

THE BOARD OF COMMISSIONERS

TONI PRECKWINKLE
PRESIDENT

RICHARD R. BOYKIN	1 st Dist.	PETER N. SILVESTRI	9 th Dist.
ROBERT B. STEELE	2 nd Dist.	BRIDGET GAINER	10 th Dist.
JERRY BUTLER	3 rd Dist.	JOHN P. DALEY	11 th Dist.
STANLEY MOORE	4 th Dist.	JOHN A. FRITCHEY	12 th Dist.
DEBORAH SIMS	5 th Dist.	LARRY SUFFREDIN	13 th Dist.
JOAN PATRICIA MURPHY	6 th Dist.	GREGG GOSLIN	14 th Dist.
JESÚS G. GARCÍA	7 th Dist.	TIMOTHY O. SCHNEIDER	15 th Dist.
LUIS ARROYO JR.	8 th Dist.	JEFFREY R. TOBOLSKI	16 th Dist.
		SEAN M. MORRISON	17 th Dist.



OFFICE OF THE INDEPENDENT INSPECTOR GENERAL

PATRICK M. BLANCHARD
INSPECTOR GENERAL

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

July 15, 2016

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. 2016)

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 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, 2016 through June 30, 2016.

OIIG Complaints

The Office of the Independent Inspector General (OIIG) received a total of 42 complaints during this reporting period.¹ Please be aware that 5 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, 11 OIIG case inquiries have been initiated during this reporting period while a total of 146 OIIG case inquiries remain pending at the present time. There have been 6 matters referred to management or other enforcement or prosecutorial agencies for further consideration. The OIIG currently has a total of 41 matters under investigation. The number of open investigations beyond 180 days of the issuance of this

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.

report is 36 due to various issues including the nature of the investigation, availability of resources and prosecutorial considerations.²

OIIG Summary Reports

During the 2nd Quarter of 2016, the OIIG issued nine 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.

IIG14-0479. This case was initiated based on allegations that employees in the Cook County Clerk's Office had been hosting a Toy Drive in the Department of Vital Records in Markham during the 2013 and 2014 holiday seasons without the approval of the administration. Moreover, there were allegations that donations solicited by employees were not being delivered to the intended charities. OIIG investigators utilized surveillance of certain subjects, interviewed donors as well as intended donation recipients, and subpoenaed and analyzed bank records. The investigation revealed that donated toys were brought back to the homes of those organizing the Toy Drive and that donated funds were being deposited into their personal bank accounts. However, the preponderance of the evidence failed to establish that the subject employees were engaged in fraud on County property. Nonetheless, the employees were in violation of policy by accepting and soliciting contributions from the public over the counter and otherwise violated their fiduciary duties. We recommended the imposition of significant discipline on the two subjects for their actions in violation of the Cook County Ethics Ordinance. We further recommended additional ethics training for management at the Cook County Clerk's Office and that management be more active in managing and visiting the satellite office. The Clerk's Office adopted our recommendations.

IIG14-0511. In this matter, the OIIG conducted a conflicts of interest risk assessment related to the Zoning Board of Appeals (ZBA). The ZBA is comprised of a Chairman, six Board Members, and two nonvoting ex-officio members (the Chairman of the Zoning and Building Committee of the Cook County Board of Commissioners and the Chief of the Bureau of Economic Development of Cook County) who preside over the variance appeals process in Cook County. Property owners can appear before the ZBA or have legal counsel present their cases. We conducted this risk assessment to determine whether the ZBA has implemented adequate internal controls to provide reasonable assurance that conflicts of interest are timely identified and appropriately managed to ensure fairness in the variance appeals process.

Our review identified voting members whose outside employment is related to real estate matters. One of the members provides architectural and consulting services to clients. Another

² This office is currently transitioning to a new case management system that will enable the office to more effectively retrieve case related information and perform link and trend analysis of case data.

member is an attorney who concentrates in real estate matters for developers and other small corporations. There is another member who is legal counsel for a large company that provides a myriad of related consulting services. Because the ZBA does not have any internal policies and procedures for identifying and managing conflicts of interest, there is a cause for concern that potential conflicts of interest could exist undetected and unresolved in connection with the ZBA's variance appeals process.

To address these concerns, we recommended that the ZBA (1) require its voting members to complete conflict of interest certification forms for each matter before the ZBA, (2) adopt procedures to guide its members in recognizing and addressing potential conflicts, and (3) promulgate rules to alert the Board of Ethics when sitting members are also elected officials so that such members may be added to its routine campaign contribution audits. These recommendations are currently pending.

IIG15-0046. The OIIG initiated this investigation to address repeated incidents of time card fraud by employees at the John H. Stroger, Jr. Hospital of Cook County. The OIIG has conducted numerous time and attendance investigations (time card fraud) involving Cook County Health and Hospitals System (HHS) employees at Oak Forest Health Center, Cermak Health Services and Stroger Hospital during the past several years. These time card fraud investigations involved a range of issues from employees swiping in and then immediately leaving to park their vehicles, employees swiping in for others who fail to report for work, employees leaving during the day without authorization, employees swiping in at unauthorized locations in order to avoid tardiness to employees not swiping at all. The subjects of the investigations involved a wide spectrum of positions and departments including a Division Chairman, a physician, a physician assistant, dentists, dental assistants, nurses, administrative assistants/aides, a trades foreman, environmental service employees, laborers and others. In the end, numerous recommendations have been offered though this issue remains a substantial problem that does not appear to have diminished in scope.

Based upon the numerous similar investigations that have been sustained, this office initiated this investigation to determine the scope of the problem and underlying causes. In summary, 70 interviews were conducted with front line employees, timekeepers, supervisors, department heads and personnel from Human Resources and the Payroll Department. Twenty-four informational interviews and 35 subject interviews were conducted with employees suspected of time card fraud based upon data reviewed and surveillance conducted. Eight of the subject employees had past records of excessive tardiness. Admissions were obtained from 14 interviewees, and there was preponderance of evidence that implicated 15 additional employees. This review also cleared six of the employees for various reasons. Several employees admitted to the practice of "drive and swipe" to avoid being tardy. Some of those interviewed claimed to have been doing this for years without being questioned about the practice. One employee claimed his supervisor authorized his employees to swipe in before parking their vehicles if they believed they were going to be late for work. Other employees acknowledged taking time to eat their breakfast after swiping in at the beginning of their scheduled shift. The results of this review and those of prior time card fraud investigations form the basis of our conclusion that a

widespread institutional culture of time card fraud continues to exist. The environment that allowed this custom to develop was caused primarily by a lack of policy enforcement and supervisory oversight.

Numerous recommendations were made including various forms of training and education. Those recommendations are currently pending. The complete findings and recommendations are contained in a public statement on this issue which was released on June 29, 2016 and which is available on the OIIG website.

IIG15-0071. This case was opened in response to allegations that certain officials from the Department of Transportation and Highways (DTH) violated the County procurement policy by communicating with a contractor prior to Board approval of a contract extension. It was also alleged that this contract extension for \$450,000 was submitted and approved before the initial sum of the original contract was spent. After a full investigation, the allegations were not sustained. Although some communication did occur, the plain language of the County Code only limits communications before a contract is awarded and not before a contract is extended. As such, the preponderance of the evidence demonstrated that the subject official did not violate the Code. Likewise, this office concluded that the DTH properly obtained the Supplemental Appropriation in anticipation of the expanded project scope before all allotted contract funds had been spent. As such, the preponderance of the evidence established that the Supplemental Appropriation did not constitute fraud, waste, mismanagement or misconduct. Importantly, the Procurement Code and the Chief Procurement Officer Procurement Manual offer no standards for evaluating proposed contract amendments. That is, the only requirements offered for contract amendments relate to the Board approving amendments in excess of \$150,000 and the Chief Procurement Officer having exclusive authority to execute contract amendments in an amount less than \$150,000 during the term of a contract or one year extension. *See*, Cook County Code, sections 34-123 and 34-125(f) (2014) and the Office of the Chief Procurement Officer Manual (July 2014.) For this reason, we recommended that the Chief Procurement Officer seek an amendment to the code to add specific criteria for contract amendments and extensions prior to approval. This recommendation is currently pending.

IIG15-0121. The OIIG opened this investigation after receiving information from the Cook County Health and Hospitals System (CCHHS) a Technical Coordinator with 26 years of County service was seen on a Saturday morning at approximately 4:30 a.m. loading what appeared to be computer equipment into her car three days prior to her retirement. After the employee's retirement, CCHHS personnel entered her office and observed that it was devoid of the computer equipment they had expected to be present. In response to inquiries by CCHHS management and the Stroger Hospital Police Department (SHPD), the retired employee visited the SHPD with her son and brought with her a computer and a receipt for computer parts. The retired employee maintained that she used her personal charge card to purchase computer parts, had them shipped to her CCHHS office, and then built a computer herself because her County computer was too slow. She also maintained that prior to leaving CCHHS, she had cleaned out her office and discarded what she said were obsolete computers, monitors, and software.

A subsequent OIIG investigation determined that during the year prior to her retirement, the employee had purchased a significant amount of computer hardware and software utilizing CCHHS grant funds through the Hektoen Institute of Medicine. CCHHS was unable to account for the whereabouts of the items and Hektoen failed to maintain an inventory of any computer assets purchased with grant funds. The investigation also revealed that three weeks prior to the subject's retirement, the employee purchased an Apple iPad using grant funds and the iPad was unaccounted for by both CCHHS and Hektoen. The OIIG determined that subsequent to the employee's retirement, the missing iPad had communicated via the internet with Apple Inc.'s servers (e.g., connecting to iTunes) using an internet protocol (IP) address that was linked to the former employee as a subscriber of an internet service provider (ISP). A subpoena was issued to the retired employee, after which she retained an attorney who advised that the retired employee would exercise her Fifth Amendment right to remain silent and did not wish to speak to anyone from the OIIG regarding any matter whatsoever. Nevertheless, our office subsequently recovered the iPad from the attorney and returned it to CCHHS. Our office recommended that CCHHS implement various processes to ensure that computer hardware and software is better accounted for and to mitigate potential theft, loss, and diversion in the future. As a result of the employee's theft of the iPad, we also recommended that the former employee be put on the *Do Not Rehire List*. CCHHS has requested a 30 day extension to respond to our recommendations.

IIG15-0225. This investigation involved 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 Recorder of Deeds*, 69 C 2145 (N.D. Ill.) litigation. The complainant, a former employee with the Recorder of Deeds (CCRD), alleged that he was notified that he was terminated for submitting falsified Family and Medical Leave Act (FMLA) paperwork. The complainant denied submitting falsified FMLA paperwork and asserted instead that he was terminated for political reasons.

The preponderance of the evidence developed in this investigation did not support the conclusion that political factors played a role in the complainant's termination. Instead, the evidence revealed that the CCRD's decision to terminate him was based on a legitimate, non-political reason. Specifically, an investigation revealed that the doctor's note submitted by the complainant to support the FMLA request had been altered. This was determined by comparing the note submitted by the subject employee to CCRD with the one obtained by the OIIG directly from the doctor. Accordingly, the preponderance of the evidence supported the conclusion that the complainant's termination was based upon a legitimate reason (falsification of records) and that impermissible political factors were not the basis of his termination.

IIG15-0312. This office opened an investigation after receiving a complaint that a Safety Liaison filed a suspicious worker's compensation claim. Specifically, the Safety Liaison complained that he had injured his ankle, knee and hip from falling on a pothole in the parking lot at the 4th District. The timing of the worker's compensation claim was suspicious because the Safety Liaison had recently received a layoff notice and his last day of work was approaching. In order to evaluate the allegations, this office reviewed the Safety Liaison's Employee Accident

Report and medical records. Additionally, this office conducted interviews of the subject, various witnesses and a claims adjuster from Risk Management.

Based on the preponderance of the evidence developed in this investigation, the allegation that the subject filed a false claim in violation of Personnel Rule 8.03(b)(14) was not sustained. Witness testimony corroborated that a pothole existed in the parking lot of the 4th District at the time in question and that the Safety Liaison fell in the proximity of the pothole. Direct evidence supporting the possibility that the incident was staged was not identified.

IIG15-0373. The OIIG received information that the Department of Revenue utilizes inadequate internal controls to properly maintain and control Cook County vehicle stickers, decals and tags. In response, the OIIG conducted this review to assess the adequacy of the process utilized in the issuance, inventory and reconciliation and maintenance of the stickers, decals and tags.

The preponderance of the evidence gathered in the review failed to support the allegations. The Department of Revenue utilizes bi-weekly vehicle sticker remittance summary forms sent to the Department of Revenue by each township and records the amount of revenue taken in from the sale of stickers. Moreover, an annual inventory detailing the amount of stickers issued and returned for each township is also conducted. The Department of Revenue also maintains an electronic database detailing the total number of vehicle stickers that were sold and the total of unused stickers in inventory. The Department of Revenue keeps all inventories of stickers in an organized and secure location with limited access permitted. In an effort to improve the current system of tracking vehicle stickers, decals and tags, the Department of Revenue is in the process of implementing a tax based system. Motorists in unincorporated Cook County will no longer be required to purchase a vehicle sticker but will receive a vehicle tax bill. The Department of Revenue is working with legal counsel, consultants and other necessary parties with a goal of implementing the tax based system in the coming year.

IIG16-0036. This investigation was initiated based on a complaint from a vendor asserting that payment relating to educational consulting to HHS had not been received despite issuing an invoice. HHS subsequently determined that payment had been issued in August 2015 to the subject vendor. Based upon the evidence developed in this investigation, we were able to confirm that on August 4, 2015, the Cook County Comptroller's Office issued a check in the amount of \$24,837.50 payable to the vendor. The evidence further supported the conclusion that the subject check was intercepted and the payee information was forged to the name of an account holder and deposited into that person's Bank of America account. No connection between the account holder and Cook County was identified.

This office subsequently referred the findings of this investigation to the U.S. Postal Service. On April 4, 2016, during an interview with the U.S. Postal Inspectors, the suspect admitted to signing and depositing checks from Cook County and others and later withdrawing money reflecting the amounts of these checks from his Bank of America account. On May 17, 2016, the suspect placed himself into the custody of Chicago Police Department and U.S. Postal

Inspectors. During an interview, the suspect reiterated his April 4, 2016 admissions to an Assistant State's Attorney, as well as Chicago Police and U.S. Postal Inspection Service personnel. Also on May 17, 2016, he was charged with two counts of theft and two counts of forgery, both of which are felony charges. The OIIG recommended that HHS seek recovery of the stolen funds in the amount of \$24,837.50.

Outstanding OIIG Recommendations

In addition to the new cases being reported in this quarter, the OIIG has followed-up on outstanding recommendations for which no response was received at the time of our last quarterly report. Under the OIIG Ordinance, responses from management are required within 30 days of an OIIG recommendation or after the grant of a 30 day extension to respond. Below is an update on these outstanding recommendations.

From the 1st Quarter 2016

IIG12-0234. The OIIG opened this investigation after a complainant provided information regarding an employee in the Office of the Cook County Recorder of Deeds. According to the complainant, the subject employee offered to prepare a false and back-dated quit claim deed in exchange for a cash bribe. OIIG investigators worked with law enforcement and prosecutors who indicted the subject employee for wire and mail fraud. The subject employee resigned her employment with the Recorder's Office during the course of the investigation and eventually pled guilty to one count of mail fraud. We recommended that the Recorder's Office place the subject on its *Do Not Rehire List*. The Recorder's Office failed to respond to our recommendation within 30 days as required by ordinance and still has not responded as of the date of this report.

IIG13-0376. This case involved allegations that a maintenance employee in the Forest Preserve District (FPD) purchased supplies and equipment from an unauthorized vendor and performed tasks for his personal business while on FPD time. The evidence obtained during the investigation confirmed that the subject FPD employee made purchases from an unauthorized vendor. The evidence did not support the allegations that the employee was engaged in personal business during FPD work hours. The OIIG recommended that the FPD consider amending its purchasing policy to include a provision addressing the protocol for vendor registration and maintenance of the approved vendor list. Also, it was discovered that the subject employee's Dual Employment form was old and lacked the required signatures. This office recommended the implementation of additional internal controls to ensure that all FPD employees are submitting complete Dual Employment forms in a timely manner. This recommendation was originally made on February 29, 2016. To date we have not received a response to it from the FPD.

IIG14-0368. This investigation was initiated by the OIIG following the receipt of allegations involving a Cook County Health and Hospitals System (CCHHS) employee working outside employment while on FMLA status. The preponderance of the evidence developed

during the course of the investigation failed to support the allegation of a dual employment or FMLA violation. Although there was no violation in this case, we recommended that CCHHS consider adopting a policy prohibiting employment during a leave period because of the overall impact the high incidence of FMLA leave participation has on CCHHS operations. This recommendation was made on March 1, 2016 and, to date, we have not received a response from CCHHS.

IIG15-0111. This investigation was initiated in response to an allegation that there has been possible fraudulent use of the Drug Enforcement Administration (DEA) numbers for three CCHHS physicians. Specifically, the DEA numbers were allegedly used to acquire controlled substances for individuals having never received treatment from the physicians. Additionally, one of the physician's signatures and the physician's license number was forged onto a City of Chicago limousine driver's physical examination form.

The evidence obtained during the investigation did not support the allegations of negligence or willful misconduct within Cook County government. However, during the course of this investigation, we could not identify the existence of a clear protocol or guidance to direct staff on the appropriate course of conduct should they learn that a DEA number has been compromised. Accordingly, we recommended that (a) CCHHS consider creating a uniform policy directing medical providers to, among other things, report all incidents of misuse of DEA numbers to the Compliance Officer, Stroger Police and the DEA and (b) CCHHS should enforce a policy directing medical providers to monitor their DEA numbers with the Illinois Prescription Monitoring Program. CCHHS adopted the OIIG recommendations.

IIG15-0266. The OIIG opened this investigation after receiving information that an employee at Stroger Hospital had been providing differing answers regarding whether or not she possessed a bachelor's degree when applying for positions with Cook County and the Cook County Health and Hospitals System (CCHHS). The evidence from the investigation supports the conclusion that the subject employee violated Cook County Personnel Rule 8.03(b)(14) and CCHHS Personnel Rule 8.03(c)(26) by submitting false information on her 2012, 2013 and 2014 employment applications by stating that she possessed a bachelor's degree. We recommended that the subject employee be terminated and that she be ineligible for County or CCHHS employment for a period of five years. CCHHS is currently seeking discipline against the subject employee and has requested an extension as the matter is currently subject to an ongoing disciplinary proceeding.

IIG15-0346. The OIIG opened this investigation after reviewing a Request to Hire packet in support of a candidate for direct appointment for a position at the Cook County Health and Hospitals System (CCHHS). The preponderance of the evidence developed by the investigation revealed that the subject candidate, in an effort to secure a CCHHS Direct Appointment position for which he was not qualified, willfully provided false information to CCHHS personnel in an effort to appear as though he met the minimum qualifications. We recommended that (1) CCHHS find the subject candidate ineligible for employment for a period of five years pursuant to Sections 44-54(b) and (e) of the Cook County Human Resources

Ordinance, (2) the subject candidate be removed from the position as a CCHHS contractor that he held, and (3) CCHHS Human Resources Department establish a policy which ensures a more thorough past employment verification process which would disclose false information by applicants. On May 19, 2016, CCHHS responded and adopted in part and rejected in part our recommendations. It placed the subject on the ineligibility list for five years but refused to remove him as a contractor.

From the 4th Quarter 2015 or Earlier

IIG15-0184. The OIIG initiated this investigation after receiving an anonymous letter alleging that a doctor at CCHHS “is lucky to spend 50% of his time at the hospital during the normal work week” and that the majority of his time is spent at his private practice office. Included with the letter was a USB flash drive containing surveillance video of the subject doctor. The OIIG reviewed the surveillance videos and the subject doctor’s time records and interviewed both the subject doctor and his supervisor. The evidence from the investigation revealed that the timesheets for the subject doctor contained false information and that the subject doctor has been negligent in the performance of his duties as they relate to maintaining accurate and contemporaneous records of his CCHHS work hours. The OIIG recommended that management should impose discipline on the subject doctor. Management accepted the OIIG’s recommendation that discipline be imposed on the subject doctor and a pre-disciplinary hearing was held on March 17, 2016. At the time of the last report, we were awaiting the decision of the hearing officer. On April 18, 2016, the hearing officer found that the charges against the doctor had merit and recommended that a 29-day suspension sought by CCHHS management be upheld.

IIG15-0278. This office received information indicating that a former employee in the Cook County Bureau of Human Resources (BHR) made various false statements in the course of applying for particular positions within Cook County government by using both factually misleading resumes and false information uploaded to the County’s online job application system. The evidence developed during the course of this investigation confirmed the allegations.

We recommended that the County, CCHHS, and the FPD find the subject ineligible for hire for a period of five years pursuant to provisions in their respective employment plans. We made recommendations to the Recorder of Deeds and Sheriff to consider amending their respective employment plans so as to allow further action for violations of this type. We also recommended that all of the involved agencies seek to modify their respective employment plans so as to honor the ineligibility lists of the respective entities. Finally, Article II, Section 44-54(e) of the Cook County Code of Ordinances provides that any person who willfully violates this section shall be fined not less than \$100.00 nor more than \$500.00 or be imprisoned for not more than six months, or both. We recommended that any department seeking to prosecute the subject for violation of Section 44-54 contact the Cook County States’ Attorney’s Office.

These recommendations were originally made on December 23, 2015. The County responded that it will deem the subject employee ineligible for employment for a period of five years. On April 8, 2016, CCHHS adopted the recommendation to place the subject employee on its ineligibility list. We have yet to receive a response from the other agencies regarding our recommendations.

Failure to Respond to OIIG Recommendations

Certain agencies have failed to respond to OIIG recommendations as required by Ordinance despite repeated requests by the OIIG and ample opportunity to respond. The recommendations made in these cases will no longer be considered outstanding but rather will be deemed to have been rejected by such agencies due to lack of response. Those cases are listed below.

IIG10-0038. This matter involved a follow-up to a prior case and recommendation involving several county officials directing third party contractors to hire favored individuals in an effort to circumvent the human resources related scrutiny that would prevent the hiring of such individuals into Cook County positions. We recommended amending the County's Employment Plan or Human Resources Ordinance to prevent such circumstances from recurring. This recommendation was made on November 7, 2014. Because the OIIG had not yet received a response from the County, the OIIG recommendation is considered to have been rejected.

IIG13-0015. The OIIG recommended that the Letter of Intent in County contracts be amended to require specific information to support the commercially useful function that will be performed under the contract including, but not limited to, the deliverables and time table for performance. We also strongly recommended that protocols should be established to include user agencies in monitoring and reporting Minority and Women Owned Business enterprises (M/WBE) participation as part of their project management responsibilities. In addition, the OIIG restated its previous recommendation that Cook County government implement a policy, resolution or enactment to the Code of Ordinances to require County employees involved in the contracting process to report to this office instances in which contact is made by a politically-related person or organization that involves an attempt to influence a procurement action. This recommendation was made on December 12, 2014, and the County has not yet provided a response. Therefore the recommendation is considered to be rejected.

IIG14-0053. The OIIG recommended that the Cook County Health and Hospitals System (CCHHS) pursue contract cancellation and disqualification and pursue the imposition of fines in accordance with Section 6.7 of the CCHHS Supply Chain Management Procurement Policy (False Statements) for a prime contractor who violated the Minority and Women Owned Business Enterprises (M/WBE) provisions of the Cook County Code and CCHHS Procurement Policy. This recommendation was made on August 28, 2014 and CCHHS did not provide a timely response. On January 12, 2016, CCHHS stated that it will look into the matter and respond to our recommendation although no date was given. On April 15, 2016, CCHHS submitted a response and stated that as of July 31, 2015 (when the contract ended), CCHHS is no

longer doing business with the prime contractor. However, CCHHS did not indicate whether it pursued contract cancellation or fines as recommended by the OIIG. Because those recommendations are nearly two years old and there has been no response to them, they are deemed to have been rejected.

Activities Relating to Unlawful Political Discrimination

Political Contact Logs (PCLs)

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 April 1, 2016 to June 30, 2016, the Office of the Independent Inspector General received seven Political Contact Logs.

Post-SRO Complaint Investigations

In the last quarter, the OIIG has received no new Cook County *Shakman* Post-SRO Complaint filings. Three such Complaints are currently under investigation.

Training

The OIIG continues to collaborate with the Bureau of Human Resources (“BHR”) and the Board of Ethics (“Ethics”) in a joint project to provide both online and in-person annual training for Cook County employees regarding the Ethics Ordinance, the Employment Plan and Unlawful Political Discrimination. The OIIG continues to assist the above departments in the efforts to test new training modules, alleviate technological challenges which exist in administering training and the reduction of incidents of non-compliance.

New UPD Investigations not the result of PCLs or Post-SRO Complaints

In addition to the above PCL and Post-SRO activity, the OIIG has opened four additional UPD inquiries during the last reporting period. The OIIG continues to assist and work closely with the embedded compliance personnel in the FPD, CCHHS, the Cook County Bureau of Human Resources and the Cook County Recorder of Deeds, conducting joint investigations where appropriate.

Employment Plan – Do Not Hire Lists

The OIIG has finalized its recommendations to both the Cook County and CCHHS regarding final working Do Not Hire Lists. The OIIG continues to collaborate with the various

Cook County entities and the Cook County Compliance Administrator to ensure the Lists are being applied in a manner consistent with the County's goal of achieving substantial compliance.

OIIG Employment Plan Oversight

In accordance with the Employment Plans of Cook County, CCHHS and the Forest Preserve District, the OIIG reviews, *inter alia*, (1) the hire of *Shakman* Exempt employees, (2) proposed changes to Exempt Lists, Actively Recruited lists, Employment Plans and Direct Appointment lists, (3) FPD employment postings limited to internal candidates and (4) Supplemental Policy activities. In the last quarter, the OIIG has reviewed and acted within its authority regarding:

1. Four changes to the Cook County Actively Recruited List;
2. The hiring of 15 *Shakman* Exempt employees;
3. The Direct Appointment of nine CCHHS employees;
4. Twenty-six changes to the CCHHS Direct Appointment List;
5. Thirteen changes to the CCHHS Actively recruited List;
6. One action under the Cook County Employment Plan Supplemental Policies.

Monitoring

The OIIG currently tracks all disciplinary activities in the FPD and offices under the President. In this last quarter, the OIIG tracked and selectively monitored 39 disciplinary hearings and related grievances. Further, pursuant to an agreement with the Bureau of Human Resources and with the collaboration of the Cook County Compliance Officer, the OIIG tracks all hiring activity in the Offices under the President, conducting selective monitoring of certain hiring sequences therein and training.

Appellate Court Decision Addressing OIIG Jurisdiction

The Cook County Office of the Independent Inspector General ("OIIG") initiated an investigation in 2012 into allegations that an employee in the Cook County Assessor's Office ("Assessor"), who was also an elected official outside Cook County government, had improperly received a homeowner's exemption to which he was not entitled. As part of that investigation, the OIIG requested documents from the Assessor pursuant to the OIIG Ordinance. When the Assessor refused, the OIIG issued a subpoena for the records. The Assessor objected to the subpoena on the grounds that the OIIG only has authority to investigate County government under the Offices of the Cook County Board President and does not have such authority regarding separately elected Cook County officials like the Assessor.

On June 7, 2013, the OIIG filed a two-count complaint against the Assessor seeking (i) a declaration that the Cook County Assessor must cooperate with the OIIG's investigation, and (ii) a finding that the Assessor must comply with the subpoena issued by the OIIG. On August 21,

Hon. Toni Preckwinkle and Members of the
Board of Commissioners of Cook County
July 15, 2016
Page | 13

2014, the Cook County Circuit Court entered an order upholding the jurisdictional scope of the OIIG Ordinance.

The Assessor appealed the decision of the Circuit Court on September 11, 2014 arguing that the authority vested in the OIIG by the Board of Commissioners to issue subpoenas and require officials to cooperate in OIIG investigations was unconstitutional. On December 8, 2015, the Illinois Appellate Court unanimously upheld the OIIG's authority to investigate allegations of corruption in both the Assessor's office as well as the offices of other Cook County officials. Specifically, the Appellate Court held that Cook County Board of Commissioners "validly exercised its home rule powers when it created the OIIG and gave it the power to issue subpoenas to aid in its investigations of allegations that county officers, including the Assessor, have acted corruptly." See *Blanchard v. Berrios*, 2015 Il App (1st) 142857, para. 18 (December 8, 2015).

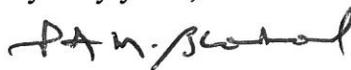
The Assessor has appealed the Appellate Court's decision to the Illinois Supreme Court. On March 27, 2016, the Assessor filed his brief in the Illinois Supreme Court. The OIIG filed its brief on July 1, 2016 and the Assessor filed his reply today. This matter is now fully briefed and we anticipate a date for oral argument in the coming months.

Miscellaneous OIIG Activities

The National Association of Inspectors General is holding its certification institute in Chicago the week from July 25 – 29, 2016. Nine investigators from this office will attend and receive instruction on core curriculum for inspectors general investigators. At the conclusion of the institute, investigators will be tested and, if successful, will receive professional certification as a Certified Inspectors General Investigator and join five other members of this office who have previously received certification.

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

Hon. Toni Preckwinkle and Members of the
Board of Commissioners of Cook County
July 15, 2016
Page | 14

cc: Mr. Brian Hamer, Chief of Staff
Mr. Stephen Shaw, Deputy Chief of Staff
Ms. Laura Lechowicz Felicione, Special Legal Counsel
Dr. John Jay Shannon, Chief Executive Officer, Health and Hospitals System
Mr. Jeffrey McCutchan, Interim General Counsel, Health and Hospitals System
Ms. Deborah J. Fortier, HHS Assistant General Counsel
Mr. Arnold Randall, General Superintendent, Forest Preserve District
Ms. Eileen Figel, Deputy General Superintendent, Forest Preserve District
Mr. Ranjit Hakim, Executive Director, Board of Ethics