system and then leave for his other jobs. The subject lied about his activities to OIIG investigators and only admitted to his misconduct when confronted with evidence obtained by the OIIG. We recommended that subject employee be terminated from employment and placed on any do not hire list maintained by CCHHS. We also recommended that the subject employee's supervisor receive discipline for failing to adequately supervise subordinate employees and the he receive training for contract management and personnel management. The System has adopted the recommendations.

IIG13-0029. This investigation was initiated based on a complaint alleging employee theft of government funds from the pharmacy daily cash receipts of a hospital within the Cook County Health and Hospitals System (CCHHS). The investigation involved a review of policies and records, numerous employee interviews and a review of video surveillance taken by a

camera installed in the subject employee's office by the OIIG. Evidence obtained during the investigation showed that the subject employee not only engaged in theft of daily cash receipts at the hospital pharmacy but also destroyed actual register tapes and generated false register tapes to cover up his misconduct. In addition, the investigation raised concerns regarding two managers at the hospital who either failed to maintain adequate internal controls or failed to report the strong suspicion of possible theft in their department. The OIIG recommended that the subject employee who stole the cash receipts be terminated and placed on any do not hire list maintained by CCHHS. The OIIG further recommended appropriate disciplinary action be taken as to the managers and that other corrective action be taken including the adoption of best practices in cash collection and accounting procedures.

IIG13-0050. This investigation involved an allegation that a Carpenter Foreman at Stroger Hospital engaged in misconduct in the performance of his duties. The investigation revealed that the subject Carpenter Foreman manipulated data in the hospital's computer system by administratively closing numerous key/lock request work orders to remove them from a pending status in the system and give the appearance that work had been completed. The evidence also showed that the subject Carpenter Foreman added key/lock request work order numbers to the daily dispatch logs of another carpenter in order to give the appearance that the carpenter had completed the work orders on those dates when in fact he had not. Such falsification of hospital records constitutes a major cause infraction under the Cook County Health and Hospitals System Personnel Rules, and we recommended that disciplinary action be imposed on the subject Carpenter Foreman.

IIG13-0057. This investigation was initiated based on a complaint that a Stroger Hospital employee was storing non-Cook County vehicles on the grounds at Oak Forest Hospital in violation of CCHHS Personnel Rules. Site inspections revealed that two vehicles belonging to the subject employee were parked on the grounds at Oak Forest Hospital on different dates. The vehicles had bold lettering on the outside referring to different business entities which appeared to be in the entertainment field; however the identified businesses were not listed on the subject employee's Dual Employment Forms. At his OIIG interview, the subject employee acknowledged that the vehicles and the businesses at issue belonged to him and failed to offer any valid justification for storing the vehicles on hospital property or not listing his outside employment on his Dual Employment Forms. The OIIG recommended the imposition of appropriate discipline for these violations of CCHHS Personnel Rules.

IIG13-0061. This matter involved site inspections of the Forest Preserve District (FPD) by the OIIG's Audit and Compliance Division. The objectives of the site inspections were to assess and evaluate the efficacy and efficiency of field operations in the FPD. The results of the

site inspections were set forth in a public statement dated February 14, 2014 which is available on the OIIG's website. The public statement noted many positive developments within the FPD as well as recommendations to senior management for corrective action in other areas. The FPD responded to public statement and has accepted the OIIG recommendations.

IIG13-0265. This investigation relates to a Post-SRO complaint filed pursuant to the *Supplemental Relief Order for Cook County* (SRO) entered in connection with the *Shakman v. Cook County*, 69 C 2145 (N.D. Ill.) litigation. The complainant alleged that she was the victim of political discrimination when she was denied a promotion to a position at the Cook County Health and Hospitals System that was given to another candidate. The evidence from the OIIG investigation failed to demonstrate that impermissible political factors were considered with respect to management's decision to promote the other candidate to the position.

IIG13-0267. This matter involved a former employee of the Cook County Health and Hospitals System (CCHHS) who falsely portrayed himself as a current employee and attempted to obtain personal medical information of CCHHS patients. The former employee now works for a home health care agency to which a doctor at the hospital occasionally refers patients. The investigation revealed that the former employee's misconduct violated both state law (720 ILCS 5/17(b)(2) – False Personation of a Public Employee) and federal law (42 U.S.C. §1320d-5 and §1320d-6 - Health Insurance Portability and Accountability Act (HIPPA)). We recommended that the former employee no longer be permitted on CCHHS property as a representative of the home health care agency that currently employs him.

IIG13-0277. This investigation relates to a Post-SRO complaint filed pursuant to the *Supplemental Relief Order for the Cook County Recorder of Deeds* (SRO) entered in connection with the *Shakman v. Cook County*, 69 C 2145 (N.D. Ill.) litigation. The complainant alleged that he was the victim of political discrimination when he was not hired as Director of Security at the Cook County Recorder of Deeds. The evidence from the OIIG investigation failed to demonstrate that impermissible political factors were considered with respect to the hiring decision for the subject position.

IIG13-0289. This investigation was initiated based on a complaint alleging concerns that the hiring of a Director in the Office of the Cook County Recorder of Deeds was based on political factors. The investigation revealed that the subject Director had strong political connections to the current Recorder of Deeds and that political factors were in fact involved in her hiring. As such, two high ranking officials within the Recorder's Office violated the May 22, 1992 Consent Decree in *Shakman v. Cook County Recorder of Deeds*, 69 C 2145 (N.D.Ill.) by involving political factors in the hiring of a non-Exempt employee. In addition, the evidence

showed that the two high ranking officials and subject Director further violated Section V.A.6. of the Supplemental Relief Order in *Shakman v. Cook County Recorder of Deeds*, 69 C 2145 (N.D.Ill.) and Section 2-285 of the OIIG Ordinance by making false statements to the OIIG during the investigation of a Post-SRO Complaint. Because of the serious nature of the offenses, we recommended that one of the high ranking officials involved in the hiring process and the subject Director be terminated from employment. In addition, based on our finding that a policy, custom or practice of non-cooperation has developed within the Office of the Recorder, we recommended that a clear statement and written policy be issued by the Office of the Recorder mandating cooperation with OIIG matters by all officers and employees with a zero tolerance to incidence of non-cooperation. The Office of the Recorder has adopted the recommendation to institute policy requiring cooperation with the OIIG but declined to adopt the OIIG's findings of fact. The Office of the Recorder imposed a lesser sanction than recommended by this office.

IIG13-0292. This investigation relates to the hiring of an Executive Assistant in the Office of the Cook County Recorder of Deeds using an appointment process rather than a competitive hiring process. Although hiring an Executive Assistant by appointment is permitted under the Employment Plan as long as the selection is justified and supported, the appointment may not be based on political reasons or factors. In this case, however, the evidence established that political factors were involved in the hiring of the subject Executive Assistant in violation of the May 22, 1992 Consent Decree in *Shakman v. Cook County Recorder of Deeds et al.*, 69 C 2145 (N.D.Ill.) and the Recorder's Employment Plan. In addition, two high ranking officials within the Recorder's Office and the subject Executive Assistant violated Section V.A.6. of the Supplemental Relief Order in *Shakman v. Cook County Recorder of Deeds et al.*, 69 C 2145 (N.D.Ill.) and Section 2-285 of the OIIG Ordinance by making false statements to or failing to cooperate with the OIIG during the investigation of a Post-SRO Complaint. Because of the serious nature of the offenses, the OIIG recommended the imposition of significant discipline, including the termination of one of the high ranking officials and the subject Executive Assistant. The Office of the Recorder has adopted the recommendation to institute policy requiring cooperation with the OIIG but declined to adopt the OIIG's findings of fact. The Office of the Recorder imposed lesser sanctions than recommended by this office.

IIG13-0301. This investigation was initiated based on a complaint that political factors may have been involved in the hire of an Executive Assistant to work in the Office of the Recorder of Deeds. The evidence developed in the investigation did not support a finding that politics were involved in the hiring, but rather that a personal affiliation between the family of the Executive Assistant and the Recorder likely played a role in the hiring. During the investigation, however, the Executive Assistant was interviewed and denied each question posed to her involving whether she previously had met the Recorder prior to beginning her employment

in the Office of the Recorder. She was asked several times but denied having met the Recorder prior to her hire. The Executive Assistant changed her story, however, when confronted with evidence that the Recorder had attended the Executive Assistant's wedding just 5 months before her hire. By making false statements to OIIG investigators during the investigation of a Post-SRO Complaint, the Administrative Assistant violated both Section V.A.6. of the Supplemental Relief Order in *Shakman v. Cook County Recorder of Deeds*, 69 C 2145 (N.D.Ill.) and Section 2-285 of the OIIG Ordinance. Because of the serious nature of the violations, we recommended termination of employment of the subject Administrative Assistant. In addition, based on our finding that a policy, custom or practice of non-cooperation has developed within the Office of the Recorder, we recommended that a clear statement and written policy be issued by the Office of the Recorder mandating cooperation with OIIG matters by all officers and employees with a zero tolerance to incidence of non-cooperation. The Office of the Recorder adopted this office's recommendation to institute policy requiring cooperation with the OIIG but declined to adopt the OIIG's findings of fact and disciplinary recommendation.

IIG13-0330. This investigation involved an employee in the Department of Transportation and Highways who also engaged in part time dual employment writing a column for a local newspaper. The investigation revealed that the subject employee did properly list his other employment on his Cook County Dual Employment Form. However, the investigation also revealed that the subject employee improperly worked on his column while at his County job and that he used County resources in connection with his outside employment in violation of County Personnel Rules. We recommended the imposition of disciplinary action.

IIG13-0330-A. While examining the email account of a certain County employee for possible misuse, OIIG investigators discovered that an employee of a separate elected Cook County official sent an email using the County's email system to the County email address of an employee for the purpose of providing information relating to a political event. During an interview with the OIIG, the subject employee acknowledged the mistake in sending the email and also the violation of the Cook County Ethics Ordinance which prohibits engaging in political activity on County time or using County resources for a prohibited political activity. We recommended the imposition of disciplinary action which has been adopted.

IIG13-0340. This investigation was initiated based on a complaint that a nurse assigned to Cermak Health Services (CHS) stole medications from CHS and provided them to a family member. After reviewing relevant medication history logs and the subject nurse's personnel file and interviewing pertinent CHS employees, the OIIG determined that the evidence failed to support the allegations against the subject nurse.

IIG13-0403. This matter involved the hiring by appointment of an Executive Assistant in the Office of the Recorder of Deeds. The investigation was initiated based on an allegation that political factors may have been involved in the hiring. While the evidence did not support that allegation, the investigation revealed that the person hired was a personal acquaintance of the Recorder and that a high ranking official making the appointment had little or no knowledge of the Executive Assistant's skills or abilities. These circumstances revealed that the hiring was not done in accordance with the spirit and letter of the Employment Plan. In addition, during his interview with the OIIG, the high ranking official who made the appointment made false and misleading statements in violation of Section V.A.6. of the Supplemental Relief Order in *Shakman v. Cook County Recorder of Deeds et al.*, 69 C 2145 (N.D.Ill.) and Section 2-285 of the OIIG Ordinance. Due to the serious nature of these violations, we recommended that this high ranking official be terminated from employment. In addition, given the abuses in the direct appointment hiring process, we recommended that the option to hire Executive Assistants by direct appointment under the Employment Plan be suspended and that future Executive Assistant positions be filled using a competitive hiring process. The Office of the Recorder declined to adopt the OIIG's findings of fact and recommendation for the imposition of disciplinary action.

IIG14-0001. This investigation relates to a Post-SRO complaint filed pursuant to the *Supplemental Relief Order for Cook County* (SRO) entered in connection with the *Shakman v. Cook County*, 69 C 2145 (N.D. Ill.) litigation. The complainant alleged that she was the victim of political discrimination when she was denied a promotion to a position at the Cook County Health and Hospitals System that was given to another candidate. Based on the evidence from the OIIG investigation, the complainant was not entitled to relief under the terms of the SRO.

Activities Relating to Unlawful Political Discrimination

Political Contact Log

In April of 2011, 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 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 non-Exempt position. The IIG acts within his authority with respect to each Political Contact Log filed. From January 1, 2014 to April 1, 2014, the Office of the Independent Inspector General received 15 Political Contact Logs.

Post-SRO Complaint Investigations

In the last quarter, the OIIG has received five additional Cook County *Shakman* Post-SRO Complaints and has issued two Summary Report regarding Cook County *Shakman* Post-SRO Complaints. Nine such Complaints remain pending.

Training

In the last quarter, the OIIG collaborated with the Bureau of Human Resources (“BHR”) and the Board of Ethics (“Ethics”) in a joint project to streamline and improve the online training Cook County employees are required to complete. The training modules educate Cook County employees regarding the Ethics Ordinance, the Cook County Employment Plan and Unlawful Political Discrimination (“UPD”). The OIIG, along with BHR and Ethics, believes that the new training modules are significantly improved and more clearly and efficiently train County employees regarding their duties with respect to the Ethics Ordinance, the Employment Plan and matters involving UPD.

Recorder SRO Activity

During the last quarter, the OIIG has received no new Recorder *Shakman* Post-SRO Complaints. The OIIG issued one Summary Report pursuant to a Recorder Post-SRO Complaint and four Summary Reports regarding allegations of unlawful political discrimination and the making of false statements to the OIIG. The OIIG continues to investigate one Recorder *Shakman* Post-SRO Complaint.

New UPD Investigations Not the Result of PCLs or Post-SRO Complaints

Apart from the above PCL and Post-SRO activity, the OIIG has opened six additional UPD inquiries during the last reporting period.

OIIG Review Pursuant to Employment Plans

In accordance with the Cook County and Forest Preserve District Employment Plans (and prospective CCHHS Employment Plan), the OIIG reviews the hire of *Shakman* Exempt employees, proposed changes to the County Exempt List, proposed changes to the County Actively Recruited Positions List, and proposed changes the FPD Employment Plan. In the last quarter, the OIIG has performed the following related functions:

1. Reviewed the hire of eight *Shakman* Exempt employees;
2. Reviewed and provided the required approval or objection to:
 - a. Three proposed amendments to the Cook County Exempt List;
 - b. One proposed change to the Cook County Actively Recruited List.

Monitoring

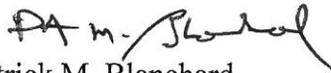
The OIIG continues to monitor disciplinary activities in the FPD and has initiated judgmental monitoring of selected disciplinary activities in Cook County. During the last reporting period, the OIIG monitored 24 separate disciplinary sequences.

Miscellaneous OIIG Activities

The OIIG is scheduled to initiate the practice of consensual recording of subject interviews in May 2014. OIIG Investigators have undergone training, including mock interviews, to develop the proficiency and knowledge required to effectively utilize this technique, spending hours in preparation and application. This “best practice” ensures the accuracy of the questioning and responsive statements. Investigators will utilize the Sony ICD-AX412 Digital Record, which provides digital quality recording capability and ease of operation. In accordance with state law, OIIG Investigators will be required to obtain the subject’s consent to record the interview. Should the subject refuse his/her consent, no penalty of any kind will be imposed or negative inference drawn. At the conclusion of each recorded interview, the recording will be authenticated by the generation of a hash, which is a forensic method of identifying that specific recording as being the original recording. The OIIG anticipates that this practice will produce a better work product in support of the mission of the OIIG and promote the interests of justice and fairness in the process.

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
(312) 603-0364

cc: Ms. Kimberly Foxx, Chief of Staff
Ms. Tasha Cruzat, Deputy Chief of Staff
Ms. Laura Lechowicz Felicione, Special Legal Counsel
Dr. John Jay Shannon, Interim Chief Executive Officer, Health and Hospitals System
Ms. Elizabeth Reidy, General Counsel, Health and Hospitals System
Mr. Arnold Randall, General Superintendent, Forest Preserve District