



2003-3
EXECUTIVE ORDER CREATING THE OFFICE OF
INSPECTOR GENERAL AND AN ETHICS HOTLINE

WHEREAS, it is critically important that State officers, employees and appointees discharge their duties and responsibilities in a lawful and ethical manner; and

WHEREAS, there is no office in the Executive Branch charged with the comprehensive responsibility of receiving and investigating complaints of violations of any law, rule or regulation or abuse of authority or other forms of misconduct by officers, employees and appointees of each department, office, board or commission (hereinafter called "agency") directly responsible to the Governor; and

WHEREAS, there is a compelling State interest in remedying the current absence of an appropriate means to receive and investigate complaints regarding alleged violations of any law, rule, or regulation, or other forms of misconduct by the State officers, employees and appointees under my jurisdiction; and

WHEREAS, the State has a compelling interest in encouraging all citizens of the State of Illinois to report acts of public corruption and misconduct;

THEREFORE, I hereby order the following:

1. Creation Of Office Of Inspector General

There is hereby created the Office of Inspector General, which shall be headed by an Inspector General to be appointed by the Governor. The Inspector General shall have the power and duty to receive and investigate complaints regarding alleged violations of law, rule or regulation, or other forms of misconduct as described below. In consultation with the Director of the Department of Central Management Services, the Inspector General shall determine the appropriate level of staffing to carry out the duties and responsibilities of the Office of Inspector General as described herein. The Department of Central Management Services is hereby directed to allocate from its budget the necessary funds to operate the Office of Inspector General, unless and until such time as the Office shall be funded by a separate appropriation in the State Budget.

2. Powers And Duties

The Inspector General shall have the following powers and duties:

- (a) To receive and investigate complaints concerning incidents of possible misconduct, misfeasance, malfeasance or violations of laws, rules, or regulations by any officer, employee or appointee in any agency directly responsible to the Governor.
- (b) To investigate the performance of governmental officers, employees, appointees, functions and programs under my jurisdiction in order to detect and prevent misconduct within the programs and operations of any agency directly responsible to the Governor. Such investigation may be conducted either in response to a complaint or on the Inspector General's own initiative.
- (c) To promote integrity in the administration of the programs and operations of agencies under my jurisdiction by reviewing agency programs,

identifying any potential for misconduct therein, and recommending to the Governor policies and methods for the prevention of misconduct.

- (d) To report to the Governor concerning results of investigations undertaken by the Office of Inspector General.

3. Creation of an Ethics Hotline

As soon as practicable after appointment of the Inspector General, the Inspector General is directed to create and maintain a toll-free "Ethics Hotline" for the purpose of receiving citizen and employee reports of public corruption and misconduct. The identity of any individual placing a call to the Ethics 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.

4. Investigation Reports

Upon conclusion of an investigation the Inspector General shall issue a summary report thereon. The report shall be delivered to the Governor, and may be filed with the head of each agency affected by or involved in the investigation, if appropriate. The report shall include the following:

- (a) A description of any complaints or other information received by the Inspector General pertinent to the investigation.
- (b) A description of any misconduct discovered in the course of the investigation.
- (c) Recommendations for correction of any misconduct described in the report, including any recommendations for disciplinary action with respect to any officer, employee or appointee, including but not limited to discharge.
- (d) Such other information as the Inspector General may deem relevant to the investigation or resulting recommendations.

The summary report shall not mention the name of any informant, complainant or witness unless required by law or with the consent of such informant, complainant or witness. The summary report shall not mention the name of any officer, employee or appointee being investigated, except in circumstances where the report recommends disciplinary action against such officer, employee or appointee or as otherwise required by law.

5. Investigations Not Concluded Within Six Months

If any investigation is not concluded within six months after its initiation, the Inspector General shall notify the Governor of the general nature of the complaint or information giving rise to the investigation and the reasons for failure to complete the investigation within six months.

6. Cooperation In Investigations

It shall be the duty of every officer, employee and appointee in every agency directly responsible to the Governor (including any existing inspector general serving in a particular agency) to cooperate with the Inspector General in any investigation undertaken pursuant to this Executive Order. The statutory duties and responsibilities of any existing inspector general serving in any particular agency shall be unaffected by the terms of this Executive Order.

7. Retaliation Prohibited

No officer, employee or appointee in any agency under my jurisdiction shall retaliate against, punish, or penalize any person for complaining to, cooperating with, or assisting the Inspector General in the performance of his or her office. Any officer, employee or appointee who violates the provisions of this section shall be subject to disciplinary action, including but not limited to discharge.

8. Reports and Referrals Of Investigations

Upon making a preliminary determination that alleged misconduct may involve possible criminal conduct, the Inspector General, in consultation with my General Counsel, shall refer complaints regarding such misconduct to the appropriate law enforcement authority.

9. Distribution Of Executive Order

Each director or agency head shall cause a copy of this Executive Order to be distributed to each officer, employee and appointee in the agency.

10. Effective Date

This Executive Order shall be in full force and effect upon its filing with the Secretary of State.

Rod Blagojevich, Governor

Issued by Governor: January 23, 2003

Filed with Secretary of State: January 23, 2003