

THE BOARD OF COMMISSIONERS

TONI PRECKWINKLE

PRESIDENT

EARLEAN COLLINS	1st Dist.	PETER N. SILVESTRI	9th Dist.
ROBERT STEELE	2nd Dist.	BRIDGET GAINER	10th Dist.
JERRY BUTLER	3rd Dist.	JOHN P. DALEY	11th Dist.
WILLIAM M. BEAVERS	4th Dist.	JOHN A. FRITCHEY	12th Dist.
DEBORAH SIMS	5th Dist.	LARRY SUFFREDIN	13th Dist.
JOAN PATRICIA MURPHY	6th Dist.	GREGG GOSLIN	14th Dist.
JESUS G. GARCIA	7th Dist.	TIMOTHY O. SCHNEIDER	15th Dist.
EDWIN REYES	8th Dist.	JEFFREY R. TOBOLSKI	16th Dist.
		ELIZABETH ANN DOODY GORMAN	17th Dist.



OFFICE OF THE INDEPENDENT INSPECTOR GENERAL

PATRICK M. BLANCHARD

INSPECTOR GENERAL

69 West Washington
Suite 1160
Chicago, Illinois 60602
TEL (312) 603-0350
FAX (312) 603-9948

July 18, 2011

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 (2nd Qtr. 2011)

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 April 1, 2011 through June 30, 2011.

In connection with the number of complaints received during the subject reporting period, please be advised that this office has received a total of 94 complaints.¹ Please be aware that during the subject reporting period, 14 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, 12 OIIG case inquiries have been initiated during this reporting period while a total of 70 OIIG case inquiries remain pending at the present time. Two matters have been referred to other enforcement or prosecutorial agencies for further consideration and 4 cases have been referred and/or opened by the Complaint Administrator pursuant to the *Supplemental Relief Order*. The following is a list generally reflecting the issues involved in the recently opened investigations while maintaining the confidentiality of OIIG investigations.

¹ As indicated in previous reports, 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.



<u>No. of Investigations</u>	<u>Description of Allegations Under Review</u>
8	Unlawful Political Discrimination in the form of improper fundraising, undue political pressure by an elected official and improper employment actions
1	Hiring irregularities
1	Misuse of proprietary information
3	Theft
1	Financial reporting irregularities

The OIIG currently has a total of 141 matters under investigation. The number of open cases beyond 180 days of the issuance of this report is 132 due to various issues including the nature of the investigation, availability of resources and prosecutorial considerations.

During the 2nd quarter of 2011, the OIIG issued 22 summary reports. The following is a 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.

IIG11-0019. This investigation involved sustained findings of unlawful political discrimination by an elected official. We have recommended continued instruction being offered to elected officials and their staff to ensure each official is fully apprised of the prohibitions associated with Section 44-56 of the Human Resources Ordinance. These statutory prohibitions include the restriction of an official to verbally communicate to hiring personnel information concerning an applicant for employment. Cook County government has supported all efforts by this office and the Office of the Compliance Administrator to provide instruction concerning the prohibitions of unlawful political discrimination. For example, the Office of the President fully supported the roll-out of the Political Contact Log initiative in April and facilitated the training of all department heads and above concerning the new protocol.

IIG11-0020. This investigation involved an allegation of improper use of proprietary information for political purposes. The allegations were not sustained and no remedial recommendations were offered.

IIG10-0049 – IIG10-0060. In June 2010, this office conducted a compliance review to identify any employees of Cook County government who had failed, following numerous notifications, to comply with their duty to file a Statement of Economic Interest with the County Clerk's Ethics and Campaign Disclosure Division. See 5 ILCS 420/4A-105. That OIIG review resulted in 12 individual investigations culminating in sustained findings and recommendations for the imposition of disciplinary action. Because the factual circumstances of each case involved consideration of additional aggravating and mitigating factors, the range of discipline extended from minor to major. The subject employees were assigned to the following departments: Health and Hospitals System, Public Defender, Recorder of Deeds, Medical

Examiner, Cook County Board of Commissioners, Sheriff, and Juvenile Temporary Detention Center.

IIG11-0001. This investigation involved allegations of time theft by members of the Medical Examiner's Office. The allegations were not sustained and no other remedial action was provided.

IIG11-0013. This investigation involved allegations of ethics violations by an employee of the Commission on Human Rights. The allegations were not sustained and no other remedial action was provided.

IIG10-0032. This review arose out of an investigation involving an employee's failure to comply with Section 34-370 of the Child Support Enforcement Ordinance as it relates to child support compliance as a condition of employment. This review culminated in the issuance of an OIIG Statement issued to you on June 24th reflecting our findings. It was determined that the enforcement mechanism contained in the Ordinance is currently insufficient to ensure that an employee/applicant adheres to his/her child support obligations as a condition of employment. Accordingly, we have offered proposed language for consideration by the Board to amend Section 34-370 in order to achieve this important goal.

IIG11-0017 and IIG11-0018. These investigations involved sustained findings of unlawful political discrimination by an elected official. Please refer to IIG11-0019 above for remedial considerations.

IIG10-0029. This matter was initiated based upon an allegation certain politically favored employees in the Forest Preserve District received advance notification of random drug testing dates which enabled the avoidance of testing by such individuals. Although our investigation found that the initial allegations were unsupported by the evidence developed, further inquiry was warranted to assess the adequacy of the FPD drug testing protocol contained in the FPD Alcohol and Substance Abuse Policy. The policy was put into place to adhere to federal and state mandates formulated to support the Omnibus Transportation Employee Testing Act of 1991 which requires drug and alcohol testing of safety-sensitive employees in various transportation industries.

This investigation identified various administrative failures involving test confidentiality, test integrity and employee participation vulnerabilities. For example, we reviewed documentation for the period of 2008, 2009 and 2010 of FPD selected employee, tested employee, and selected pool lists for the random drug testing program. This review identified reoccurring instances of on-duty employees failing to be testing without explanation or follow-up testing. The mismanagement of the program placed the FPD in a position to incur substantial liability and/or penalties for non-compliance with federal statutory guidelines, more importantly, the failure of the District to implement these important measures potentially exposed the public to risk. Accordingly, this investigation includes recommendations for substantial corrective action.

Hon. Toni Preckwinkle and Members of
the Board of Commissioners
July 18, 2011
Page | 4

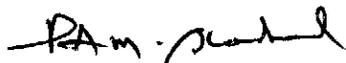
IIG09-0103. This investigation focused on allegations that an employee in the Law Library performed political work/fundraising during duty hours. The allegations were not sustained and no other remedial action was provided.

IIG11-0025. This investigation involved an OIIG determination that a Law Library official was engaged in theft by deception when he entered into unauthorized contracts purportedly on behalf of the Law Library to obtain services from a 3rd party vendor for his personal benefit. This matter has resulted in our recommendation for the termination of the subject employee along with a recommendation for a change in policy to address the potential for misconduct of this nature occurring in the future.

In connection with cases reported last quarter involving remedial recommendations that were then pending, please be advised that corrective action has occurred. In two cases, operational change was recommended (IIG10-0090 involving the Department of Corrections identifying non-performance by contractors and W/MBE violations and IIG10-0051 involving mismanagement at the Cermak Aquatic Center) and subsequently adopted by the subject department. As you recall, the OIIG recommendations associated with the Cermak Aquatic Center investigation were numerous. It should be noted that the Forest Preserve District has responded in a comprehensive, immediate and thorough manner to address the identified deficiencies.

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: Mr. Kurt Summers, Jr., Chief of Staff, Office of the President
Ms. Laura Lechowicz Felicione, Legal Advisor to the President
Mr. Arnold Randall, General Superintendent, Forest Preserve District
Ms. Mary Laraia, Deputy Superintendent, Forest Preserve District