



Board of Commissioners of Cook County

118 North Clark Street
Chicago, IL

Legislation Text

File #: 19-3024, **Version:** 1

PROPOSED ORDINANCE AMENDMENT

SERVICES PROVIDED PURSUANT TO INTERGOVERNMENTAL AGREEMENT AND MEMORANDUM OF UNDERSTANDING

BE IT ORDAINED, by the Cook County Board of Commissioners, that CHAPTER 2 - ADMINISTRATION, ARTICLE IV. - OFFICERS AND EMPLOYEES, DIVISION 5. - INSPECTOR GENERAL, Sec. 2-284 of the Cook County Code is hereby amended as Follows:

Sec. 2-284. - Functions, authority and powers.

In addition to other powers conferred herein, the OIIG shall have the following functions, authority and powers:

(1) To receive and register complaints and information concerning corruption, fraud, waste, mismanagement, unlawful political discrimination and misconduct in the operations of County Government; including, but not limited to any County contract, grant, lease, license, or application or certification of eligibility for the same; all County employees, departments, bureaus, boards, agencies, agents, or independent contractors; appointed officials, and elected officials in the performance of their official duties; contractors and subcontractors providing goods and services pursuant to a County contract; and all persons and business entities seeking County contracts or certification of eligibility for County contracts.

(a) Complaints and other documents, relating to the Independent Inspector General's investigations of elected officials, shall be verified by certification. The several matters stated in the complaints and other documents shall be stated positively or upon information and belief only, according to the fact. Nothing in this Section shall restrict the Independent Inspector General from exercising his/her independent judgment, based upon an articulable suspicion, to initiate an investigation of an elected official, notwithstanding the existence of any unverified information, or documents, statements and claims submitted anonymously.

(b) The person having knowledge of the matters stated in the complaint or other document certified in accordance with this Section shall subscribe to a certification in substantially the following form: Under penalties as provided by law pursuant to Section 2-291 of the Office of Independent Inspector General Ordinance, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

(c) Any complaint and other document, relating to the Independent Inspector General's investigations, certified in accordance with this Section may be used in the same manner and with the same force and effect as though subscribed and sworn to under oath. (d) Any person who intentionally makes a false statement, material to the issue or point in question, 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 this Section shall be guilty of knowingly furnishing false statements or misleading information and shall be subject to violations and penalties in Section 2-291.

(2) To investigate corruption, fraud, waste, mismanagement, unlawful political discrimination and misconduct in operations of County Government under the Offices of the President as well as the separately elected County officials, either in response to such complaints or on the Independent Inspector General's own initiative, or in the proper case, to refer complaints and information to an outside law enforcement agency.

(3) To promulgate rules and regulations for the conduct of investigations consistent with the requirements of equal protection, due process and this division.

(4) To request information from and to conduct interviews under oath with County employees, officials, agents, contractors, subcontractors, licensees, grantees or persons or businesses seeking County contracts, grants, licenses, or certification of eligibility for County contracts, for the purpose of investigation of corruption, fraud, waste, mismanagement, unlawful political discrimination, or misconduct. This includes the power to review past, present, and proposed County programs, accounts, records, contracts and transactions.

(5) To prepare confidential reports and make recommendations for corrective action as outlined in Section 2-285.

(6) To notify the State's Attorney or other appropriate law enforcement authority if the Independent Inspector General determines or suspects that possible criminal conduct has occurred, and to promptly tender to such authorities any evidence or information which has been obtained by the Independent Inspector General. In the event an investigation by the OIIG threatens to interfere with an investigation by a different county, city, state, or federal law enforcement agency, the OIIG will cooperate in all respects with such law enforcement agency. The OIIG shall acquiesce in its investigation only upon written request of another law enforcement agency.

(7) To notify the Cook County Board of Ethics if the Independent Inspector General determines that a violation of the Cook County Ethics Ordinance has occurred by submitting to the Board of Ethics a copy of the investigation report described in Section 2-288.

(8) To serve as liaison between County Government and law enforcement authorities regarding any matters which have been referred to such authorities by the Independent Inspector General.

(9) To provide quarterly reports to the President and Members of the County Board as outlined in Section 2-287.

(10) To create and maintain a toll-free "Office of the Independent Inspector General Hotline" for the purpose of receiving reports of corruption, fraud, waste, mismanagement, unlawful political discrimination and misconduct. The identity of any individual placing a call to the Office of the Inspector General Hotline shall be kept confidential during and after the investigation of any complaint made by the caller, unless the caller consents to disclosure of his or her name or disclosure of the caller's identity is otherwise required by law. Alternatively, reports may be made anonymously.

(11) Notwithstanding any other provision of this Section, the Independent Inspector General shall cooperate with the Shakman Compliance Administrator and fulfill the obligations required in the Supplemental Relief Order entered into by Cook County in Shakman et al. vs. The Democratic Organization of Cook County, et al. No. 69 C 2145 (United States District Court for the Northern District of Illinois), including providing copies of complaints, investigating unlawful political discrimination expeditiously, reporting the results to the Shakman Compliance Administrator, and providing the Shakman Compliance Administrator with quarterly reports.

(12) The Independent Inspector General shall have, subject to budgetary allocation by the County Board, the sole power to appoint, employ, and remove such assistants, employees and personnel and establish personnel procedures as deemed necessary for the efficient and effective administration of the OIIG.

(13) To provide a proposed budget request within 90 days of his/her initial appointment and annually thereafter pursuant to the County's fiscal year budget rules and regulations.

(14) To provide services pursuant to any intergovernmental agreement approved by the Board of Commissioners to which the OIIG is a party.

(15) To provide services pursuant to a memorandum of understanding to any agency funded by the County Board to which the OIIG is a party and the OIIG determines that a memorandum of understanding is applicable or preferred.

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