



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.”

**Quarterly Report
3rd Quarter 2020**

October 15, 2020



OFFICE OF THE INDEPENDENT INSPECTOR GENERAL

Patrick M. Blanchard, Inspector General

69 West Washington Street | Suite 1160 | Chicago, IL 60602 | (312) 603-0350

October 15, 2020

Transmittal 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 (3rd 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 July 1, 2020 through September 30, 2020.

OIIG Complaints

The Office of the Independent Inspector General (OIIG) received a total of 233 complaints during this reporting period.¹ Please be aware that 18 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, 59 OIIG case inquiries have been initiated during this reporting period while a total of 162 OIIG case inquiries remain pending at the present time. There have been 64 matters referred to management or other enforcement or prosecutorial agencies for further consideration. The OIIG currently has a total of 41 matters under investigation. The number of open investigations beyond 180 days of the issuance of this report is 28 due to various issues including the nature of the investigation, availability of resources and prosecutorial considerations.

OIIG Summary Reports

During the 3rd Quarter of 2020, the OIIG issued six summary reports. The following provides a general description of each matter and states whether OIIG recommendations for

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.

Honorable Toni Preckwinkle
and Honorable Members of the Cook County
Board of Commissioners
October 15, 2020
Page | 2

remediation or discipline have been adopted. Specific identifying information is being withheld in accordance with the OIIG Ordinance where appropriate.²

IIG20-0558. The OIIG initiated this investigation after developing information that a job applicant may have provided false information in support of his application for employment with the Cook County Department of Building and Zoning. In making his application, the applicant represented he had separated from the City of Chicago when it appeared that he was still an employee there when he submitted his Cook County application. At the time of the OIIG investigation, the applicant was already scheduled to begin County employment.

During the investigation, the OIIG obtained a copy of a letter from the City of Chicago directed to the applicant advising him that the City was considering his discharge. The City's letter was sent after the applicant had already applied to the County stating that he had left his City job for a better opportunity. The City's letter included the following attachments: an Office of City of Chicago Inspector General report; a Board of Ethics Advisory Opinion; and certain City of Chicago Statement of Financial Interest Filings for the applicant. In response to an OIIG inquiry, the City of Chicago confirmed that the applicant was still currently an employee of the City of Chicago but was on leave from his position in the Department of Buildings at that time.

Section 44-54(b) of the Cook County Human Resources Article provides that “[n]o persons shall make any false statement, certificate, mark, rating or report with regard to any test, certification or appointment made under any provisions of this article or in any manner commit or attempt to commit any fraud, prevent the impartial execution of this article and any rules issued under this article.” Section 44-54(e) provides, in part that “[a]ny person who is found to be in violation of this section shall, for a period of five years, be ineligible for appointment to or employment in a position in the County service.” (Ord. No. 92-O-54, § 10, 11-19-1992; Ord. No. 00-O-08, art. 1(10), 4-5-2000.) Similarly, Cook County Personnel Rules 3.3(b)(7) and (8) and Rule 3.3(d) also prohibit the provision of false information in the Cook County application process by an applicant.

The preponderance of the evidence developed by this investigation revealed that the subject applicant provided false information to Cook County in support of his application for employment. As such, we recommended that the County withdraw its offer of employment and regard the applicant as ineligible for County service for a period of five years by placing him on Cook County *Ineligibility for Employment List*.

This recommendation has been adopted.

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>.

Honorable Toni Preckwinkle
and Honorable Members of the Cook County
Board of Commissioners
October 15, 2020
Page | 3

IG20-0359. The OIIG opened this investigation after receiving information that the Vice President (VP) of a title company offered to purchase a restaurant gift card for a Cook County Recorder of Deeds (ROD) Front Line Supervisor (Supervisor) or provide a pizza party for the ROD office in exchange for expedited service in the processing of a deed. During the investigation, the OIIG interviewed the ROD Supervisor and reviewed email communications between the ROD Supervisor and the VP. The OIIG also interviewed the VP.

The preponderance of the evidence developed during the course of this investigation supports the conclusion that the VP offered the ROD Supervisor a gift in exchange for expedited service. In doing so, the VP violated the Illinois bribery statute, 720 ILCS 5/33-1(a), when she offered a gift to the ROD Supervisor to influence the performance of her official duties by attempting to obtain preferential treatment. An email produced by the ROD Supervisor clearly illustrates the inappropriate offer made by the VP, as did the VP's admission of making the offer in exchange for expedited service. The ROD Supervisor followed Cook County policy and protocol by declining the inappropriate offer and reporting the incident to her supervisor in a timely manner.

Because the ROD Supervisor properly declined the VP's offer and reported the bribe to her supervisor and ROD counsel, who reported it to this office, we made no recommendations to the ROD. As the VP is not a County employee or vendor but rather is employed by a private entity, we lack jurisdictional authority to recommend further remedial action by the ROD with respect to the VP.

IG19-0607. This investigation was initiated based on a complaint alleging that a Cook County Forest Preserves Police Department (FPPD) police officer misrepresented to the FPPD that she was on sick leave when she was in fact on an out of state vacation with two other members of the FPPD. The investigation consisted of interviews of various members of the FPPD, a review of the subject police officer's FPPD personnel file, a review of Cook County Time (CCT) records of the subject police officer for the relevant time period and a review of documents produced by an airline company pursuant to a subpoena issued by the OIIG.

The preponderance of the evidence developed during the course of this investigation supports the conclusion that the subject police officer violated Cook County Personnel Rule 6.2(b)(2), which provides as follows:

Sick leave is granted by Cook County because an employee is unable to perform his/her assigned duties, or because the employee's presence at work would jeopardize the health of his/her co-workers. Accordingly, sick leave shall not be used for any other purpose other than to cover an absence related illness and shall not be used as additional vacation leave.

Honorable Toni Preckwinkle
and Honorable Members of the Cook County
Board of Commissioners
October 15, 2020
Page | 4

Specifically, the evidence developed in this case revealed that the subject police officer had planned in advance to take an out of state vacation with two of her coworkers. The airline company records show her airline ticket was purchased over two months prior to her travel date. The subject police officer did not request vacation leave at any time for the period of her travel. Instead, the time records reflect she called in sick for certain days to account for vacation time which is a violation of the personnel rule cited above.

The ability of any department to function is directly related to its ability to adequately staff itself with the requisite number of employees. This requirement is even more acute in a police department environment where it is crucial that each shift is staffed by an appropriate number of officers to ensure public safety. In this case, the subject police officer's conduct of calling in sick forced the FPPD to adjust the schedules of other FPPD police officers to cover for her unexpected absence. Accordingly, we recommended that an appropriate level of discipline be imposed on the subject police officer consistent with the level of discipline imposed by the FPPD in other similar cases of misconduct.

This recommendation is currently pending.

IIG20-0260. This investigation was initiated based on an anonymous complaint alleging that the Cook County Forest Preserves Police Department (FPPD) failed to conduct a comprehensive background investigation on a candidate for police officer. The complaint identified a former officer who retired from the Chicago Police Department (CPD) and was subsequently hired by the FPPD. The complainant cited this officer as an example of the FPPD's practice of hiring police officers who were not qualified due to a lack of due diligence in the applicant's background investigation. The complainant further alleged that the named applicant's retirement from the CPD at the age of 61 and substantial cut in pay to a position with the FPPD was evidence the applicant was being forced out of the CPD due to disciplinary action being taken against him by CPD's Bureau of Internal Affairs. This investigation consisted of conducting a review of the application file of the subject FPPD officer and a review of the background investigation report of the applicant. The OIIG also interviewed a sergeant assigned to the CPD's Bureau of Internal Affairs.

The preponderance of the evidence developed during the course of this investigation did not support a finding that the FPPD fails to conduct thorough and comprehensive background investigations during its application process for police officer positions. In addressing the complainant's allegation that the identified FPPD officer retired from the CPD due to discipline or performance issues, the CPD Bureau of Internal Affairs informed us it is common for its officers to seek employment outside of the CPD as they approach its mandatory retirement age of 62. When seeking applicants for open police officer positions, the FPPD utilizes the online application system to initially screen and review all applicants. After it is satisfied the applicant meets the requirements as set forth in the initial job posting, the FPPD then utilizes the services of a professional outside agency to conduct a thorough and comprehensive investigation into the applicant's personal and professional history to ensure the applicant has not engaged in past

behavior which would render the applicant unsuitable for employment. The records related to the subject applicant reflected a thorough and appropriate review of the applicant's credentials.

IIG20-0406. This case involved an allegation of nepotism in hiring and conflicts of interest in management occurring at Stroger Hospital arising from family members working together within the Main Operating Room (MOR). During the investigation, the OIIG reviewed Cook County Health (CCH) Personnel Rules and the Code of Ethics, coordinated with the CCH Human Resources Department (HR), and reviewed HR files, personnel records, and organizational charts. The OIIG also interviewed Stroger Hospital MOR employees.

The preponderance of the evidence developed during the course of the investigation did not identify incidents of nepotism within CCH hiring or violations of CCH ethics policy (conflict of interest) within the Stroger Hospital MOR. A review of the hiring records did not reveal a deviation from the policies and procedures established in CCH ethics policy or the CCH Employment Plan. Additionally, there was no indication that any family members participated in any personnel decision or attempted to influence any personnel action regarding other family members.

Further, although relatives working together on the same shift in the same department, as we identified in this case, can create or give the appearance of a conflict, there is no violation of current CCH policy as long as they work in lateral positions such that family members do not have any managerial authority over each other. The review of the select CCH organizational charts examined in this matter did not reveal any familial lines within a particular chain of authority.

Although CCH does have policies in place to prevent prohibited personnel practices involving nepotism and conflicts of interest, we believe there should be additional measures to reduce the appearance of a conflict of interest given the unique situation that is presented at medical facilities. We noted that persons from the same family may, though working in different departments, be concurrently treating the same patients. While HR appears to have adopted a working practice of avoiding situations where family members supervise each other, we recommended that the practice be codified and written to include a proscription of working within the same department regardless of supervisory authority. This recommendation is currently pending.

IIG20-0442. The OIIG opened this case after receiving information that a CCH employee was arrested, placed on home confinement and failed to report to work or notify his supervisor of his arrest. In its investigation, the OIIG reviewed the time and attendance records and court records for the subject employee and interviewed the subject employee and his supervisor.

The preponderance of the evidence failed to support the allegations that the employee failed to report to work or notify his supervisor of his arrest and detention. The subject employee's supervisor confirmed that he received notification from the employee that he had been placed on electronic monitoring. Additionally, the employee sent an email containing the Sheriff's

Department Electronic Monitoring Unit Verification of Employment form to CCH HR and to his direct supervisor further corroborating that notification was given regarding his placement on electronic monitoring. In addition, the time and attendance records revealed that during the relevant period the subject employee was granted a combination of approved time off and/or leave.

Although the allegation of misconduct was not sustained, we did make recommendations regarding the CCH personnel rules. Specifically, while CCH has a policy that requires employees to report the disposition of a conviction of criminal offense or plea of *nolo contendere*, the policy does not require employees to report the occurrence of an arrest for any alleged offense. Moreover, the CCH rules fail to address the time in which notification should be made to management of either a conviction or plea of *nolo contendere*. Accordingly, we recommended that CCH develop a written policy that would (a) require all employees to report an arrest, excluding minor traffic violations, to management, and (b) require employees to provide notification of the occurrence of a conviction, plea of *nolo contendere* or arrest as soon as possible but no longer than 24 hours of the occurrence or as soon as possible. These recommendations are currently pending.

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 2nd Quarter 2020

IG18-0344. This office received information suggesting that the Board of Review (BOR) maintains a custom and practice of reliance on political factors in making hiring decisions involving non-management level positions. The information also involved assertions that BOR superiors organize political support by relying on BOR employees who routinely perform political work on behalf of the BOR Commissioners. Accordingly, this office initiated this investigation to ascertain whether political reasons or factors were considered in the BOR hiring process for all or only certain BOR positions. Additionally, this office sought to determine whether a nexus existed between the activities of the political organizations of BOR officials and BOR employees that have been found to be hallmarks of unlawful political activity wherein government employment is leveraged to support the political activities of favored political organizations. Evidence of such activity may represent a violation of the First and Fourteenth Amendments of the kind that ultimately spawned protracted and costly litigation such as the *Shakman*³ and *Rutan*⁴ class actions. In conducting this investigation and considering our findings and conclusions below, it is important to recognize that particular classes of typically high-level government employees are

³ *Shakman v. Democratic Party of Cook County*, 69 C 2145 (N.D. Ill. 1969).

⁴ *Rutan v. Republican Party of Illinois*, 497 U.S. 62 (1990).

exempt from the subject constitutional protections. The parameters for designation of a government position that is exempt from the protections afforded by the First and Fourteenth Amendments can be found in *Branti v. Finkel*, 445 U.S. 507 (1980) and its progeny.

In *Branti*, the Supreme Court held that the ultimate inquiry in determining whether government positions are exempt from First Amendment protections is not whether the label “policymaker” or “confidential” (or other similar title) attaches to a position. Rather, the question is whether the hiring authority can demonstrate that party affiliation is an appropriate requirement for the effective performance of the public duties involved. *Branti*, 445 U.S. at 519.⁵ Contrary to positions properly exempt under *Branti*, the vast majority of BOR employees are analysts⁶ who weigh property tax appeals using various objective criteria in making a determination whether an appeal is viable. The duties of these positions, while not entirely ministerial, are nonetheless not high-level policymaking functions where political alignment between the employee and the elected Commissioner is essential for effective performance. Rather, these employees objectively assess the value of real property where political alignment has no relation to the effective performance of the duties involved. Additionally, it is important to note that while the BOR is not a party to the *Shakman* litigation, and therefore not bound by the regulatory conditions attached to the operations of the defendant governments and agencies by the District Court, the constitutional principles upon which the litigation stands are applicable to those governmental agencies that have not been made a party to a regulatory action such as *Shakman v. Cook County*. Therefore, while it is accurate to state that the BOR is not a party to the *Shakman* litigation and not bound by the regulatory conditions arising from that litigation, it is inaccurate to hold that the constitutional principles which are implicated, and which have locally been associated with the litigation itself, have no bearing on BOR employment policies, customs or practices involving many if not most BOR positions.

In order to determine whether political factors played any improper role in BOR employment actions and whether the BOR was targeting its employee base as a source of political support, this office reviewed human resources files and email communications. This office also interviewed numerous employees of various levels and titles within the BOR and conducted related research. Questions posed to those interviewed focused on hiring decisions and whether political activity held a close nexus to governmental employment.

⁵ “It is equally clear that party affiliation is not necessarily relevant to every policymaking or confidential position. The coach of a state university’s football team formulates policy, but no one could seriously claim that Republicans make better coaches than Democrats, or vice versa, no matter which party is in control of the state government. On the other hand, it is equally clear that the Governor of a State may appropriately believe that the official duties of various assistants who help him write speeches, explain his views to the press, or communicate with the legislature cannot be performed effectively unless those persons share his political beliefs and party commitments.” *Branti*, 445 U.S. at 519.

⁶ The approved 2020 BOR budget specifies 142 FTEs, 109 of which are classified Assessment Appeal Review, or 76% of the FTEs. *2020 Cook County Annual Appropriation Bill*, Volume II, Section G-4.

A review of BOR employment documents, coupled with interviews of BOR employees at various levels within the organization, revealed that BOR has no formal hiring process. The OIIG Investigators requested all personnel files from the BOR and received a total of 64 files.⁷ Of the personnel files received, one candidate wrote that they were recommended to the position by Commissioner C, two employees are children of business partners of Commissioner C, two applicants wrote that they were recommended for the position by Commissioner A, six applicants wrote that they were recommended for their positions by Commissioner B, eight applicants listed that they were recommended by another politician or listed having worked for other political offices and 17 applicants wrote that they were recommended by a BOR staff member or someone with an affiliation within the BOR. The BOR does not maintain or otherwise utilize written job descriptions or minimum qualifications for BOR positions. Our review yielded multiple examples of hires taking place despite incomplete application materials and lack of formal process. This office noted that the paper application form in use by the BOR contains a question which asks, “who recommended you to us?”⁸

Analyst A is an Appeals Analyst for the BOR. When asked in her OIIG interview how she found out about her position, she stated “I do not want to say.” She later related that a neighbor told her about the position and the neighbor found out from a friend-of-a-friend. Analyst A advised that she met with Commissioner A once and met with his former Chief of Staff twice. Analyst A stated that there was no test administered whatsoever. Analyst A explained during her interview that, prior to her BOR hire, she had never performed this type of work before. During her interview, Analyst A stated that Commissioner A ran for office and needed signatures. Analyst A advised that she has overheard different BOR employees talking about going out in public and getting signatures on behalf of the Commissioner. Analyst A stated that she was not able to get signatures for Commissioner A because she was involved with getting signatures for another candidate. When asked if whether it had to be explained to Commissioner A why she was unable to obtain signatures, Analyst A stated that she had a meeting with Commissioner A and had to explain the reason. Analyst A said “I did not want him thinking I’m not a team player. He was very understanding.”

In her OIIG interview, Administrative Assistant to Commissioner B stated that she found out about her position from Commissioner B in 2010. Specifically, Administrative Assistant to Commissioner B volunteered for Commissioner B’s campaign by knocking on doors and speaking to neighbors on Commissioner B’s behalf. Administrative Assistant to Commissioner B stated that she knew Commissioner B’s wife, who was a family friend and lived in the same neighborhood.

⁷ The approved 2018 and 2019 BOR budgets specified 111 and 126 FTEs respectively. *2018 Cook County Annual Appropriation Bill*, Volume II, Section P-1; *2019 Cook County Annual Appropriation Bill*, Volume II, Section G-1.

⁸ The central concern being that the individual making the recommendation did so without regard to the applicant’s merit as opposed to personal or political affiliation. This brings to mind the infamous treatment of a young Abner Mikva when turned away from a political office in 1948 with the explanation “We don’t want nobody that nobody sent.” [Abner Mikva Interview: Conversations with History](#); Institute of International Studies, UC Berkeley, April 12, 1999.

Administrative Assistant to Commissioner B advised that after Commissioner B won the election, she asked him to consider her for a job. Administrative Assistant to Commissioner B was interviewed by Commissioner B and his former Chief of Staff. Administrative Assistant to Commissioner B advised that the Chief of Staff to Commissioner B is active in suburban politics. Administrative Assistant to Commissioner B stated that she has collected signatures for Commissioner B's reelection campaign but is told by Commissioner B and his former Chief of Staff not to do political work while at work.

Analyst B explained in her OIIG interview that she analyzes residential properties, participates in outreach seminars and on occasion, will translate for Chinese-speaking homeowners. Upon being asked how she obtained her current position, Analyst B said that she was "referred" by her local alderman. Analyst B stated that she asked her alderman if he could help her find a job. Analyst B explained that the alderman told her that he would see what he could do. Analyst B advised that within a year she received a call from the former First Assistant to Commissioner A to schedule an interview. Analyst B stated that she was offered a job after her first interview with the former First Assistant to Commissioner A and Commissioner A. Analyst B advised that she never completed an online or paper application. Analyst B stated that she is unaware if she was competing with anyone for the position. When asked if she has ever done campaign work for Commissioner A, Analyst B stated that she collected signatures for Commissioner A in 2017. Analyst B explained that she volunteered for the campaign and collected signatures after work hours. When asked how she became involved with that campaign, Analyst B stated that she attended a "social" after work at City Social where the Commissioner announced that he was seeking re-election and people could volunteer if they wanted to do so. When asked how she received information regarding the campaign events and signature opportunities, Analyst B stated that she received information from the former Campaign Manager, the Secretary of the Board. Analyst B related that she has received emails from the Secretary of the Board about picking up and collecting petition sheets during work hours on her personal email. Analyst B acknowledged working on a recent political campaign involving a BOR Commissioner. When asked how she became involved with that campaign, Analyst B advised that all BOR employees were invited to a social after work at City Social where that Commissioner announced his campaign and asked for volunteers.

Analyst C stated in his OIIG interview that he is a Commercial Analyst for the BOR. When asked how he started working for the BOR in his current position, Analyst C stated that he and a Commissioner worked together at the BOR for a prior Commissioner, so he contacted him to find out if there were any open positions at the Board of Review. Analyst C advised that he forwarded his resume to Commissioner B and later interviewed with the Commissioner and Commissioner B's Chief of Staff. Analyst C stated that he did not have to apply online or fill out a paper application for the position. Analyst C is not aware of an online hiring process and believes his position is *Shakman*-exempt. When asked if he performs political work for Commissioner B, Analyst C stated that he has walked in parades and obtained signatures for Commissioner B's campaign. Analyst C advised that he and Commissioner B have known each other for several years so when Commissioner B asked him if he would walk in parades and get signatures, he was happy

to do it. Analyst C stated that Administrative Assistant to Commissioner B, Commissioner B's Chief of Staff and Commissioner B advise him of campaign events. Analyst C explained that campaign related emails are sent using personal emails after work hours by the Administrative Assistant to Commissioner B. Administrative Assistant to Commissioner B organized the BOR employees by assigning certain individuals to collect signatures at designated train stations. Analyst C said the majority of individuals collecting signatures were BOR employees. When asked how he began working for the former Commissioner in 2004, Analyst C stated that he was friends with the former Commissioner's son in college and he was a friend of the family. Analyst C stated that the former Commissioner hired him as a residential analyst.

Analyst D advised in her OIG interview that she has been a Residential Analyst with the Board of Review for nine years. Analyst D stated that she also trains new employees. Analyst D stated that she had no residential analyst experience prior to working for the Board of Review. Analyst D related that she took classes related to her work during the summers while working for the Board of Review. Analyst D stated that she learned about her position from her father. Analyst D advised that she knew Commissioner C prior to being employed by the Board of Review because Commissioner C and her father are partners in their law firm. Analyst D explained that she filled out a paper application and had an interview with a former employee. Analyst D stated that she may have interviewed with Commissioner C but does not recall because it was so long ago. When asked about whether she held a Computer Operator position within the Board of Review, Analyst D stated that Computer Operator was on her County ID but she never performed any IT related work. Analyst D advised that she has always performed analyst work. Analyst D stated that she has volunteered for Commissioner C's campaign in the past, including the solicitation of signatures, but denied feeling pressured to do so.

The Secretary of the Board related in his OIG interview that he was appointed to his current position by the Board of Commissioners approximately 2 years ago. The Secretary of the Board explained that he also functions as the Chief Operating Officer and Chief Financial Officer and he oversees human resources, facilities, information technology, external communications, intergovernmental affairs, finance and budgeting. The Secretary of the Board stated that he manages approximately 15 staff. Prior to his current position, the Secretary of the Board worked as the Deputy Commissioner In-Charge of Real Estate for approximately seven years. When asked how he came to work for the Board of Review, the Secretary of the Board stated that he knew Commissioner A through Democratic Leadership for the 21st Century (DL21C), a political organization in which they both were members. The Secretary of the Board explained that once Commissioner A was appointed to the BOR, Commissioner A reached out to him (the Secretary of the Board) and invited the Secretary of the Board to come work for the BOR. The Secretary of the Board stated that he agreed to work with Commissioner A and submitted his resume. The Secretary of the Board explained that he interviewed with Commissioner A prior to being hired but does not know if he was competing with anyone else for the position. The Secretary of the Board stated that he did not apply online or submit any documents on an online platform. When asked about his background, the Secretary of the Board stated that he has a degree in Literature with a focus on Classical Languages from Ohio University. The Secretary of the Board stated that

he has done political work for Commissioner A such as managing petition processes and working on strategies and communications. The Secretary of the Board advised that many political organizations assisted with getting petitions signed. When asked if any BOR employees worked to collect signatures on petitions, the Secretary of the Board said “yes, some employees volunteered.” When asked how the BOR employees got involved with the petitions, the Secretary of the Board stated that some employees asked if they could help. The Secretary of the Board explained that he also sent out emails to BOR employees stating that if anyone wanted to volunteer with petitions that they could see him about it after work hours. The Secretary of the Board stated that he let the employees know that getting petitions signed was in no way connected to their jobs. The Secretary of the Board stated that he always communicated events and petition opportunities through private emails and never through County email. The Secretary of the Board advised that he usually sent emails pertaining to campaign work early in the mornings while he was on the train or late in the evenings but not during work hours. The Secretary of the Board stated that there were occasional lunch and evening campaign outings, mainly to give instructions and deadlines for petitions.⁹ When asked about the hiring process for the BOR, the Secretary of the Board stated that each Commissioner has his own hiring process. The Secretary of the Board stated that he does not know how positions are posted for the BOR, as each Commissioner fills his own positions and has the autonomy to hire whomever he chooses. The Secretary of the Board stated that the Commissioners’ Chiefs of Staff or First Assistants usually assist the Commissioners with hiring and position titles. The Secretary of the Board advised that every position within the Board of Review is *Shakman*-exempt and explained that the BOR does not use a *Shakman* monitor.

The Chief of Staff to Commissioner A stated in his OIIG interview that he currently is responsible for managing the staff and day to day operations for Commissioner A. When asked about the hiring process at the BOR, the Chief of Staff to Commissioner A stated that the BOR usually operates on a referral basis when positions become available. The Chief of Staff to Commissioner A related candidates are usually referred by employees of the BOR or by people who know the Commissioner personally or professionally. The Chief of Staff to Commissioner A explained that the BOR operates on referrals when hiring new employees because the job is very sensitive and not everyone can perform the job. The Chief of Staff to Commissioner A stated that he and the Commissioner conduct all of the interviews of candidates for employment. When asked about the minimum qualifications for the analyst position, the Chief of Staff to Commissioner A stated that there are no minimum qualifications but he (the Chief of Staff to Commissioner A) has written a job description that identifies the education and experience he would like to see an applicant have. When asked how a person would find out about available positions at the BOR, the Chief of Staff to Commissioner A stated that a person would find out about available positions from someone at the BOR or the Commissioner asks around if he needs to hire someone. The Chief of Staff to Commissioner A explained that positions at the BOR are not publicly posted so in order to be hired a candidate would have to be referred to their office. The Chief of Staff to

⁹ The BOR Ethics Policy Article II, Code of Conduct, Section 2.5 (d) states that Board members shall not intentionally perform any prohibited political activity during compensated time (other than vacation, personal, or compensated time off). Lunch is customarily compensated time.

Honorable Toni Preckwinkle
and Honorable Members of the Cook County
Board of Commissioners
October 15, 2020
Page | 12

Commissioner A stated that if the BOR needs an attorney, he and/or Commissioner A will contact the Dean of the University of Illinois Law Department (where both the Chief of Staff to Commissioner A and Commissioner A went to law school) and ask for referrals. When asked if there is a different set of minimum qualifications for attorneys, the Chief of Staff to Commissioner A stated “no” and that the BOR uses the same job description used for the analyst position. When asked how current employees receive promotions, the Chief of Staff to Commissioner A stated that employees are promoted if they perform well, show good aptitude, and there is a more senior position available. When asked about *Shakman*-exempt positions, the Chief of Staff to Commissioner A stated that the Illinois Tax Code refers to all BOR employees as Deputy Commissioners and, as such, the BOR is not covered by *Shakman* rules. The Chief of Staff to Commissioner A also cited the *Capra* case which held that every BOR employee is entitled to absolute immunity, to support his belief that every position in the BOR is *Shakman*-exempt.¹⁰ When asked about his political involvement with Commissioner A’s campaign, the Chief of Staff to Commissioner A initially stated that he had very little involvement with the Commissioner’s campaign. The Chief of Staff to Commissioner A later advised that he did perform volunteer work for the campaign in order to get petition signatures. The Chief of Staff to Commissioner A also stated that he affirmatively offered his assistance to the campaign. When asked if other employees work with Commissioner A’s campaign, the Chief of Staff to Commissioner A stated that when BOR employees have asked him to volunteer with Commissioner A’s campaign he has responded to such requests by giving them the number to the campaign manager.

The Chief of Staff to Commissioner B stated in his OIIG interview that he supervises a staff of 28-30 property analysts. When asked how individuals are hired for the BOR, the Chief of Staff to Commissioner B stated that most of the people who come to work for the BOR are referred to their office through networking. The Chief of Staff to Commissioner B explained that senior employees and the Commissioner may ask people if they or anyone they know would be a good fit for the BOR. The Chief of Staff to Commissioner B stated that Commissioner B’s office also has a contact at The John Marshall Law School and sometimes seeks referrals from the law school. The Chief of Staff to Commissioner B advised that there are no online postings for available positions within the BOR. When asked about job descriptions for each position within the BOR, the Chief of Staff to Commissioner B stated that there are no formal job descriptions or set minimum qualifications as is the case with Cook County because “employees may wear different hats.” The Chief of Staff to Commissioner B related that the BOR was never part of the *Shakman* agreement. When asked about political work for Commissioner B, the Chief of Staff to

¹⁰ In *Capra v. Cook County Board of Review*, the Seventh Circuit Court of Appeals did not address *Shakman* considerations. 733 F.3d. 705 (7th Cir. 2013). Specifically, the Court addressed issues concerning local taxpayers' ability to sue local tax officials for alleged federal constitutional violations and held that individual employees are immune but the BOR is not. *Id.*

Commissioner B stated that he and some of the employees have done some political work for Commissioner B outside of work, on a voluntary basis. The Chief of Staff to Commissioner B explained that he and other employees have participated in parade marches, gathering signatures for petitions and attending fundraising events. When asked how employees initially got involved with the campaign, the Chief of Staff to Commissioner B stated that he or another employee would send emails to the employee's personal email accounts outside of work hours to inform the employees of political volunteer opportunities. When asked how he obtained the personal emails of his staff, the Chief of Staff to Commissioner B stated that there may have been a list of personal emails in use that when he started at the BOR but does not remember how he acquired each employees' personal email address. The Chief of Staff to Commissioner B explained that as a matter of course he approaches new BOR employees to inquire if they wanted to know about opportunities for political volunteer work and if they are willing to receive communications about political work using their personal email. The Chief of Staff to Commissioner B stated that emails regarding political volunteer opportunities and events are sent to employees after work hours. The Chief of Staff to Commissioner B explained that when events come up, Commissioner B usually calls him on the phone or sends a personal email requesting him to advise employees about the events. When asked about employee social events, the Chief of Staff to Commissioner B stated that all employee social events take place after work hours or on weekends. The Chief of Staff to Commissioner B stated that employees are invited to political events and made aware of volunteer opportunities during after work socials.

The Chief of Staff to Commissioner C explained in his OIIG interview that she manages Commissioner C's staff, represents Commissioner C on the management team for the Board and adjudicates property tax appeals. When asked how she joined the BOR, the Chief of Staff to Commissioner C stated that she met Commissioner C and a former BOR employee at a judicial reception. The Chief of Staff to Commissioner C explained that after speaking with Commissioner C and the former employee, Commissioner C told her to send her resume to Commissioner C's former Chief of Staff. The Chief of Staff to Commissioner C related that she was later interviewed and hired as an analyst. When asked about the hiring process at the BOR, the Chief of Staff to Commissioner C stated that the BOR receives job candidates in various ways. The Chief of Staff to Commissioner C explained that some people walk in to the BOR offices and inquire about positions, employees refer people to the BOR and she receives emails with attached resumes from candidates who say they saw BOR job postings. When asked about BOR job postings, the Chief of Staff to Commissioner C advised that she did not know who posts the open positions for BOR, does not know where the positions are posted or who would be in charge of preparing the postings. When asked how she knows that the positions are posted, the Chief of Staff to Commissioner C stated that applicants mention postings in their cover letters and emails. The Chief of Staff to Commissioner C could not explain how applicants got her name or her email. When asked about job descriptions, the Chief of Staff to Commissioner C believed that there are no formally written job descriptions nor any minimum qualifications. When asked about *Shakman*-exempt positions, the Chief of Staff to Commissioner C advised that *Shakman* rules do not apply to the BOR. The Chief of Staff to Commissioner C advised that she could not pinpoint where she received the information about *Shakman*. The Chief of Staff to Commissioner C stated that she does some work

for Commissioner C's campaign but that "it is completely separate from the work she does for the Board of Review and it has nothing to do with her job or her role." The Chief of Staff to Commissioner C explained that she has coordinated some events for Commissioner C, but it was totally separate from her work at the BOR.

Commissioner A, when asked in his OIIG interview about *Shakman*-exempt positions, indicated that the BOR is not a signatory to the *Shakman* Decree. Commissioner A advised that he is not familiar with *Shakman* and that he has only read a few articles regarding *Shakman*. When asked if he was familiar with the general principles associated with the *Shakman* case, he replied that he simply did not know anything about the matter. When asked if he considers political affiliation when hiring candidates, Commissioner A stated that he does not consider political affiliation when hiring for the BOR. Commissioner A stated that he looks for candidates who possess the ability to do quality work and can have positive interactions with members of the public who interact with the BOR. When asked if BOR staff are invited by BOR management to participate in political activities, Commissioner A stated that he could not answer the question without seeing the questions in written form and knowing specific instances, dates and people involved. Investigators explained that the question was a general one whether the Commissioner has invited or instructed BOR staff to do volunteer political work. Commissioner A stated that he was surprised by the question, did not have a response at that time and would feel more comfortable if the OIIG would submit questions in writing to the Commissioner and his attorney. Due to time constraints, the interview was continued to a later date. When Commissioner A's interview was resumed, the Commissioner referred to an Illinois Supreme Court case - the "*Yamaguchi*" case - and stated that the Court held that the BOR is a quasi-judicial body and thus its hiring is exempt from normal processes.¹¹ When asked if he or any upper management from his staff have invited BOR staff to volunteer for political work, Commissioner A stated no BOR employee on his staff does political work on County time or by using County resources. Investigators asked Commissioner A if he or any of his upper management staff have solicited or instructed BOR employees to perform political activities. Commissioner A stated that he could not answer the question without knowing the specific background information in the possession of the OIIG. Investigators advised that the OIIG file is confidential pursuant to law. Commissioner A's attorney stated that the OIIG had not presented a finding to the Commissioner and thus the question was improper. After further discussion between counsel and the investigators, Commissioner A declined to answer the questions, stating that he would need to see the OIIG investigative file in order to address any factual allegations.

¹¹ Commissioner A appears to be referring to *In Re Yamaguchi*, 118 Ill. 2d 417 (1987), an Illinois Supreme Court review of an Attorney Registration and Disciplinary Commission decision involving an attorney disciplined for engaging in fraudulent tax appeals. The decision, however, was not focused on the nature of the BOR or whether its employees are properly exempt from First Amendment protections, but rather the nature of the misconduct by an attorney whose work before the BOR triggered professional obligations and held that the professional obligations attach whether performed in court or before an administrative agency such as the BOR.

Commissioner B, when asked in his OIIG interview if available positions within the BOR are posted on any online platform for public viewing, stated that some positions have been posted at John Marshall Law School and the Chicago Kent College of Law. Commissioner B stated that positions are not otherwise posted electronically. When asked about *Shakman*-exempt positions, Commissioner B stated that it is his understanding that all BOR positions are *Shakman*-exempt and political considerations can be considered in the hiring process. When asked about job descriptions for BOR positions, Commissioner B confirmed that there are no written job descriptions. Commissioner B stated, “we know what we need.” Commissioner B advised that there was a general job description in the postings at the area law schools but he does not remember what was put in the job description. When asked about political activities and events, Commissioner B confirmed that middle managers organize political events that are voluntary for employees after work hours. Commissioner B confirmed that employees are contacted by phone or personal email. Commissioner B stated that his office does not maintain a contact list for political purposes. Commissioner B related that he discourages and avoids having political events during lunch hours.

Commissioner C, when asked in his OIIG interview if available positions within the BOR are posted on any online platform for public viewing, stated that some positions have been posted at law schools in a constant effort to hire attorneys. Commissioner C stated that postings are an administrative function and he cannot say whether positions are posted anywhere else. When asked about *Shakman*-exempt positions, Commissioner C stated that the BOR was advised years ago by the State’s Attorney’s Office that the BOR is not a signatory to the *Shakman* Decree. Commissioner C advised that the positions at the BOR do not fall into a category of exempt or non-exempt because *Shakman* does not apply to the BOR. Nonetheless, Commissioner C stated that he does not consider political affiliation when hiring for the BOR. When asked about job descriptions for BOR positions, Commissioner C confirmed that there are no written job descriptions. Commissioner C stated that, due to limited resources, many BOR staffers are cross-trained on jobs other than the one they were hired to perform. Commissioner C advised that candidates are assessed in the interview process through oral vetting, which cannot always be put into a job description. When asked about political activities and events, Commissioner C stated that any political work is strictly prohibited during work hours and on County property. When asked if he invites BOR staff to his campaign or political events, Commissioner C stated that he has posted fund raising events on Facebook and he believes some staff may follow his Facebook page or learn about it by word of mouth. Commissioner C advised that on rare occasions a few BOR staffers have attended his events and he has made it clear that they are not permitted to donate to his campaign. Commissioner C stated that he does not require any staff to attend political functions. Commissioner C related that he does not recall discussing political activity at work nor does he recall ever notifying BOR employees of volunteer opportunities for his campaign.

OIIG Findings and Conclusions

Throughout the course of this investigation, we noted that in many of the interviews BOR officials and employees asserted the belief that the BOR need not comply with *Shakman* related

standards due to the fact that the BOR has never been the subject of the *Shakman* litigation. We find this position to be misplaced, as the legal standards governing the *Shakman* litigation are products of federal constitutional law and apply to BOR operations notwithstanding that BOR is not a party to this regulatory action or bound by the protocols established in the litigation to ensure the defendants' compliance with federal law. That is, BOR has not been ordered by a District Court to create an employment plan, publish exempt lists, cooperate with a federal monitor, etc., though BOR remains subject to the First Amendment. In this context, the well-established principle that employment related considerations based upon political affiliation or support represent an impermissible infringement on public employees' First Amendment rights (in most circumstances). Accordingly, the preponderance of the evidence developed during this investigation establishes that the BOR maintains a policy, custom and practice exempting the BOR from First Amendment prohibitions applicable to public employment.

As a result, the BOR has failed to adopt employment practices designed to prevent First Amendment violations. In this regard, the preponderance of the evidence developed by the investigation revealed several key aspects of the BOR's employment related activities. The BOR does not have a hiring process that is uniform, codified or transparent. Rather, hiring is accomplished on an *ad hoc* basis by each of the Commissioners. It appears that each Commissioner and his designees recruit and receive potential candidates by way of referrals from staff, networking events and personal and political relationships. Many of the staff interviewed by this office describe their respective hiring process as being initiated by a political or personal affiliation with a Commissioner while a significant number of the HR files reviewed by this office revealed applicants were "referred" by political persons or persons with an affiliation with the BHR staff or leadership. In effect, the employment opportunities in the BOR (none of which appear to be subject to job descriptions with minimum qualifications) are inaccessible to the public. Although there were occasional assertions made during the investigation that BOR posts job opportunities online, the strong weight of the evidence, including the interviews of key leaders in the BOR and an examination of the BOR website, demonstrates otherwise.¹²

The preponderance of the evidence further demonstrates that the BOR fosters a custom where the employer-employee relationship in the BOR is leveraged to generate political work on behalf of Commissioners. While persuasive evidence was developed indicating that volunteer political support by BOR employees was voluntary and initiated outside of the confines of the employer-employee relationship, other clear evidence of improper leveraging for political support existed as well. Specifically, as outlined above, a high-level commissioner aid acknowledged being prompted by a commissioner to invite BOR employees to political events. This witness also

¹² The Board of Review website contains no obvious reference to employment opportunities therein. An archival BOR web page regarding same states the following: "The Board of Review is responsible for its employment process and can be contacted for information about job postings, career opportunities, and application process for positions in their offices. Please visit their site for information about their offices to contact them for further employment information." The link below this language directs the user not to employment opportunities but to a BOR web page concerning how to file property tax appeals.

explained his practice of informing new BOR employees of opportunities for volunteer political work and asking whether the new employees are willing to receive communications about political work through their personal email. Other evidence revealed that after work social events were organized for the purpose of announcing political events and opportunities for volunteer political work and to provide instructions to existing campaign workers. BOR employees are contacted by the Chiefs of Staff or other designees via their personal emails and the political work of the employees is organized and managed by senior BOR staff. Moreover, one witness conveyed her observation that most of the individuals collecting signatures for a Commissioner's candidacy were BOR employees also suggesting the leveraging of public employment for political gain. Again, if the employees being called upon to volunteer held positions exempt under *Branti*, our concerns would be diminished. However, this was not the case.

Although some BOR employees stressed that the political work they performed was strictly voluntary, we have concerns where the BOR leadership regularly and systemically solicits lower level employees to participate in political work on behalf of Commissioners to whom all the BOR employees ultimately report. This indicates an institutional expectation that the employees will perform the work. Indeed, at least one employee indicated to this office that she felt concerned when she was not able to perform political work on behalf of Commissioner A. She felt so concerned that she sought to meet with Commissioner A to explain her decision. The justification she offered to the Commissioner was that she was already committed to performing political work on behalf of a significant political leader in the Illinois legislature.

OIIG Recommendations

Based on all of the foregoing, we recommended that the BOR establish the following:

1. A written employment plan which creates standard and transparent procedures for employment actions within the BOR while proscribing the use of impermissible political factors;
2. A written list that is made public, utilizing the *Branti* standard, designating which BOR positions the BOR believes are properly exempt from First Amendment protections;
3. Procedures within the employment plan for the following:
 - a. Use of public online postings for all non-exempt positions;
 - b. Use of Taleo for the purpose of receiving, processing and tracking all postings, applications and subsequent screening, interviewing, selection and onboarding procedures;
 - c. An audit trail be required documenting any changes to the *Branti* list of exempt positions that is available to the public;

- d. BOR protocols which require all BOR employees, exempt or otherwise, to report to the OIIG if they have reason to suspect the following have occurred:
 - i. Political factors were considered in making any employment decision concerning a non-exempt employee;
 - ii. Political activity is taking place in the workplace or during work hours;
 - iii. Any BOR employee is contacted by a political person concerning any prospective or pending employment action involving any non-exempt employee or non-exempt position (now known as a Political Contact Log);
4. Written job descriptions, including minimum qualifications, for all BOR positions, including positions designated as exempt under *Branti*;
5. Regular public disclosure of BOR activities and efforts related to implementing these recommendations;
6. A prohibition on after work socials as documented above and any direct or indirect solicitation of political support from BOR employees (not otherwise designated as exempt under *Branti*) that was not requested by the subject individual outside of the employer-employee relationship.
7. In consideration of the wide-spread belief that all BOR positions are exempt from First Amendment protections, we recommended an office-wide training to both educate staff to the establishment of new practices and procedures and the rationale supporting their implementation in order to safeguard First Amendment rights of BOR employees.

Although the BOR issued a letter in response to the OIIG summary report (dated August 13, 2020), the BOR letter did not contain a response to most of the OIIG recommendations. Specifically, the BOR letter failed to state whether it was instituting any corrective action with regard to any of the specific OIIG recommendations and instead only stated generally that it had improved its job descriptions and was implementing certain ethics training. The BOR failed to respond to the specific OIIG recommendations regarding establishing an employment plan (Recommendation 1), the creation of a public exempt list (Recommendation 2), employment plan procedures (Recommendation 3), minimum qualifications (Recommendation 4), public disclosure of OIIG recommendations implemented by the BOR (Recommendation 5), prohibiting solicitation of political support from BOR employees (Recommendation 6), and training regarding First Amendment rights of BOR employees (Recommendation 7).

The OIIG sent a subsequent letter to the BOR (dated September 3, 2020) noting the deficiency of the initial BOR response. The BOR issued a supplemental response (dated September 17, 2020) although no further substantive additional information in response to each of

the OIIG recommendations was provided. Accordingly, because the BOR failed to respond to the specific OIIG recommendations as required by Section 2-285(e) of the Cook County Code, our office will notify the Chair of the Litigation Subcommittee and the Cook County Board President for further action consistent with Section 2-285(e) of the Cook County Code.

From the 1st Quarter 2020

IG18-0521. 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 reassessed 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.

The CCAO adopted all of the OIIG recommendations.

Activities Relating to Unlawful Political Discrimination

Political Contact Logs (PCLs)

In April of 2011, Cook 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 July 1, 2020 to September 30, 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 remaining 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 Post-SRO activity, the OIIG has opened three additional UPD inquiries during the last reporting period. The OIIG also continues to assist and work closely with the embedded compliance personnel in the BHR, FPD, CCHHS, Assessor and Recorder 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. The OIIG has been providing compliance related support to the BHR following the departure of the former Compliance Officer in August 2019. The newly appointed Cook County Compliance Officer assumed her duties on June 8th and is fully engaged in the duties of Compliance Officer.

Employment Plan – Do Not Hire Lists

The OIIG continues to collaborate with the various Cook County entities and Compliance Administrators 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. Ten proposed changes to the Cook County Actively Recruited List;
2. Thirteen proposed changes to the CCH Actively Recruited List having primarily to do with CCH's Covid-19 response;
3. Two proposed changes to the CCH Direct Appointment List;
4. The hiring of three CCH Direct Appointments; and
5. One comprehensive modification to Section VII.L. of the CCH Employment Plan to accommodate the streamlined recruitment, hire and onboarding of several hundred positions relating to CCH's Covid-19 contact tracing efforts.

Honorable Toni Preckwinkle
and Honorable Members of the Cook County
Board of Commissioners
October 15, 2020
Page | 23

Monitoring

The OIIG currently tracks disciplinary activities in the Forest Preserves and Offices under the President. In this last quarter, the OIIG tracked (and selectively monitored) 31 disciplinary proceedings including EAB hearings. 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 CCH hiring activity pursuant to the CCH Employment Plan.

Conclusion

Thank you for your time and consideration 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: Attached Electronic Mail Distribution List

Office of the Independent Inspector General Quarterly Report
Electronic Mail Distribution List

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, Cook County Clerk
Ms. Lanetta Haynes Turner, Chief of Staff
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