Office of the Independent Inspector General

"[T]o detect, deter and prevent corruption, fraud, waste, mismanagement, unlawful political discrimination or misconduct in the operation of County government."

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Quarterly Report
1st Quarter 2020

April 15, 2020

OFFICE OF THE INDEPENDENT INSPECTOR GENERAL
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April 15, 2020

Via Electronic Mail

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

Re: Independent Inspector General Quarterly Report (1st Qtr. 2020)

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 January 1, 2020 through March 31, 2020.

OIIG Complaints

The Office of the Independent Inspector General (OIIG) received a total of 191 complaints during this reporting period.[1] Please be aware that 8 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, 41 OIIG case inquiries have been initiated during this reporting period while a total of 227 OIIG case inquiries remain pending at the present time. There have been 55 matters referred to management or other enforcement or prosecutorial agencies for further consideration. The OIIG currently has a total of 32 matters under investigation. The number of open investigations beyond 180 days of the issuance of this report is 27 due to various issues including the nature of the investigation, availability of resources and prosecutorial considerations.

[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 without further inquiry.

OIIG Summary Reports

During the 1st Quarter of 2020, the OIIG issued 11 summary reports. The following provides a general description of each matter and states whether OIIG recommendations for remediation or discipline have been adopted. Specific identifying information is being withheld in accordance with the OIIG Ordinance where appropriate.[2]

IIG18-0479. The OIIG opened this investigation after receiving information that Cook County Government was the subject of a payroll fraud scheme involving bank deposits for payroll being diverted to different accounts for theft. During the course of this investigation, the OIIG reviewed financial data sets and documents from multiple banking institutions, reviewed Cook County employees' email accounts, interviewed multiple Cook County employees, and analyzed data from various Cook County computer platforms.

The Comptroller stated that the Payroll Department became aware of direct deposit exceptions when a few Cook County Health ("CCH") employees reported that their direct deposits were not received. The Payroll Department then conducted a review to compare the most recent direct deposit account information to the information for the prior pay date. The Payroll Department determined nine self-service direct deposit changes fraudulently directed employee ACH to debit card accounts. The Comptroller stated that attempts to recover the money from the County's bank were unsuccessful as the funds were already gone.

Upon further research of the routing numbers, the Payroll Department discovered that the funds were transferred into Green Dot accounts.[3] A total of $25,647.32 was diverted from nine Cook County employees into six different Green Dot account numbers.

The Green Dot Corporation provided information regarding the identities of the individuals who activated the six Green Dot accounts and the transaction history for all six accounts. This information included the names of the account/cardholders and their dates of birth, addresses, social security numbers, remaining balances, cell phone numbers and email addresses. Upon review of the individual identities, the Green Dot accounts were opened using stolen identities.[4] None of the six individuals were current Cook County employees or had any identifiable affiliations or circumstances linking them to the State of Illinois.

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[2] Please note that OIIG Quarterly Reports pertaining to the Metropolitan Water Reclamation District of Greater Chicago (MWRD) are reported separately. Those reports can be found at https://www.cookcountyil.gov/service/metropolitan-water-reclamation-district-greater-chicago.

[3] The Green Dot Corporation operates as a bank holding company that offers personal banking products and services. The Company provides prepaid debit card products, prepaid card reloading services, and mobile banking accounts.

[4] The transaction history reports all had one transaction to "Truth" which appears to be a web internet based company providing personal identifiable information on individuals.

According to a Compliance Specialist at the Green Dot Corporation, there was one payroll direct deposit that was declined totaling $3,123.83. Unfortunately, the transaction history report further revealed that there were a total of eight direct deposits from Cook County Government deposited into five of the six Green Dot accounts at that time for a total of $22,830.23.

Purchases on the six Green Dot cards were made at mainly three establishments: Stop & Shop,[5] United States Postal Service Post Office, and Walmart. Walmart provided details regarding transactions on one of the Green Dot cards. The information revealed that someone purchased three MoneyGram money orders with values of $1,000, $1,000, and $900. Walmart had no video footage of the transaction or parking lot during the time of the transaction. Information from MoneyGram showed that a car dealership deposited both of the $1,000 money orders and another car dealership deposited the $900 money order.

The Cook County Deputy Director of Enterprise Resource Planning ("Deputy Director") stated that direct deposit information for 20 employees had been changed in the system and nine employees did not receive their payroll direct deposits. The Payroll Department issued substitute checks to these employees. The Deputy Director noted that her initial search revealed approximately 40 employees at risk. All affected employees were associated with Stroger Hospital, and their usernames were logged into the system at one point of time during the day prior to their direct deposit information being changed. The Deputy Director believed that the changes to the direct deposit information in the system occurred at the front end. She explained that the system logs show the employee's username as the ID that changed the direct deposit information and not an admin or system ID. The Deputy Director explained that the system currently does not track IP addresses and as such, she is not able to determine on which computer the changes were made. She said that despite not knowing the location of the computers, "we suspect it's all at Stroger." The Deputy Director advised that "Single Sign-On" allows employees to access the EBS system from any computer without being on the County's network.[6] The Deputy Director provided a spreadsheet that contained a direct query from the system showing when the changes were made on behalf of the 20 affected employees. The spreadsheet revealed that all of the employees' direct deposit account information had been changed on four dates in close succession to one another.

A Stroger Police Sergeant received information about the direct deposit incident from the former Security Information Officer. The Stroger Police Sergeant identified each affected employee's work location and determined that there were no cameras in those areas.

The Chief Information Security Officer ("CISO") explained that after becoming aware of the direct deposit incident he immediately took steps to address the situation by disabling the capabilities in the system that allowed users the ability to change their direct deposit bank account information. The CISO stated that there was no video footage available showing if the perpetrator exploited unlocked and unattended computers or workstations. The CISO noted that the perpetrator

[5] Stop & Shop is a chain of supermarket stores primarily located in the northeastern United States.
[6] Single sign-on is a session and user authentication service that permits a user to use one set of login credentials to access multiple applications.

could have remotely accessed the workstations. The CISO stated that due to the low impact of affected users, only CCH employees, the Bureau of Technology ("BOT") concluded that it was unlikely that the scheme was a spear phishing attack.[7]

One employee affected by the payroll diversion scheme who works as a nurse at the CORE Center explained that on the pay date at issue her supervisor informed her that she needed to pick up a paper check from the payroll office because something was wrong with the payroll system. While in the payroll office, the nurse was instructed to complete a new direct deposit form. The nurse stated that she did not make changes in the system to her direct deposit information. She noted that she is not familiar with logging into the system and usually requires assistance. The nurse stated that her office is located behind a locked door that requires an ID badge to unlock the door. The nurse stated that she received a letter from the Bureau of Technology notifying her of a potential data breach that had taken place. The nurse advised her bank of the letter from BOT alerting her of the breach. The nurse stated that since her bank did not identify any irregularities with her account, it did not change her banking information.

Another employee affected by the payroll diversion scheme explained that he works at Stroger Hospital and received a call from the Payroll Department asking him to complete his direct deposit paperwork again because they had experienced a glitch in the system and that his information had been lost. The employee stated that he did not make changes in the system to his direct deposit information on the date at issue. He advised that he only make changes to his payroll information from his workstation. The employee stated that he did not recall receiving any suspicious emails around the time of the incident. He also stated that he had an IT background, is familiar with phishing emails and knows not to click on them.

In response to these incidents of payroll fraud, the Health Information Systems (HIS) department launched an electronic security education campaign. HIS subsequently initiated a "Security Simulated Phishing Attack" targeting a total of 68 CCH users. The HIS simulated phishing attack revealed that a total of 17 out of the 68 or 25% of the targeted CCH users clicked the link and 10 of the targeted CCH users provided their user credentials. According to the risk scale provided in the chart, this simulated phishing attack was rated as "High Risk."

A review of the email accounts of 21 CCH employees who were affected by the payroll diversion scheme did not reveal any evidence of potential phishing emails.

The results of the system vendor's internal investigation revealed that the employee credentials were used through the internet facing self-service website, meaning the suspect used the employee credentials from a remote machine or machines outside of Cook County's and Cook County Health's network. The vendor's solution was not set up to capture the actual client IP addresses. This configuration was intentionally set up by the vendor to prevent individuals from tracing the activity back to their clients' machines for security purposes.

[7] Spear phishing is an email spoofing attack that targets a specific organization or individual, seeking unauthorized access to sensitive information.

The evidence developed during the course of this investigation supported the conclusion that Cook County payroll funds were fraudulently diverted into unknown individuals' Green Dot bank accounts. On the same day, the Comptroller's Office became aware of the payroll diversion situation and mitigated the County's losses to just eight CCH employees' payrolls totaling $22,830.23 by conducting its own initial review and working with the County's bank. Through the assistance of BOT, the Comptroller's Office determined that 21 CCH employees were impacted by having their payroll account information fraudulently changed to unknown Green Dot bank accounts. A review of the payroll system revealed that the payroll account information was changed through each employee's login credentials. However, these changes followed a unique pattern by occurring on similar dates and times. Most of the changes took place outside of normal business hours and suspiciously occurred within one minute of each other. Based on complaints received by the CCH Payroll Department, reviews conducted by the Comptroller's Office and the suspicious nature of the changes made, we determined that the changes were not initiated by the employees themselves.

Although it is still unknown how the credentials of the affected employees were compromised, it is clear that these malicious actions were conducted remotely. The system vendor explained that audit trails were purposefully not activated on the system. The evidence supports the conclusion that the affected employees' credentials that were used to redirect deposit bank account numbers did not occur through the County's or CCH's networks. Therefore, the perpetrator did not utilize County or CCH IT resources and was not on County or CCH property to conduct these activities.

Based on our findings, we made the following recommendations:

1. The County and CCH should implement a two-factor authentication process for access to email accounts and systems containing sensitive information. This helps prevent attackers from gaining unauthorized access to legitimate organizational email accounts and systems. Any email accounts that are accessible from the internet should also be monitored for credential brute force attacks. Consideration should also be given to sending notification of changes to employees when personnel information is changed remotely in the system.

2. BOT and CCH should continue providing IT security training to employees to help reduce the risk of social engineering. This training should increase employees' awareness and understanding of "Business Email Compromise" in particular, as well as generic phishing.

3. BOT and CCH should consider flagging external emails with automatic warning messages at the top of an email to alert employees when an email originates from outside of the County's and CCH's network.

4. Because of our belief that the causal vulnerability leading to these circumstances relates to the system vendor, BOT should conduct a review with the system vendor to determine if there are any security loopholes that may make the system vulnerable to cybercriminals.

These recommendations are currently pending.

IIG18-0521. This matter involved a review conducted to assess the Cook County Assessor's Office ("CCAO") process of administering residential building permits received from municipalities and whether the corresponding improvements made to a property were properly recognized and recorded in the assessment records. The OIIG initiated this review after receiving information that a residential property located in the Village of Glenview was demolished and a new building with increased square footage was erected without any corresponding increase in assessment value of the improvements being recognized by the CCAO.

Based on the requirements of the Property Tax Code, the OIIG developed review procedures to assess and evaluate the CCAO's processing of building permits and certificates of occupancy received from the Village of Glenview (Village). The OIIG's methodology included interviewing relevant CCAO employees to develop a thorough understanding of the CCAO's receipt, recording, and disposition of building permits. Additionally, the OIIG issued document production requests to the Village and obtained building permits and related certificates of occupancy for calendar years 2015 through 2017.

After reviewing building permit information, the OIIG judgmentally selected a sample of 30 residential building permits with the largest dollar value (10 for each calendar year under review). The building permits were cross-referenced to permit history and assessment records provided by the CCAO to determine whether the requisite increase in assessed value was recorded by the CCAO.

Additionally, for the 30 permits tested, the OIIG recalculated the rates of occupancy according to the date the Village issued the certificate of occupancy. The resulting rate was then compared to the certificate of occupancy rate assigned by the CCAO to determine if the OIIG calculated rates agreed or were reasonably proximal to the rates assigned by the CCAO.

To further support the OIIG's analysis of permit information and establish the physical condition of properties at a certain point in time, the OIIG consulted with the Cook County Geographic Information Systems (GIS) department to obtain digital photographic evidence concerning the physical condition of properties during calendar years 2015 through 2018. The following findings were identified in connection with our review:

1. The CCAO's process for receiving building permits from municipalities and townships lacks a consistent and standardized methodology to ensure that the submission and delivery of permit data is complete. In addition, the current reporting process allows municipalities to bypass the township assessor and submit permit information directly to the CCAO. By doing so, the municipalities are not taking advantage of the technology available to the township assessors which allows township assessors to submit permits electronically and limit the submission of manual reports.

2. The CCAO's process of assessing residential properties that have been demolished and rebuilt is not sufficient to timely and adequately identify when the property should be re-assessed for tax purposes. Based on our testing, the CCAO did not conduct field checks the following year after a building permit was issued by the Village as prescribed by office policy. Consequently, instances were noted in which new buildings with increased square footage had been erected and the necessary change in residential property classification was not made, thereby causing an understatement of the assessed market value of the subject properties. Moreover, instances were noted in which properties continued to be assessed as vacant land from one to two years despite aerial photos depicting that a building had been erected and the CCAO failed to assess the building and the land accordingly.

3. The CCAO does not take into consideration certificate of occupancy permits issued by municipalities when determining occupancy rate factors for assessment purposes. Without consideration of certificate of occupancy permits in the assessment of property, the CCAO is not in compliance with Sections 9-160 and 9-180 of the Property Tax Code. Based on our testing and inquiry of relevant personnel, it appears that the CCAO relies extensively on the results of the field check to determine the occupancy rates granted to the property. In addition, our comparison of occupancy dates established by the CCAO and the Village revealed that the CCAO potentially understated the assessed market value for 9 of 30 properties totaling $2,080,153.46 and overstated one property's value by $78,747.98. Lastly, we noted five building permits tested in which the occupancy rates assigned by the CCAO did not appear reasonable when compared to the Village's certificate of occupancy rates. Specifically, we noted that the occupancy date of the Village's Certificate of occupancy ranged from 155 to 495 days after the CCAO had inspected the property and established a date of occupancy.

4. The CCAO has not developed a form as required by Section 180 of the Code to allow the owner of improved property to provide notice to the CCAO within 30 days of the issuance of a certificate of occupancy permit or within 30 days of completion of the improvement.

Based upon the foregoing, we made the following recommendations:

1. The CCAO should consult with municipal government officials and reinforce the importance of submitting complete and accurate building permit information to the designated township assessor. The CCAO should encourage electronic submission of permits from municipalities that have the technology to send permit information electronically to the township assessors. The CCAO should consider facilitating periodic meetings with township assessors and municipalities under their jurisdiction to formulate a plan that maintains an open dialog and ensures that the permit information received is complete prior to submitting to the CCAO.

2. The CCAO should continue to seek additional funding to increase the number of field inspectors in Field Operations. The OIIG is mindful that funding constraints may limit the CCAO's ability to employ additional field inspectors. As such, CCAO management should continue to enhance and promote the use of geographic information systems technology to supplement field inspections, thereby better allocating resources and potentially decreasing the reliance of field inspections.

3. The CCAO should develop a process wherein certificate of occupancy permits received from municipalities are properly accounted for and incorporated in the assessment of improvements in accordance with the Property Tax Code. Additionally, the CCAO should perform a review of the assessments related to the 10 properties that had a potential understated or overstated assessed market value and initiate corrections deemed necessary.

4. The CCAO should investigate the occupancy dates established by the CCAO to determine the reasonableness of the Village's certificate of occupancy dates ranging from 155 to 495 days after the CCAO had inspected the property. Moreover, CCAO management should review the assigned inspectors' field reports and determine whether additional follow-up inspections should have been conducted prior to granting the occupancy dates.

5. The CCAO should seek compliance with Section 180 of the Property Tax Code by developing a form to provide the owner of improved property the opportunity to provide notice to the CCAO upon issuance of a certificate of occupancy permit by the local municipality or within 30 days of completion of the improvement.

These recommendations are currently pending.

IIG19-0051. This investigation was initiated following receipt of a complaint asserting that a stenographer at the Cook County Law Library ("CCLL") habitually failed to report for her scheduled shift and often arrived late without providing the required notice to CCLL management. The complaint further alleged that when the subject stenographer did report to work, her work ethic and behavior were less than acceptable. In addition to investigating the allegations made against the stenographer, we analyzed whether the response by CCLL management to the allegations regarding the stenographer were adequate and timely.

During this investigation, OIIG investigators interviewed the Director of the CCLL, the Director of Technical Services for the CCLL, and the subject stenographer. We also reviewed the Time and Attendance records for the subject stenographer, her personnel file from the CCLL, and the CCLL Time Management Policy.

The preponderance of the evidence supports the conclusion that the stenographer violated Cook County Personnel Rule 8.03(b)(17), which prohibits being "repeatedly tardy or excessively absent from work." In addition, the preponderance of the evidence developed during the course of this investigation supports the finding that the subject stenographer was in violation of Cook County Personnel Rule 8.03(b)(16), which provides:

> Absence without an approved leave. A department head or his/her designee may discipline an employee for an absence without leave of any duration, including discharge in appropriate circumstances. A department head is required to initiate discharge action against an employee who is absent without an approved leave for three consecutive work days.

Specifically, the investigation showed that in August 2019 the subject stenographer was a No Call-No Show for eight consecutive days, which significantly exceeds limit as stated in Personnel Rule 8.03(b)(16). That rule imposes a duty on the part of any department head to initiate termination proceedings against an employee who is absent without approved leave after three consecutive days. Despite receiving two emails from the Director of the CCLL during the eight consecutive day period in which she failed to show up for work, the subject stenographer chose to ignore the emails and continued with her practice of failing to notify the CCLL management of her absences and late arrivals. Subsequently a pre-disciplinary meeting was conducted and was attended by CCLL management, a Special Assistant to the Chief Administrative Officer, and a representative of the stenographer's union. The subject stenographer was invited to the meeting but declined to attend. At the conclusion of the meeting, the decision was made to terminate the stenographer. Our office agreed with the conclusion reached during the pre-disciplinary meeting in terminating the subject stenographer. In addition to constituting a clear violation of a rule requiring the initiation of termination proceedings, her behavior towards management on the days in which she does report to work has also impacted the morale of the department and her frequent unannounced absences and late arrivals has created staffing and scheduling problems for an already understaffed CCLL.

While CCLL management allowed the stenographer's behavior to continue longer than it should have, the delay was not egregious, and CCLL management eventually took appropriate steps to terminate her employment. In further mitigation, CCLL management had pursued disciplinary action against the subject stenographer in the past but could not devote an inordinate amount of its time to such efforts given the operational needs of the understaffed CCLL. We noted however, that having learned from this experience, a quicker response by CCLL management would be expected should a similar situation arise in the future.

Based on our findings and considering the CCLL's termination of the subject stenographer, we recommended that she be placed on the *Ineligible for Hire* list. This recommendation is currently pending.

IIG19-0186. The OIIG initiated this investigation upon receiving information that a City of Chicago employee ("City Employee") had obtained a Cook County check issued to a Cook County vendor in the amount of $120,706.20. We also received information from a confidential informant ("CI") through another investigative agency. According to the CI, the City Employee obtained the Cook County check from a Cook County Comptroller employee and planned on depositing the check into a bank account held by a fictitious business. The CI did not know how the City Employee obtained the check. During the course of our investigation, OIIG investigators

analyzed records from the Comptroller's Office and Cook County email activity, subpoenaed the City Employee's phone records for the relevant time period, and interviewed the Director of Financial Control IV ("Director") and an Accounts Payable Specialist III, both employed in the Comptroller's Office.

The preponderance of the evidence developed in this investigation failed to reveal how the City Employee obtained possession of the check. Moreover, as the Comptroller's Office did not perform any reconciliation before mailing checks the following day, this office could not ascertain if the check had been removed from the batch prior to mailing. Even if this office could determine that the check disappeared while in the custody of the Comptroller's Office, this office would not be able to isolate the individual who took it as at least 18 individuals had access to the cabinet and no log is kept to determine who accessed the cabinet holding the checks. As suggested by the Director, the subject check could have been misdirected to the City of Chicago and stolen by the City Employee during his employment or some other manner occurring after the batch of checks were mailed.

Based on all of the foregoing, however, the OIIG recommended that the Comptroller's Office implement several internal controls to lessen the risk of theft or human error in connection with check disbursements. We identified 18 employees with access to the locked cabinet where checks are stored. First, we highly recommended that the Comptroller's Office limit employee access to the checks stored overnight in the locked cabinet to a much smaller group of authorized employees. If possible, it should be limited to two or three employees who would also be required to sign documentation when accessing the cabinet. Additionally, we recommended that the Comptroller's Office should consider installing a security camera to monitor the employees who access the cabinet.

The Comptroller's Office adopted our first recommendation to limit the number of employees who can access the locked cabinet and stated that it would do a cost-benefit analysis in deciding whether to install a camera in that area.

IIG19-0562. This investigation was initiated after the OIIG received a complaint 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 was a former clerk for the Office of the Recorder of Deeds ("ROD"). He alleged that he was laid off from the ROD and was not called back to work within 24 months as set forth in his lay off letter. During our investigation, OIIG investigators reviewed the complainant's personnel file and interviewed the complainant and his former ROD supervisor.

The complainant's former ROD supervisor stated that the complainant's previous department was eliminated during a reduction-in-force and that the complainant bumped into a position in the ROD supervisor's department. The complainant received refresher training and was evaluated for 45 days. The ROD supervisor stated that the complainant did not reach an acceptable level of performance after the 45-day evaluation period and was let go. The complainant's personnel file confirmed this sequence of events. In his interview, the complainant stated that he

believed the ROD's failure to recall him was a result of error and not due to political discrimination or for personal reasons as complainant had a good working relationship with the prior administration.

The preponderance of the evidence did not support a substantive claim under the SRO as impermissible political factors were not considered in any employment decision involving the complainant. In addition, complainant's claim was filed untimely pursuant to the terms of the SRO.

IIG19-0612. The OIIG initiated this investigation after receiving a complaint that a Cook County Health ("CCH") Senior Official sexually harassed a CCH employee (the complainant). The complainant only provided a first name and no contact information. The complainant also alleged that the Senior Official made lewd and racially charged comments. During the course of this investigation, OIIG investigators reviewed relevant CCH policies and CCH records. OIIG investigators also interviewed numerous current and former CCH employees.

The preponderance of the evidence developed during the course of this investigation failed to support the conclusion that the Senior Official engaged in sexual and/or racial harassment in violation of applicable CCH polices. The OIIG investigated what was essentially an anonymous complaint. A review of the Senior Official's personnel file revealed that no harassment complaints of any type had ever been filed against him previously. In addition, the OIIG interviewed current and former CCH employees who worked with and/or had contact with the Senior Official and none of them identified any problems with the Senior Official's conduct. Accordingly, the anonymous allegations of sexual and racial harassment against the Senior Official were not sustained.

IIG19-0640. This matter involved a review conducted to assess the Forest Preserve District ("FPD") of Cook County Violation of Firearm Concealed Carry Statute Policy, No. 01.40.00 (2014). The OIIG initiated this review after receiving information that an FPD employee, who is also a retired police officer, allegedly keeps a firearm in his vehicle while parked on FPD property. The OIIG considered applicable Illinois law,[8] FPD Districtwide Policies, the Cook County Bureau of Human Resources Personnel Rules and Cook County Policies. We consulted with the Policy & Special Projects Manager for the FPD Office of the General Superintendent and confirmed policy information with the Cook County Bureau of Human Resources.

The Firearm Concealed Carry Act, 430 ILCS 66/65(a)(14), prohibits unauthorized persons from carrying a concealed firearm onto any real property under the control of the FPD. This prohibition includes all private citizens, including those who obtain an Illinois license to carry a concealed firearm based on legislation which took effect January 1, 2014. This prohibition does not apply to law enforcement personnel and other persons who, by virtue of their employment or other lawful duty, have been granted an exemption and are authorized to carry a firearm. Also, in accordance with Illinois law, licensees are permitted to carry a concealed firearm on or about his or her person within a vehicle in the parking area and may store a firearm or ammunition concealed

[8] Firearm Concealed Carry Act, 430 ILCS 66, *et seq*.; Unlawful Use of Weapons, 720 ILCS 5/24-1-1.8; Unlawful Use of Weapons Exemptions, 720 ILCS 5/24-2.

in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area. 430 ILCS 66/65(b)).

The state law addressing unlawful use of weapons, 720 ILCS 5/24-2 (Exemptions), does not apply to or affect a qualified current or retired law enforcement officer qualified under the laws of this state or under the Federal Law Enforcement Officers Safety Act.

According to FPD Policy No 01.40.00, the primary purpose of the directive is, among other issues, to inform all FPD employees that, despite the adoption of a Firearms Concealed Carry Act by the Illinois General Assembly, firearms continue to be prohibited on FPD property. It is noted that under the Illinois Firearms Concealed Carry Act, FPD property is deemed a prohibited area. As a prohibited area, persons who have been issued a Firearm Concealed Carry license will not be authorized to carry or possess a firearm while on any real property under the control of the FPD. The Policy & Special Projects Manager for the FPD Office of the General Superintendent informed this office that FPD Policy No. 01.40.00 allows FPD employees who are qualified retired law enforcement officers to carry concealed firearms on their person while on FPD property. The Policy and Special Projects Manager also stated that FPD Policy No. 01.40.00 allows FPD employees who are licensed to carry a concealed firearm to keep their unloaded firearm inside the trunk of their locked personal vehicle while parked on FPD property.

The Districtwide FPD Workplace Violence Policy defines workplace violence to include "the use or possession of any weapon and/or ammunition, unless the specific weapon, ammunition, or use is authorized by the District for a particular work assignment, and used as authorized."

Pursuant to Section 1-6-9 of the FPD Code of Ordinances – Personnel Provisions, the FPD has adopted Section 44, Human Resources, of the Cook County Code of Ordinances. Therefore, FPD employees are subject to the provisions of the Cook County Bureau of Human Resources policies.

The Cook County Bureau of Human Resources ("BHR") is authorized to develop and issue policies for the effective management of Cook County employees pursuant to Section 44-45 of the Cook County Code of Ordinances. BHR instituted a Violence-Free Workplace Policy. In the Definitions section of this policy, "Violence" is defined to include the use or possession of any weapon and/or ammunition, unless the specific weapon and/or ammunition is authorized by the County for a particular work assignment and in accordance with applicable law. *See* Cook County Bureau of Human Resources Violence-Free Workplace Policy, Page 4, Section I(3) - Definitions. The purpose of this policy is to help ensure that the workplace is a violence-free and productive environment, increase awareness of workplace violence, provide assistance to individuals who have been, or may be, subjected to violence in the workplace, and outline procedures for preventing, reporting, and investigating workplace violence. *See* Cook County Bureau of Human Resources Violence-Free Workplace Policy, Page 1, Section B - Purpose. The County Violence-Free Workplace Policy is intended to be interpreted consistent with and subject to applicable law. It supersedes all previous policies and/or memoranda that may have been issued from time to time on subjects covered in this policy. This policy is not intended to supersede or limit the County

from enforcing provisions in any applicable collective bargaining agreement. Should any provision in this policy conflict with a specific provision in the Personnel Rules, the provisions in this policy shall take precedence. Nothing in this policy is intended to, nor shall be construed to, create a private right of action against Cook County or any of its employees, nor shall it be construed to create any contractual or other rights or expectations. *See* Cook County Bureau of Human Resources Violence-Free Workplace Policy, Page 1, Section C - Intent.

County Personnel Rule 8.03(b)(6) specifies that the unauthorized possession of weapons, when engaged in by an employee, will result in disciplinary action which may include discharge unless the employer, taking all circumstances into account, deems it to be excusable.

A Personnel Services Manager for BHR confirmed that, in accordance with County Personnel Rule 8.03(b)(6) and the Violence-Free Workplace Policy, County employees are prohibited from carrying concealed weapons during employment hours or on County property.

The following findings were identified in connection with our review of FPD Policy No. 01.40.00:

1. FPD Policy No. 01.40.00 allows FPD employees who are qualified retired law enforcement officers and are authorized to carry a weapon pursuant to 720 ILCS 5/24-2 to carry a concealed weapon on their person while on duty with FPD.

2. FPD Policy No. 01.40.00 allows FPD employees holding a license to carry a concealed handgun to carry a concealed firearm on or about their person within a vehicle into the parking area and to store a firearm or ammunition concealed in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area.

3. The FPD Workplace Violence Policy includes the use or possession of any weapon and/or ammunition.

4. Cook County Personnel Rule 8.03(b)(6) prohibits the possession of weapons by County employees.

5. The Cook County Bureau of Human Resources Violence-Free Workplace Policy, Section (I)(3), prohibits the possession of weapons by County employees.

6. FPD employees are subject to the provisions of the Cook County Bureau of Human Resources Violence-Free Workplace Policy.

7. FPD Policy No. 01.40.00 conflicts with the Cook County Bureau of Human Resources Violence-Free Workplace Policy and with Cook County Bureau of Human Resources Personnel Rule 8.03(b)(6).

8. FPD Policy No. 01.40.00 conflicts with the FPD Workplace Violence Policy.

The FPD Policy and Special Projects Manager has informed this office that FPD Policy No. 01.40.00 – Violation of Firearm Concealed Carry Statute Policy authorizes non-law enforcement personnel to carry a concealed weapon while on duty if that individual otherwise has qualified as a retired law enforcement officer to carry a concealed weapon. Moreover, FPD management has also stated that employees holding a valid Illinois conceal carry licensee may transport a handgun on FPD property and store the handgun in a vehicle while located within the FPD. This policy appears to be in conflict with the County Violence-Free Workplace Policy, the County Personnel Rules, and the FPD Workplace Violence Policy which provide for no such exemption to the general prohibition preventing employees from carrying a handgun while at work or otherwise transporting a handgun and storing it on government property.

Because the FPD has adopted the County Human Resources Ordinance and FPD employees are subject to the provisions of County policies, we recommended that the FPD reevaluate FPD Policy No. 01.40.00 to ensure conformity with other applicable policies of the FPD and Cook County. We also recommended that in doing so the FPD consider the negative circumstances which can reasonably be foreseen in permitting certain non-law enforcement personnel to carry a concealed weapon while at work, whether the individual is employed in the field or in an office environment. We noted that, at a minimum, the negative circumstances reasonably include the potential for creating an intimidating workplace for other employees.

These recommendations are currently pending. The FPD is scheduled to respond by May 29, 2020.

IIG20-0016A. This investigation was initiated by the OIIG based on a complaint alleging that a Forest Preserve District (FPD) police officer improperly collected Total Temporary Disability (TTD) benefits as an employee of the Cook County Sheriff's Office (CCSO) while testing and working for the FPD. TTD is the benefit that an injured employee receives during the period in which the employee is either (a) temporarily unable to return to any work, as indicated by his or her doctor, or (b) is released to do light-duty work but whose employer is unable to accommodate him or her. This investigation consisted of an employee interview and reviews of personnel files, workman's compensation records, and police academy medical documents.

The preponderance of the evidence developed in this case supports the conclusion that the subject FPD police officer violated FPD Police Department Rules and Regulations 138. "Unbecoming Conduct," which states:

> Employees shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the Department. Conduct unbecoming an employee shall include that which brings the Department into disrepute or reflects discredit upon the employee as a member of the Department, or that which impairs the operation or efficiency of the Department or employee.

Because the subject FPD police officer is still on a leave of absence from the Cook County Sheriff's Office, the preponderance of the evidence developed in this case also supports the conclusion that the subject FPD police officer violated Cook County Department of Corrections Conduct Policy section 101.5.5(as) Performance, which states:

> Any other on-or off-duty conduct which a member knows or reasonably should know is unbecoming a member of the Sheriff's Office; which is contrary to good order, efficiency or morale; or which tends to reflect unfavorably upon the Sheriff's Office or its members.

While on TTD from the CCSO and collecting benefits, the subject FPD police officer took a physically demanding POWER test for the FPDPD. Peace Officer Wellness Evaluation Report (POWER) was established by the Illinois Law Enforcement Training and Standards Board to test a candidate's maximum physical fitness in four areas: (1) Sit and Reach Test (2) Sit-up Test (3) Maximum Bench Press (4) 1.5-mile run. Evidence indicates that the subject FPD police officer attended a POWER test and the next day saw a doctor concerning his injury for which he was receiving TTD benefits. The doctor's report noted that the subject FPD police officer stated that his left knee felt better but claimed to have a "locking sensation and tightness in the quads."

While he may or may not have falsified his condition to the FPD at the time of hire, the subject FPD police officer did not notify Risk Management that he was taking or planning to take a test that measures a candidate's maximum physical fitness level. Instead, he continued to inform Risk Management through doctors that he was still unable to return to work at the CCSO and continued to collect the TTD benefits. The subject FPD police officer provided two different and contradictory sets of facts to two different employers. On the one hand, in order to get TTD benefits, the subject FPD police officer claimed that his injury at the CCSO did not allow him to return to work. On the other hand, in order to gain a new employment opportunity, the subject FPD police officer omitted any reference to his injury to the FPD. Instead, the medical documentation submitted to the FPD Police Department that was ultimately sent to the Chicago Police Department Metro Academy indicated that the subject FPD police officer was in good physical condition to participate in the physically demanding academy. The subject FPD police officer also signed off on the medical documents indicating that to the best of his knowledge, he disclosed accurate information. At the very least this contradictory conduct indicates that the subject FPD police officer was providing false and dishonest information to at least one of the agencies with whom he was dealing in order to gain both new employment and TTD benefits at the same time. At worst, the evidence suggests that the subject FPD police officer may have engaged in benefits fraud. Such dishonest behavior reflects discredit upon him as member of the FPD Police Department and CCSO as well as the agencies themselves and constitutes conduct unbecoming of an officer under the rules of both agencies.

Based upon the nature of the violations, we recommended that a significant level of discipline be imposed on the subject FPD police officer similar with other instances of a finding of conduct unbecoming of an officer. We also recommended consideration to potential issues triggered by *Giglio v. United States*, 405 U.S. 83 (1963). If the FPD or the CCSO decides to

terminate his employment, we further recommended that the subject FPD police officer be placed on the respective *Ineligible for Hire Lists.*

These recommendations are currently pending.

IIG20-0016B. This investigation was also initiated by the OIIG based on a complaint alleging that a Forest Preserve District (FPD) police officer improperly collected Total Temporary Disability (TTD) benefits as an employee of the Cook County Sheriff's Office (CCSO) while testing and working for the FPDPD. TTD is the benefit that an injured employee receives during the period in which the employee is either (a) temporarily unable to return to any work, as indicated by his or her doctor, or (b) is released to do light-duty work but whose employer is unable to accommodate him or her. This investigation consisted of an employee interview and reviews of personnel files, workman's compensation records, and police academy medical documents.

The preponderance of the evidence developed in this case supports the conclusion that the subject FPD police officer violated FPD Police Department Rules and Regulations 138. "Unbecoming Conduct," which states:

> Employees shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the Department. Conduct unbecoming an employee shall include that which brings the Department into disrepute or reflects discredit upon the employee as a member of the Department, or that which impairs the operation or efficiency of the Department or employee.

Because the subject FPD police officer is still on a leave of absence from the Cook County Sheriff's Office, the preponderance of the evidence developed in this case also supports the conclusion that the subject FPD police officer violated Cook County Department of Corrections Conduct Policy section 101.5.5(as) Performance, which states:

> Any other on-or off-duty conduct which a member knows or reasonably should know is unbecoming a member of the Sheriff's Office; which is contrary to good order, efficiency or morale; or which tends to reflect unfavorably upon the Sheriff's Office or its members.

While on TTD from the CCSO and collecting benefits, the subject FPD police officer took a physically demanding POWER test for the FPD Police Department. Peace Officer Wellness Evaluation Report (POWER) was established by the Illinois Law Enforcement Training and Standards Board to test a candidate's maximum physical fitness in four areas: (1) Sit and Reach Test (2) Sit-up Test (3) Maximum Bench Press (4) 1.5-mile run. In fact, the subject FPD police officer was discovered to have taken multiple POWER tests with various law enforcement agencies while on TTD and collecting benefits. Evidence indicates that on one occasion the subject FPD police officer attended a POWER test, when on the previous day he saw a doctor concerning his injury for which he was receiving TTD benefits. The doctor's report from that visit listed several restrictions. It stated that the subject FPD police officer claimed "sharp right knee pain and symptoms of popping and locking of the knee." However, the very next day the subject FPD police officer engaged in a POWER test for another law enforcement agency.

While he may or may not have falsified his condition to the FPD at the time of hire, the subject FPD police officer did not notify Risk Management that he was taking or planning to take a test that measures a candidate's maximum physical fitness level. Instead, he continued to inform Risk Management through doctors that he was still unable to return to work at the CCSO and continued to collect the TTD benefits. The subject FPD police officer provided two different and contradictory sets of facts to two different employers. On the one hand, in order to get TTD benefits, the subject FPD police officer claimed that his injury at the CCSO did not allow him to return to work. On the other hand, in order to gain a new employment opportunity, the subject FPD police officer omitted any reference to his injury to the FPD Police Department. Instead, the medical documentation submitted to the FPD Police Department that was ultimately sent to the Chicago Police Department Metro Academy indicated that the subject FPD police officer was in good physical condition to participate in the physically demanding academy. The subject FPD police officer also signed off on the medical documents indicating that to the best of his knowledge, he disclosed accurate information. At the very least this contradictory conduct indicates that the subject FPD police officer was providing false and dishonest information to at least one of the agencies with whom he was dealing in order to gain both new employment and TTD benefits at the same time. At worst, the evidence suggests that the subject FPD police officer may have engaged in benefits fraud. Such dishonest behavior reflects discredit upon him as member of the FPD Police Department and CCSO as well as the agencies themselves and constitutes conduct unbecoming of an officer under the rules of both agencies.

Based upon the nature of the violations, we recommended that a significant level of discipline be imposed on the subject FPD police officer similar with other instances of a finding of conduct unbecoming of an officer. We also recommended consideration to potential issues triggered by *Giglio v. United States*, 405 U.S. 83 (1963). If the FPD or the CCSO decides to terminate his employment, we further recommended that the subject FPD police officer be placed on the respective *Ineligible for Rehire Lists.*

These recommendations are currently pending.

IIG20-0060. This investigation was initiated by the OIIG based on a complaint alleging that a Cook County Assessor's Office ("CCAO") employee and a Cook County Department of Revenue ("CCDOR") employee, engaged in a physical altercation that began in the lobby and continued into an elevator at 118 N. Clark Street on the morning of January 24, 2020. Both employees blamed the other for starting and escalating the incident and each accused the other of using racial slurs. This investigation consisted of witness interviews, a review of police reports, and a review of video from the lobby of 118 N. Clark Street.

The preponderance of the evidence developed in this case supports the conclusion that the CCDOR employee violated Cook County Personnel Rule 8.03(b)(3) by engaging in fighting and disruptive behavior. The CCDOR employee resorted to physical violence against the CCAO employee rather than take other appropriate actions when they bumped into one another. Statements provided by witnesses in the elevator support the CCAO employee's allegations that the CCDOR employee placed her hands on the CCAO employee first by grabbing her hair, which

subsequently led to the CCAO employee having her head slammed against the elevator wall by the CCDOR employee. This action was confirmed by an independent witness who does not know either party. Further, one of the CCDOR employee's coworkers advised her not to touch the CCAO employee, but the CCDOR employee rejected that advice.

The video supported much of the CCAO employee's account, along with witness statements provided to the OIIG. Though there is no video of the incident as it unfolded in the elevator, the CCAO employee's claim of having her hair pulled and her head slammed against the elevator wall was supported by the two witnesses on the elevator at the time of the incident.

Though the physical violence in this case is egregious, equally troubling in this investigation were the allegations of racial insults. The CCDOR employee claimed that the CCAO employee used a racial slur in referring to her during the incident. None of the witnesses in this investigation or the Cook County Sheriff reports have corroborated that the CCAO employee made such remarks. However, another witness corroborated that the CCDOR employee used a racial slur in referring to the CCAO employee. The fact that the CCDOR employee alleged that statements were made that were not corroborated by any of the witnesses poses a challenge to her credibility and truthfulness about her description of the encounter. Additionally, the statements provided by the CCDOR employee to the Cook County Sheriff's deputies and her report to the Chicago Police Department do not support her narrative that the CCAO employee attacked her.

Finally, the preponderance of the evidence in this case supports the conclusion that the CCDOR employee also violated the Workplace Violence Policy J(1)(a) Prohibited Conduct which states:

> This policy prohibits any incident of violence that is completed, threatened, or attempted by or against individuals, which takes place in the workplace or that has an impact on the workplace even though it is perpetrated outside of the workplace.

OIIG investigators located an employee acknowledgment form signed by the CCDOR employee on August 27, 2018 that she read and understood the Violence-Free Workplace Policy and the Anti-Violence Policy and that, by signing the acknowledgment, she understood and would comply with the policies and rules. She also acknowledged that failure to comply with these policies may result in disciplinary action, up to and including termination of her employment.

Due to the serious and willful nature of the misconduct, we recommended that the CCDOR employee's employment be terminated and that she be placed on the *Ineligible for Hire List*.

IIG20-0075. The OIIG initiated this investigation after receiving an allegation that an Executive Assistant at the Cook County Land Bank Authority ("CCLBA") had acquired several properties through the CCLBA and obtained a homestead exemption on each of the properties she acquired.

Pursuant to section 15-20 of the Property Tax Code (35 ILCS 200/15-20), a taxpayer carries the obligation to report to the Assessor, within 90 days, any change in use, leasehold estate, or

titleholder of any property listed as exempt. In addition, under section 9-275(b) (35 ILCS 200/9-275(b)), the Cook County Assessor's Office ("CCAO") issues taxpayer assessment notices that list the homestead exemptions applied to properties. The assessment notices serve to remind homeowners of the specific exemptions being applied to their property and the method in which inaccuracies can be corrected.

The preponderance of evidence developed in this case demonstrates that the Executive Assistant owned four properties and continued to receive general homestead exemptions for each of the noted properties. Moreover, based on the nature of the work administered by the CCLBA, the Executive Assistant was in a unique position to reasonably understand that she was precluded from taking exemptions on numerous properties or ones in which she does not reside. Moreover, as an experienced home buyer and in light of the notices routinely issued to homeowners alerting them to property exemption status, it is reasonable to conclude that, at a minimum, the Executive Assistant turned a blind eye to her obligations as a taxpayer in Cook County by allowing homeowner exemptions to be applied to each property she owned. Based on all the foregoing, the Executive Assistant stands in violation of Personnel Rule 8.2(b)(36) (Conduct unbecoming an employee or conduct which brings discredit to the County).

Because the Executive Assistant was terminated from her position and is no longer employed by Cook County, no recommendation for disciplinary action was made. However, we did recommend that the Executive Assistant be placed on the *Ineligible for Hire List* pursuant to Section IV.Q.2.a. of the *Cook County Employment Plan*. Finally, this matter was referred to the CCAO for consideration to assessing liability for back taxes, interest, and penalties should they be deemed appropriate.

The Executive Director of the CCLBA rejected our recommendation to place the Executive Assistant on the *Ineligible for Hire List*.

Outstanding OIIG Recommendations

In addition to the new cases being reported 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 45 days of an OIIG recommendation or after a grant of an additional 30-day extension (if applicable) to respond to recommendations. Below is an update on these outstanding recommendations.

From the 4th Quarter 2019

IIG18-0026. The OIIG initiated this investigation after receiving complaints that FPD employees may have been participating in a kickback scheme with an FPD scrap metal vendor and that an FPD Maintenance Supervisor would scrap items immediately after repairing them to improve their value for resale by the scrap metal vendor. Complainants also alleged that the Maintenance Supervisor had taken FPD equipment to his father-in-law's property in Michigan. These allegations also raised the issue of possible ethical violations and violations of FPD

ordinances, policies, and personnel rules. This investigation involved interviews of numerous FPD employees and third parties, in addition to analysis of FPD records and information subpoenaed from third party individuals and entities.

Complainant A, an FPD employee, stated that the Maintenance Supervisor and an Equipment Supervisor collectively decided on which items to dispose and how to dispose of them. Complainant A stated that once the Maintenance Supervisor decided to scrap a vehicle he would repair the item and direct the FPD employees to clean the interior and to replace the vehicle's tires. The Maintenance Supervisor would initially list the vehicles on eBay, and if they did not sell, he would sell the vehicles to the scrap metal vendor. Complainant A believed that the Maintenance Supervisor would deliberately not list items on eBay so that he could sell the items to the scrap metal vendor which then re-sold the items for a significant profit. Complainant A said that he personally delivered a number of items to the scrap metal vendor, which never provided any documents upon delivery.

Complainant B, a former FPD employee who worked for the FPD at the Central Garage said that throughout the course of his tenure, Central Garage would repair vehicles immediately before selling them to the scrap metal vendor. Complainant B specifically recalled a work order to send a Ford F350 Pickup Truck to FPD's transmission repair contractor. The FPD subsequently sold the vehicle to the scrap metal vendor right after being repaired.

Complainant C contacted OIIG investigators to report that the scrap metal vendor posted two items formerly owned by the FPD, a dump truck and a John Deere Riding Mower, on eBay Marketplace for $8,000 and $4,200 and forwarded pictures of the items. The pictures revealed that one item still had the FPD logo on the door while both of them still had FPD's inventory numbers on them. The FPD list revealed that the FPD disposed of the items in question and listed both as "junk."

OIIG investigators conducted computer searches to determine if the Maintenance Supervisor, the Equipment Supervisor, or any of their family members owned any of the vehicles, trucks or trailers formerly owned by the FPD. The search revealed that neither the Equipment Supervisor nor any of his family members owned any former FPD equipment. The search revealed that the Maintenance Supervisor and his family members acquired the following FPD equipment: 2008 Texas Bragg Trailer (the Maintenance Supervisor), 1998 Ford Econoline (the Maintenance Supervisor's son), 1997 Ford F350 (the Maintenance Supervisor's father-in-law), and 1999 Felling Flatbed (Maintenance Supervisor's son-in-law).

OIIG investigators obtained Secretary of State records to review the title and sales history for the vehicles formerly owned by the FPD. The records revealed that 43 of the vehicles, trucks and trailers owned by FPD and listed as "junk" had been sold and subsequently registered by private individuals. Most of the titles had been signed by an FPD employee, generally the Equipment Supervisor, and third-party buyers not affiliated with the scrap metal vendor. OIIG investigators spoke with three third-party buyers of the FPD's former vehicles. Buyer A said that she learned about the vehicle through her uncle-in-law, the scrap metal vendor's President. Buyer

A said that the vehicle was in good working condition when she purchased it. Buyer B said that he found the vehicle online and bought the vehicle in a Chicago suburb (which is where the scrap metal vendor is located). Other than a few minor repairs, the vehicle was in good working condition. Buyer C said that she learned about the vehicle from the scrap metal vendor's President and it was in good working condition when she purchased it.

Regarding the allegation of kickbacks and theft, the preponderance of the evidence developed during the course of this investigation failed to demonstrate that the scrap metal vendor offered or paid any funds or anything of value to any FPD officials or that FPD repaired vehicles before scrapping them to increase their value for resale. The evidence also did not support the conclusion that FPD employees sold FPD vehicles directly to third-party buyers outside of the standard processes, but that the titles signed by FPD personnel directly to third-party buyers was a result of FPD's lax controls over releasing titles with only the FPD employees' signatures as seller or no signatures whatsoever. This practice had the effect of enabling the scrap metal vendor to resell vehicles in the FPD's name without a valid dealer's license. Although this presents issues of its own, including liability exposure for the FPD, there is no evidence that any FPD employees did this willfully for personal gain or to help the scrap metal vendor.

We could not conclude with certainty that nothing improper occurred as both the FPD and scrap metal vendor lacked sufficient records to account for every vehicle disposed of by the FPD including:

1. That the Facilities and Fleet Department did not have all titles for every vehicle disposed of and, of the ones they maintained, 131 of them did not have signatures of both buyers and sellers. As such, OIIG investigators could not ascertain the ultimate disposition of those vehicles.

2. The scrap metal vendor did not provide, nor did the FPD require "a pick-up ticket bill of lading at the time of pick-up with a tractable identification number and description of the load being picked up" as required in the Scope of Services of its contract.

3. The scrap metal vendor's receipts submitted to the FPD with payments did not list each vehicle's vehicle identification number or any other identifying information and simply described items generally as "cars."

4. Although the FPD Salvage List dates back to January 5, 2012, the scrap metal vendor did not have records before November 19, 2013. Of the records they maintained, the scrap metal vendor could only provide vehicle identification numbers for 24 of the 51 vehicles they purchased from FPD since November 19, 2013. As such, OIIG investigators could not identify 27 of the vehicles sold to the scrap metal vendor.

5. The Secretary of State did not have complete records for every former vehicle formerly owned by the FPD.

As to the issue of ethical violations (conflict of interest), Section 1-13-2 (H)(1) (a) of the Forest Preserve District Code states:

> No official or employee shall make, or participate in making, any County governmental decision and no board or commission appointee shall make, or participate in making, any board or commission decision with respect to any matter in which the official, board or commission appointee or employee, or the spouse, or dependent, domestic partner or civil union partner of the official or employee, has any economic interest[9] distinguishable from that of the general public.

The evidence demonstrated that the Maintenance Supervisor participated in the entire vehicle sales process including deciding what items to list and what price to set for them. The evidence further demonstrated that he purchased two items, a truck in 2012 in his wife's name and a trailer in 2017 in his own name. The preponderance of evidence demonstrated that the Maintenance Supervisor violated the Conflict of Interest Ordinance when he purchased these two items after he made the decision to sell the item and set the initial bid price on behalf of the Forest Preserve District.

The FPD Vehicle Policy Ordinance requires the FPD to create a vehicle steering committee (VSC) to oversee FPD's fleet management by creating plans to centralize all repairs, purchases and sales of FPD vehicles. Departments are required to present all requests to remove vehicles from inventory to the VSC along with "such information as the [VSC] deems necessary to evaluate the request." FPD Code, Sec. 1-14-2(C)(6). Any vehicle approved for salvage is to be sold to the highest bidder at a publicly noticed auction. FPD Code, Sec. 1-14-2(C)(6). The FPD is also required to appoint a vehicle coordinator who is responsible to submit biannual vehicle inventory reports listing every FPD vehicle. The FPD Code requires the Vehicle Coordinator to submit inventory reports at least twice per year, FPD Code, Sec. 1-14-2(B)(2)(e), which "must reflect the date the vehicle was sold, the mileage at the time of the sale, the sale price, the name of the purchaser, identifying information, and any other information required by the VSC." FPD Code, Sec. 1-14-2(C)(6.) The preponderance of evidence developed by the investigation showed that the Maintenance Supervisor, as Vehicle Coordinator, was required to submit inventory reports at least twice per year and to report details regarding vehicles sold. The evidence further demonstrates that he was not creating inventory reports as required and, with the exception of eBay sales, was not tracking the sale details of the items sold to the scrap metal vendor.

The Contracts and Purchases Ordinance assigns the bulk of the vehicle salvage responsibilities to the FPD's Purchasing Agent. Section 1-8-2(I)(3) of the FPD Code provides that the Purchasing Agent is required to "trade in an/or sell supplies, materials and equipment that are surplus, obsolete, abandoned, or unusable except for such property which has been approved for charitable contribution." According to Section 1-14-1(C)(4), the Purchasing Department is also required to hold the titles for all of the District vehicles. The evidence revealed that the FPD

[9] "Economic Interest" is "any interest valued or capable of valuation in monetary terms."

Purchasing Agent failed to carry out his obligations as prescribed by the Ordinance to sell salvaged vehicles. Rather, he completely delegated his duties to the Maintenance Supervisor, including possession of all the vehicle titles, without any oversight whatsoever. As a result, the Purchasing Agent violated his duties as mandated by Section 1-8-2(I)(3) of the FPD Code.

Although we received conflicting information about the condition of the vehicles scrapped and sold to the scrap metal vendor, the evidence tended to support the likelihood that most, if not all, of the vehicles scrapped were in good working condition when the FPD sold the items. The evidence revealed that the vendor sold or re-registered for personal use 47 of the 70 vehicles and trailers that FPD sold to it. Not only was the scrap metal vendor acting more as car brokerage firm outside of the scope of its services with the FPD, but FPD should be generating more revenue from its salvaged vehicles than it is currently receiving based upon scrap prices.

Based on the foregoing, we recommended the following:

1. The FPD should impose significant disciplinary action against the Maintenance Supervisor for violation of the FPD Ethical Conduct Ordinance (Conflict of Interest) and Personnel Rule 8.03(b)(13) (Negligence in the Performance of Duties) consistent with disciplinary action imposed in other similar circumstances.

2. The FPD should impose significant disciplinary action against the Purchasing Agent for violating the District Vehicle Policy Ordinance, Contracts and Purchases Ordinance, Salvage Disposal Policy and Personnel Rule 8.03(b)(14) (Incompetence in the Performance of Duties) consistent with disciplinary action imposed in other similar circumstances.

3. FPD Management should create procedures formalizing what information should be generated and maintained in the disposal of vehicles including, without limitation: the names of those signing the titles, the disposal date and time items were picked up or delivered and by whom, the names of the FPD employees who released any items, and the identifying information of the vehicle (by inventory control and vehicle identification numbers.) If information is not maintained in a shared database, shadow files should be maintained by the Finance Department.

4. The FPD should require scrap metal vendors to provide a pick-up ticket bill of lading as provided in its contract with the FPD when collecting scrap items from the FPD. The FPD should also amend its contract to require any scrap contractor to sign the title as buyer before taking possession of any item that holds a title, to maintain copies of those titles, and to publish every one of those item's make, model and vehicle identification number on the receipts.

5. FPD Management should modify the District Vehicle Policy Ordinance to allow for trade-in of salvaged vehicles as it is currently permissive in the Salvage Disposal Policy and it may generate more revenue than selling the items for scrap. The Ordinance should also be

amended to require the responsible departments to submit the following information to the Vehicle Steering Committee in support of the salvage decision-making process:

a. Reason for Disposal
b. Mechanic Inspection Report on whether it is operable, in need of repairs and estimated cost of repairs
c. Method of Disposal
d. Estimated fair market value of sale, trade-in or scrap
e. Designated Department to Complete Disposal
f. Amount Recuperated as a Result of Scrap or Sale

All records of the above should be maintained by the Vehicle Coordinator and the Finance Department.

6. FPD Management should implement internal controls by assigning the following duties to different personnel:

a. Inventory requisition
b. Receipt of Inventory
c. Inventory Disbursement
d. Sales of Salvaged Inventory and Conversion to Scrap
e. Receipt of Proceeds from Sales and Conversion
f. Process Oversight and Verification

7. If the FPD continues to allow the Department of Facilities and Fleet Maintenance to recommend vehicles for salvage, none of the employees who participated in the recommendation should be allowed to vote as members of the Vehicle Steering Committee.

8. Like the County, the FPD should also upload all of its contracts and check register to its website or to Cook County's Open Portal in an effort to operate with more transparency.

In its response to this office, the FPD adopted seven of the eight recommendations including implementing internal controls, segregation of duties and other procedural improvements. The FPD also adopted this office's recommendation to discipline the Maintenance Supervisor and terminated him on January 24, 2020. (The termination was later converted to a resignation.) The FPD declined to impose significant discipline against the Purchasing Agent as the Forest Preserve's Salvage Disposal Policy (issued on April 15, 2016) incorrectly assigned the salvage responsibilities to the Director of Facilities and Fleet Maintenance contrary to the FPD Contracts and Purchases Ordinance. The FPD revised the policy on June 13, 2018 to make it consistent with the Contract and Purchases Ordinance and reprimanded the Purchasing Agent.

IIG18-0543. This investigation was initiated by the OIIG into allegations that a clerk at Cook County Health (CCH) had been on an unauthorized leave of absence from his position and had outside employment in violation of the CCH Dual Employment Policy. At the time this

complaint was brought to the attention of the OIIG, disciplinary proceedings had already been initiated against the clerk by CCH for his failure to report for work on four consecutive days after his request for an extended leave of accommodation under the Americans with Disabilities Act (ADA) had been denied.

In order to evaluate the allegations, this office interviewed the subject clerk's supervisor and the CCH Director of Health Information. We also analyzed the clerk's CCH personnel file and other CCH records, along with a Facebook page which purports to depict the clerk's outside employment in which the clerk uses a pseudonym.

The preponderance of the evidence developed in this investigation supported the allegations made. Cook County and CCH are governed by federal guidelines regarding employees who request and receive accommodations under the ADA. In this instance, the subject clerk had previously been allowed special accommodations under the ADA and was entitled to the protections of the ADA so long as his underlying medical condition continued to support his status. In this case, the clerk's most recent request to extend his ADA status was denied, and he was required to report to work at his position at CCH. This investigation revealed that during the clerk's extended leave of absence due to his ADA status, he was gainfully employed as a club disc jockey. This was reflected on a Facebook page under a pseudonym which detailed his activities as a club disc jockey. The evidence showed that the clerk is the person depicted on the Facebook page of club disc jockey. The clerk's CCH personnel file lacked any evidence he acknowledged his outside employment as a disc jockey. The clerk voluntarily resigned his position from the CCH and is no longer employed by CCH.

Based on the above findings and because the clerk resigned from the CCH prior to the results of his disciplinary hearing, the OIIG recommended that CCH place the subject clerk on its *Do Not Hire List*. CCH adopted the OIIG recommendation.

IIG19-0126. The OIIG initiated this investigation after receiving a complaint that a System Director at Cook County Health (CCH) was the victim of sexual harassment by a high ranking CCH official. The System Director further alleged that she was subject to retaliation by a member of the Human Resources Department (HR) after reporting this harassment. During the course of this investigation, this office reviewed personnel files and other relevant documents, and interviewed several CCH employees.

The preponderance of the evidence developed over the course of this investigation failed to support a sustained finding of sexual harassment in violation of the CCH Equal Employment Opportunity (EEO) Policy. The System Director's account of her treatment by the subject CCH official is compelling and raises concerns about his management practices. However, although sexual harassment can be subtle, the System Director was not able to provide any examples of what she perceived to be sexual harassment. Rather, her primary complaints about the CCH official revolved around his management style and their disagreements on how to best solve the problems concerning certain business issues. Similarly, the preponderance of the evidence does not support the allegation of retaliation against the System Director by the CCH official. The CCH EEO Policy

states, "a reporting party shall not be retaliated against (i.e., terminated, disciplined, or otherwise suffered an adverse employment action) for submitting a good faith report of an incident alleging discrimination, sexual harassment or discriminatory harassment." Although the CCH official sought to discipline the System Director, he did not pursue discipline until months after the System Director filed her complaint with the CCH EEO Officer and there is no indication that the discipline was directly related to the System Director's complaint. Furthermore, documentation provided by both the System Director and the subject CCH official corroborates the fact that the CCH official had issues with the System Director's job performance which could plausibly have caused him to pursue discipline and a performance improvement plan. Both the System Director and CCH official described circumstances that support the conclusion they had a difficult working relationship throughout their tenure. Nonetheless, although the allegations of sexual harassment and retaliation are not sustained, we recommended that the subject CCH official be counselled to undertake a self-assessment to ensure his management style consistently promotes the ideals of CCH in the workplace.

The preponderance of the evidence also does not support a sustained finding of retaliation by the HR employee based on the System Director filing a complaint. According to the HR employee, she reached out to the System Director to let her know that she should have filed her complaint with the CCH EEO, rather than HR, due to jurisdictional issues. She also expressed the hope that the System Director would have felt comfortable coming to her directly based on their cordial relationship. Although the HR employee did not intend this as a reprimand, the System Director interpreted it as such. However, the HR employee did not take any adverse employment action against the System Director. Thus, while we do not find that the HR employee violated the EEO Policy prohibiting retaliation, we cautioned her against reaching out to an employee in this fashion in the future, as this type of contact could be misconstrued.

Our recommendation regarding the CCH Official was made on December 16, 2019, and to date we have not received a response from CCH.

IIG19-0535. This investigation was initiated by the OIIG following a complaint by an FPD employee who asked for anonymity. The complainant alleged that in August 2019, at the Tinley Creek Maintenance Division, a Serviceman accidently drove a truck through a split-rail fence and damaged it. The complainant said this incident was not documented and there was no drug test given to the driver, which is standard protocol following an accident. Moreover, the complainant said there was nothing written about this incident in the "net facilities report" and, by all appearances, it was being covered up by a Division Superintendent. The complainant reported that the Serviceman enlisted the assistance of three co-workers and repaired the fence. They completed the repairs, and none of the work was documented.

The OIIG analyzed FPD districtwide policies and reviewed the original complaint and FPD personnel files. The OIIG interviewed the complainant, several FPD employees and supervisors, and the Policy & Special Projects Manager for the FPD Office of the General Superintendent. The OIIG also conducted a physical inspection of the FPD Landscape Maintenance Facility, Tinley Creek Division.

During his interview, the subject Serviceman admitted to hitting the fence and stated that he verbally reported the incident to his Division Superintendent on or about that same day. The Division Superintendent had no recollection of any incident involving the Serviceman during the subject timeframe. According to the Division Superintendent, all incidents in his division are to be reported to him and he then reports the incidents to the Regional Superintendent for further direction.

The Regional Superintendent for FPD Landscape Maintenance, Southwest Division, is stationed at the Palos Division in Willow Springs and supervises the Palos and Tinley Creek Divisions. The Regional Superintendent stated he had no knowledge of this incident involving Serviceman A and that this incident was not reported to him. After describing this as a minor incident, the Regional Superintendent further stated that he does not believe this incident should have been reported. The Regional Superintendent confirmed that the material used for this wooden split-rail fence at the Tinley Creek Division is scrap material and explained that this fence is frequently knocked down during the winter months when the snow is cleared from the parking lot and piled along the fence.

The Regional Superintendent explained that each incident involving FPD vehicles is weighed independently and that minor incidents are settled within the Division. According to the Regional Superintendent, he and the Division Superintendents use their discretion to evaluate minor incidents and incident reports are not submitted for all minor occurrences involving FPD vehicles. The Regional Superintendent said he believed supervisor discretion was allowed regarding the reporting or non-reporting of incidents but acknowledged that he is unsure if discretion is allowed per FPD policy. The Regional Superintendent indicated that due to the increased amount of required documentation and downtime of FPD employees, it is an unreasonable expectation that incident reports be submitted, along with drivers being tested for drugs and alcohol, for every minor incident involving FPD vehicles, particularly when no damage occurs to the vehicle. The Regional Superintendent further indicated that if an incident report was submitted for every minor incident, very little work would be completed, and the department would be overwhelmed with unnecessary paperwork.

The Policy & Special Projects Manager stated that he is the author of FPD Policy Number 08.10.00, Incident Review Board (IRB) and confirmed that the purpose of this policy was to establish the mission, goals, and procedures to be used by the IRB, department heads, supervisors, and employees in the event an incident occurs. The scope of this policy applies to all non-law enforcement FPD employees. The policy established an advisory board, which implements FPD policy by ensuring timely review of all incidents involving FPD vehicles or equipment, and/or involving FPD employees while pursuing FPD business or on FPD time. The mission of the IRB is to: 1) conduct objective and thorough investigations of all non-law enforcement related incidents involving FPD employees, vehicles, and/or equipment; 2) evaluate and recommend policies, procedures, and trainings; 3) ensure that best practices are in place to help prevent incidents; 4) provide the General Superintendent and department heads recommended discipline for employees involved in incidents determined by the IRB to be preventable; and, 5) assure consistency in the evaluation of and response to incidents involving FPD employees. The goals of the IRB include:

1) assisting in reducing the number of incidents on a yearly basis; 2) assisting in reducing costs incurred by the FPD and third parties at the result of incidents (repair costs, replacements costs, etc.); 3) identifying and provide recommendations to treat the underlying causes to repeated incidents; and, 4) identifying and providing recommendations to reduce injuries and the risk of injuries to employees and third parties.

The Policy & Special Projects Manager confirmed that pursuant to Policy Number 08.10.00, employees must report all incidents involving FPD vehicles and equipment to their immediate supervisor and must be alcohol and drug tested. The intent of this policy is that all supervisors must submit a written report of all incidents to the FPD Fleet Department. The Policy & Special Projects Manager further confirmed that pursuant to the policy, supervisors may recommend to the IRB if an IRB meeting or other IRB involvement is or is not merited, but the IRB will make the final determination if further investigations or a meeting will or will not occur. The Policy & Special Projects Manager acknowledged that FPD Landscape Maintenance Division Superintendents and Regional Superintendents do not have the discretionary authority to decide whether incidents will or will not be reported, and it is not the intent of the policy to allow them to do so. By making these unauthorized discretionary determinations, the Superintendents are violating FPD Policy Number 08.10.00.

The preponderance of the evidence developed in this investigation fails to support a sustained finding that the Division Superintendent of the Tinley Creek Landscape Maintenance Division violated FPD Incident Review Board Policy Number 08.10.00. The subject Serviceman admitted to backing a garbage truck into a fence and breaking a fence post at the Tinley Creek Landscape Maintenance Division. He stated that he verbally reported the incident to the Division Superintendent. The Division Superintendent did not recall the Serviceman reporting this incident to him and did not recall any reported damage to FPD property or vehicles during that time period. We found no evidence to corroborate the statement of the Serviceman that he reported this incident to the Division Superintendent, and therefore, were unable to sustain a finding that the Division Superintendent violated FPD Policy Number 08.10.00.

However, we did find evidence of a policy violation by the Regional Superintendent who stated that each incident involving FPD vehicles is weighed independently and that minor incidents are settled within the Division. According to the Regional Superintendent, he and the Division Superintendents use their discretion to evaluate minor incidents, and incident reports are not submitted for all minor occurrences involving FPD vehicles. The Regional Superintendent indicated that due to the increased amount of required documentation and downtime of FPD employees, it is an unreasonable expectation that incident reports be submitted, along with drivers being tested for drugs and alcohol, for every minor incident involving FPD vehicles, particularly when no damage occurs to the vehicle. The Regional Superintendent further indicated that if an incident report were submitted for every minor incident, very little work would be completed and the department would be overwhelmed with unnecessary paperwork. These ongoing, unauthorized discretionary determinations violate established policy and appear to undermine the intent of FPD Policy Number 08.10.00. Accordingly, we recommended that the Regional Superintendent be admonished to refrain from participating in or allowing further violations of Policy 08.10.00 in the

future. To the extent the Regional Superintendent believes a change in policy is warranted, we recommended that he present his opinion to upper management for further consideration. Unless the policy is amended or otherwise clarified by senior management, it must be adhered to as currently written and approved.

The FPD adopted our recommendation and admonished the Regional Superintendent. The FPD further responded that it intends to modify the subject policy to allow directors and deputy directors limited discretion to waive incident reports and/or drug testing for minor incidents.

From the 2nd Quarter 2019

IIG19-0056. This investigation was initiated based on a complaint alleging that a Forest Preserve Police Department ("FPPD") officer engaged in inappropriate behavior during morning roll call at an FPD facility. Specifically, it was alleged that the subject officer engaged in an unsolicited physical touching of a fellow FPPD officer in a sexually suggestive manner in the presence of a sergeant and three other officers in violation of the Forest Preserve District (FPD) Employee Handbook Sexual Harassment Policy and the FPD Domestic/Sexual Violence & Harassment in the Workplace Policy (Policy 06.10.00). The investigation consisted of a review of videotape of the roll call at issue and interviews of various members of the FPPD including the subject officer and all others at the roll call.

The videotape of the morning roll call at issue does not contain any audio and was taken from a fixed post camera situated in the station's squad room. The pertinent portion of the video clip depicts five male police officers and one female sergeant waiting for roll call to begin. The subject officer appeared to be talking during this phase of the video. The sergeant is standing between a row of desks near the subject officer and appears to say something to him. At this point, the subject officer approached Officer A (who was seated) from behind and reached around him with his arms and his hands acting as though he were holding an object. The subject officer then backed away. The video then shows the sergeant hold roll call and subsequently depicts the officers departing the roll call area while the sergeant goes into her office. No one in the video appears upset at any point and the subject officer and Officer A continue talking while smiling and laughing at times.

In his OIIG interview, the subject officer stated that prior to the date in question, he was on an extended Injured on Duty leave and was on his second day back at work that morning. The subject officer stated that the sergeant had given out the morning assignments during roll call when she stated to Officer A, "Aren't you glad your boyfriend is back?" The subject officer stated he interpreted the sergeant's comment to recognize that he and Officer A had been partners for many years and were now reunited. The subject officer stated he was standing behind Officer A at the time the sergeant's comment was made and he then leaned over to Officer A (who was seated) and said to him, "Remember our favorite movie, 'Ghost'… Patrick Swayze." The subject officer stated he then stepped across the back of Officer A's chair, put his arms around him and said, "Let's make some pottery." The subject officer stated he did not grind his body nor do anything sexual towards Officer A but was merely portraying Patrick Swayze in the movie "Ghost" as that was a

favorite movie of Officer A and only in response to the sergeant's comment. The subject officer stated that Officer A and the sergeant laughed and that neither appeared to have any problem with what had just transpired.

The preponderance of the evidence developed during this investigation does not support a finding that the subject officer engaged in sexual harassment toward Officer A as defined by the FPD sexual harassment policies upon which the complaint against him was based. The sexual harassment policy in the FPD Employee Handbook provides:

> Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is either a term or condition of employment or the provision of District services, facilities or programs; (2) submission to or rejection of the conduct is used as a basis for making employment decisions or for making decisions affecting the provision of District services, facilities or programs; or (3) the conduct has the purpose or effect of substantially interfering with a person's work performance or creates an intimidating, hostile or offensive environment for the provision of District services, facilities or programs.

FPD Policy 06.10.00 similarly defines sexual harassment as follows:

> Unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) It is implicitly or explicitly suggested that submission to or rejection of the conduct will be a factor in employment decisions or evaluations, or permission to participate in a District activity, or (2) The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating or hostile work environment.

The conduct at issue does not meet these definitions of sexual harassment. First, there were no requests for sexual favors. Second, the conduct, while inappropriate and unprofessional, did not rise to the level of substantially interfering with Officer A's work performance or creating an intimidating or hostile work environment. As shown in the videotape, the immediate reaction to the incident demonstrated that none of the officers, including the sergeant, exhibited any noticeable reaction to the subject officer's actions nor did the sergeant attempt to rebuke him or object to his actions. The video demonstrated and the interviews confirmed that all parties present continued with the roll call as if nothing out of the ordinary had occurred. Officer A's own statement indicated he did not feel offended by the subject officer at the time of the incident, but only later felt that the subject officer's actions offended him after being questioned by the sergeant. The sergeant's statement acknowledged she was not personally offended by the subject officer's actions. In addition, the videotape also directly refuted the subsequent written statement by Officer A that the

subject officer "started to perform motions of humping…and grabbing Officer A's chest area." Instead, it merely shows that the subject officer reached around Officer A for a few seconds to simulate the movie scene as described above. Again, while inappropriate and unprofessional, the conduct by the subject officer did not rise to the level of sexual harassment under FPD policy.

However, the preponderance of the evidence does support a finding that both the sergeant the subject officer violated Cook County Personnel Rule 8.03(b)(3) by engaging in inappropriate and unprofessional behavior which was disruptive during the roll call. The sergeant was the one who initiated the inappropriate conduct when she jokingly stated to Officer A, "Look, your boyfriend is back." In her OIIG interview, the sergeant denied saying this, but two officers at the roll call, including one who was a third party to the incident, stated in their OIIG interviews that she did. And it is clear from the videotape that the subject officer is responding to something that the sergeant said when he proceeded to simulate the scene from the movie. It is more likely than not that he is attempting to continue the "joke" started by sergeant with her "boyfriend" comment. Had she not made that comment, the inappropriate conduct by the subject officer may not have occurred. In sum, it was inappropriate and unprofessional for the sergeant to make the "boyfriend" comment in front of other employees at a roll call, and it was inappropriate and unprofessional for the subject officer to carry the joke further as he did. The conduct of both the sergeant and the subject officer was disruptive to the roll call and a violation of Personnel Rule 8.03(b)(3).

Based on all of the forgoing, we recommended the following remedial action:

1. The FPD should impose disciplinary action against the sergeant and the subject officer for violation of Personnel Rule 8.03(b)(3) consistent with the disciplinary action imposed in other in similar circumstances considering as well the factors set forth in Personnel Rule 8.042; and,

2. During the interviews conducted in this case, statements were made concerning the unchecked prevalence of routine joking of this nature between officers, some of which has been described as "off color." We recommended that the FPD undertake a careful examination of the existing culture within the FPPD and ensure that all officers, including supervisory officers, are properly educated in sensitivity training and that management set a standard of conduct that reflects an appropriate level of professionalism and mandate adherence to these standards by all officers.

As to the first recommendation, the FPD responded that it inadvertently missed the opportunity to timely impose discipline on the subject sergeant and officer. As to the second recommendation, the FPD stated that it plans to have Professionalism in the Workplace Training in 2020 for all Law Enforcement Department staff.

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 January 1, 2020 to March 31, 2020, the Office of the Independent Inspector General received one Political Contact Log filing.

Post-SRO Complaint Investigations

Although the final Post-SRO complaint against Cook County was completed in 2019, the OIIG currently has four Post-SRO complaints under investigation that are pending against the Cook County Juvenile Temporary Detention Center.

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 two 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, Assessor, Recorder and the Cook County Bureau of Human Resources by conducting joint investigations where appropriate and supporting the embedded compliance personnel whenever compliance officers need additional manpower to fulfill their duties under their respective employment plans. Moreover, since August of 2019 when the Cook County Compliance Officer resigned her appointment, the IIG has been providing assistance when action associated with the Cook County Compliance Officer is required pending a replacement.

Employment Plan – 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 respective Employment Plans.

OIIG *Employment Plan* Oversight

Per the OIIG Ordinance and the Employment Plans of Cook County, CCH and the Forest Preserve District, the OIIG reviews, *inter alia*, (1) the hire of *Shakman* Exempt and Direct Appointment hires, (2) proposed changes to Exempt Lists, Actively Recruited lists, Employment Plans and Direct Appointment lists, (3) disciplinary sequences, (4) employment postings and related interview/selection sequences and (5) Supplemental Policy activities. In the last quarter, the OIIG has reviewed and acted within its authority regarding:

1. Four proposed changes to the Cook County Actively Recruited List;
2. Thirteen proposed changes to the Cook County Health Actively Recruited List;
3. Two proposed change to the Cook County Health Employment Plan;
4. Nine proposed changes to the Cook County Shakman Exempt List;
5. Two proposed changes to the CCH Direct Appointment List;
6. The hiring of four CCH Direct Appointments.

Monitoring

The OIIG currently tracks disciplinary activities in the Forest Preserve District and Offices under the President. In this last quarter, the OIIG tracked (and selectively monitored) 34 disciplinary hearings and related grievances. Further, pursuant to an agreement with the Bureau of Human Resources, the OIIG tracks hiring activity in the Offices under the President, conducting selective monitoring of certain hiring sequences therein. The OIIG also is tracking and selectively monitoring CCHHS hiring activity pursuant to the CCHHS Employment Plan.

Miscellaneous OIIG Activity

Please be aware that our office recently welcomed one new investigator to our staff. Mr. Fount Hankle, Jr. joins the office with 27 years experience in Federal law enforcement having served as Assistant Special Agent-in-Charge for the Office of Inspector General, U.S. Department of Homeland Security, along with various other assignments. Mr. Hankle is a graduate of Governor's State University (M.P.A.), Indiana University (B.A.) and Resurrection University (B.S.N.) and is currently a Registered Nurse.

Conclusion

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

cc: Hon. Dorothy Brown, Clerk of Circuit Court
Hon. Michael M. Cabonargi, Board of Review
Hon. Thomas Dart, Sheriff
Hon. Timothy C. Evans, Chief Judge
Hon. Kimberly M. Foxx, States Attorney
Hon. Fritz Kaegi, Cook County Assessor

Hon. Edward M. Moody, Recorder of Deeds
Hon. Maria Pappas, Treasurer
Hon. Dan Patlak, Board of Review
Hon. Larry R. Rogers, Jr., Board of Review
Hon. Karen A. Yarbrough, County Clerk
Ms. Lanetta Haynes Turner, Chief of Staff, Office of the President
Ms. Laura Lechowicz Felicione, Special Legal Counsel to the President
Ms. Debra Carey, Interim Chief Executive Officer, Health and Hospitals System
Mr. Jeffrey McCutchan, General Counsel, Health and Hospitals System
Ms. Deborah J. Fortier, Assistant General Counsel, Health and Hospital System
Mr. Arnold Randall, General Superintendent, Forest Preserve District
Ms. Eileen Figel, Deputy General Superintendent, Forest Preserve District
Mr. N. Keith Chambers, Executive Director, Board of Ethics