



Board of Commissioners of Cook County

118 North Clark Street
Chicago, IL

Legislation Details (With Text)

File #:	19-0602	Version:	1	Name:	AN AMENDMENT TO THE COOK COUNTY INSPECTOR GENERAL ORDINANCE - Confidential Reports
Type:	Ordinance Amendment	Status:			Approved
File created:	12/5/2018	In control:			Legislation and Intergovernmental Relations Committee
On agenda:	12/12/2018	Final action:			1/24/2019
Title:	PROPOSED ORDINANCE AMENDMENT				

AN AMENDMENT TO THE COOK COUNTY INSPECTOR GENERAL ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 - Administration, Article IV - Officers and Employees, Division 5 - Inspector General, Sections 2-288 and 2-291. are amended as Follows:

Sec. 2-288. - Confidential Summary reports.

Upon conclusion of any investigation, the Independent Inspector General shall submit a confidential summary report to the President, the appropriate head of any department or bureau to whose office the investigation pertains, the Chief of the Bureau of Human Resources and to the Purchasing Agent in the case of a sustained finding regarding a contractor, subcontractor, applicant for a contract, or person seeking certification of eligibility for a contract, and to the Board of Ethics in the case of a sustained finding regarding any violation of the Cook County Ethics Ordinance (Sections 2-560 through 2-603). If the Independent Inspector General has conducted any investigations regarding the office, or an employee, contractor or subcontractor of a separately elected official, the Independent Inspector General also shall submit the confidential summary report to the elected official.

Confidential summary reports shall be labeled as such and shall contain the information set forth below in accordance with this section. Confidential summary reports received by any government official or employee shall only be used for official government purposes and may only be disclosed for official government purposes. The penalty for improper use or disclosure of confidential summary reports, including, but not limited to, a disclosure for political purposes, shall be governed by Section 2-291.

(a) The report shall include the following:

(1) A description of any complaints or other information received by the Independent Inspector General pertinent to the investigation.

(2) A description of any illegal conduct, corruption, fraud, waste, mismanagement, unlawful political discrimination, misconduct, or inefficiencies observed or discovered in the course of the investigation.

(3) Recommendations for correction of any illegal conduct, corruption, fraud, waste, mismanagement, unlawful political discrimination, misconduct, or inefficiencies described in the report and a timeline for corrective action.

(4) Such other information as the Independent Inspector General may deem relevant to the investigation or resulting recommendations.

(b) The report shall not mention the name of any informant, complainant, witness, or person

investigated, except in the following instances:

(1) Where the copy of the report given to the head of any department or agency recommends disciplinary action against an employee of that agency.

(2) Where the copy of the report given to the purchasing agent makes recommendations concerning any contractor, subcontractor, applicant for a contract, or person seeking certification of eligibility for a contract.

(3) Where the copy of the report given to the head of a department or agency makes recommendation concerning a person seeking certification of eligibility of a program administered by the department or agency.

(4) Where the copy given to the President and the Chief of the Bureau of Human Resources recommends disciplinary action against the head or any employee of any executive department or agency.

(c) If any investigation is not concluded within 180 days after its initiation, the Independent Inspector General shall notify the President and the Litigation Subcommittee of the general nature of the complaint or information giving rise to the investigation and the reasons for failure to complete the investigation within 180 days.

Sec. 2-291. - Violations and penalties.

(a) It shall be a violation of this division for any person to:

(1) Retaliate against, punish, harass, threaten or penalize any other person for communicating, cooperating or assisting the Independent Inspector General in the performance of duties.

(2) Interfere, obstruct, or attempt to interfere or obstruct an investigation conducted by the Independent Inspector General.

(b) In addition to all other available remedies, civil and criminal, the following penalties shall apply to violations of this division:

(1) Any County employee who is found to have willfully violated this division as provided in Section 2-285 or Subsection (a) of this Section shall be subject to disciplinary action, up to and including discharge. Disciplinary action shall be instituted in accordance with procedures applicable to the employee, including but not limited to those established by the Merit Board, Civil Service Commission, Human Resources Board, collective bargaining agreements, employee manuals, handbooks or at-will practice of the employer.

(2) Any agent, independent contractor or appointed official found to have willfully violated this division as provided in Section 2-285 or Subsection (a) of this Section shall be subject to removal.

(3) Any contractor, subcontractor, grantee, lessee or licensee under a County contract, grant, lease or license, found to have willfully violated this division as provided in Section 2-285 or Subsection (a) of this Section shall be subject to termination of existing contracts, grants, leases or licenses, and/or ineligibility for consideration for future County contracts, grants, leases or licenses for a period not to exceed two years.

(4) Any person or business entity seeking County contracts or certification of eligibility for County contracts or participation in any County program found to have willfully violated this division shall be subject to ineligibility for consideration for future County contracts, grants, leases, licenses, or programs for a period not to exceed two years.

(5) Any person found to have willfully violated Section 2-285 shall also be subject to a fine of not less than \$300.00 and not more than \$500.00 for each violation.

(6) Any person who makes a false statement, material to the issue or point in question, which he does not believe to be true, in any complaint or other document relating to the Independent Inspector General's investigations of elected officials, and which is certified by such person in accordance with Subsection 2-284(1) shall be guilty of knowingly furnishing false statements or misleading information. Any person found to have violated, intentionally obstructed or interfered with an investigation of, or intentionally made a false, misleading or bad faith allegation or claim in accordance with Subsection 2-284(1) shall be subject to the above-listed penalties and may be further subject to a penalty of up to six months imprisonment and fines up to \$5,000.00 per violation. Actions seeking the imposition of a fine shall be filed as quasi-criminal actions subject to the provisions of the Illinois Code of Civil Procedure, as amended.

(7) Any person found to have to have improperly used or disclosed a confidential summary report as provided in Section 2-288 shall be subject to a penalty of up to six months imprisonment and fines up to \$5,000.00 per violation. Actions seeking the imposition of a fine shall be filed as quasi-criminal actions subject to the provisions of the Illinois Code of Civil Procedure, as amended.

Effective date: This ordinance shall be in effect immediately upon adoption.

Sponsors: LARRY SUFFREDIN, ALMA E. ANAYA, LUIS ARROYO JR, SCOTT R. BRITTON, JOHN P. DALEY, DENNIS DEER, BRIDGET DEGNEN, BRIDGET GAINER, BRANDON JOHNSON, BILL LOWRY, DONNA MILLER, STANLEY MOORE, KEVIN B. MORRISON, SEAN M. MORRISON, PETER N. SILVESTRI, DEBORAH SIMS, JEFFREY R. TOBOLSKI

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
1/24/2019	1	Board of Commissioners	approve as amended in the errata	Pass
1/23/2019	1	Legislation and Intergovernmental Relations Committee	recommend for approval	Pass
12/12/2018	1	Board of Commissioners	refer	Pass

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