

IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

In re: CHARLES PARTON,) OEIG Case #12-01551

OEIG FINAL REPORT (REDACTED)

Below is a final summary report from an Executive Inspector General. The General Assembly has directed the Executive Ethics Commission (Commission) to redact information from this report that may reveal the identity of witnesses, complainants or informants and “any other information it believes should not be made public.” 5 ILCS 430/20-52(b).

The Commission exercises this responsibility with great caution and with the goal of balancing the sometimes-competing interests of increasing transparency and operating with fairness to the accused. In order to balance these interests, the Commission may redact certain information contained in this report. The redactions are made with the understanding that the subject or subjects of the investigation have had no opportunity to rebut the report’s factual allegations or legal conclusions before the Commission.

The Commission received a final report from the Governor’s Office of Executive Inspector General (“OEIG”) and a response from the agency in this matter. The Commission, pursuant to 5 ILCS 430/20-52, redacted the final report and mailed copies of the redacted version and responses to the Attorney General, the Governor’s Executive Inspector General and to Charles Parton at his last known addresses.

The Commission reviewed all suggestions received and makes this document available pursuant to 5 ILCS 430/20-52.

FINAL REPORT

I. Allegation

On August 2, 2012, the Office of Executive Inspector General (“OEIG”) received a complaint alleging that Illinois Department of Juvenile Justice (“DJJ”) employee Charles Parton falsified Illinois Youth Center-Harrisburg (“Harrisburg”) drug test records.

The investigation revealed that Mr. Parton signed DJJ documents reflecting that he conducted eleven drug tests when, in fact, he had not. The OEIG recommends that DJJ terminate Mr. Parton.

II. Background: DJJ Drug Testing and Charles Parton

In accordance with Illinois's adoption of the Unified Code of Corrections, DJJ is responsible for administering drug tests to youths housed at DJJ facilities and evaluating the results of those tests for "making appropriate treatment available" to those youths and determining the level of supervision during the tested youth's parole.¹ The Chief Administrative Officer of each DJJ facility is responsible for coordinating drug testing and any necessary subsequent treatment.²

Charles Parton is a DJJ Shift Supervisor at Harrisburg. His duties and responsibilities include administering youth drug tests and monitoring the youths that require drug testing. The DJJ employee(s) who administer drug tests, including Mr. Parton, are responsible for, among other things, ensuring that "[t]esting occurs in accordance with the directions of the Chief Administrative Officer...."³

III. Investigation

A. Review of DJJ Drug Test and Timekeeping Records

In an effort to determine whether allegations relating to Mr. Parton falsifying DJJ drug test records were true, OEIG investigators obtained and reviewed Harrisburg drug test records that Mr. Parton signed. Investigators also obtained copies of Mr. Parton's DJJ timekeeping records for comparison with the drug test records.

A comparison of the two sets of records revealed that Mr. Parton reported that he had administered eleven drug tests on five dates and times at which he was not at work, according to his timekeeping records. The five test dates and number of tests administered on those dates were as follows:

- November 3, 2011 (one test)
- July 1, 2012 (one test)
- August 24, 2012 (six tests)
- June 28, 2012 (one test)
- July 5, 2012 (two tests)

B. Interview of Subject Charles Parton

On November 20, 2012, OEIG investigators interviewed Charles Parton. During the interview, Mr. Parton explained that, in part, he is responsible for removing a discharged youth's name from the housing unit rosters and ensuring that all the proper discharge paperwork relating to drug test administration was completed. As part of his review, Mr. Parton verifies that the discharged youth was subject to drug testing before leaving Harrisburg.

Mr. Parton stated that he had completed false paperwork reflecting that he had administered a drug test when, in fact, he had not. Mr. Parton said, however, that he could not recall the specific dates on which he falsified the DJJ drug test records, but added that he did not

¹ See 730 ILCS 5/3-2-2(b); 730 ILCS 5/3-2.5-50(b); DJJ Administrative Directive 04.02.105(II)(A).

² DJJ Administrative Directive 04.02.105(II)(F)(1).

³ DJJ Administrative Directive 04.02.105(II)(F)(4)(b).

administer any of the drug tests that DJJ's records indicate occurred on a date and time which he was not at work, i.e., outside his work shift hours. Mr. Parton added that he provided false information when completing these documents because he wanted to keep Harrisburg "in compliance" with relevant DJJ rules relating to drug testing. Mr. Parton said he had never been directed to falsify DJJ drug test records and that he knew that falsifying those records was inappropriate.

IV. Analysis

The Illinois Administrative Code and DJJ Administrative Directives govern the conduct of DJJ employees that work at the various DJJ Youth Centers, including Harrisburg. These rules include prohibitions on "knowingly providing false information"⁴ and engaging "in conduct that may reflect unfavorably on or impair the operations of the Department."⁵

A. **Charles Parton Knowingly Provided DJJ with False Information Relating to DJJ Drug Tests**

Charles Parton provided DJJ with false information relating to eleven drug tests. Mr. Parton admitted that, on numerous occasions, the completed DJJ paperwork indicated that he administered drug tests when, in fact, he had not. Mr. Parton also admitted that he did not administer any of the drug tests that DJJ's records indicate occurred on a date and time which he was not at work. According to DJJ records, Mr. Parton signed documents indicating that he administered eleven drug tests on five dates and times on which he was not at work. DJJ timekeeping records revealed that Mr. Parton was not at work at the times at which drug tests were purportedly administered on the following dates: November 3, 2011, June 28, 2012, July 1, 2012, July 5, 2012, and August 24, 2012. By Mr. Parton's own admission, he did not perform any drug tests on those dates. Thus, drug test results that contain his signature for each of the the eleven drug tests at the times indicated are false.

The allegation that Charles Parton knowingly provided DJJ with false information relating to a drug test on November 3, 2011 is **FOUNDED**.

The allegation that Charles Parton knowingly provided DJJ with false information relating to a drug test on June 28, 2012 is **FOUNDED**.

The allegation that Charles Parton knowingly provided DJJ with false information relating to a drug test on July 1, 2012 is **FOUNDED**.

The allegation that Charles Parton knowingly provided DJJ with false information relating to two drug tests on July 5, 2012 is **FOUNDED**.

The allegation that Charles Parton knowingly provided DJJ with false information relating to six drug tests on August 24, 2012 is **FOUNDED**.

⁴ 20 Ill. Admin. Code 120.95; DJJ Administrative Directive 03.02.108(II)(G)(8).

⁵ DJJ Administrative Directive 03.02.108(I)(B).

B. Charles Parton Engaged in Conduct Unbecoming of a DJJ Employee

Charles Parton's knowingly providing DJJ with false information relating to eleven drug tests constitutes conduct unbecoming of a DJJ employee. DJJ is responsible for administering drug tests to youths and Mr. Parton was one of the Harrisburg employees assigned to this Departmental responsibility. Mr. Parton's falsifying of records in lieu of administering the drug tests impaired the operations of the Department because, in absence of those tests, DJJ could not properly monitor the level of drug use, identify youths that should participate in substance abuse programs, and identify the level of post-release supervision for discharged youths. Furthermore, Mr. Parton's decision to falsify documents relating to those drug tests necessarily reflects unfavorably on the Department.

Therefore, the allegation that Charles Parton engaged in conduct unbecoming of a DJJ employee on eleven separate occasions in which he reported having performed a drug test is **FOUNDED**.

V. Recommendation

Following due investigation, the OEIG issues these findings:

- **FOUNDED** – Charles Parton knowingly provided DJJ with false information relating to one drug test purportedly administered on November 3, 2011.
- **FOUNDED** – Charles Parton knowingly provided DJJ with false information relating to one drug test purportedly administered on June 28, 2012.
- **FOUNDED** – Charles Parton knowingly provided DJJ with false information relating to one drug test purportedly administered on July 1, 2012.
- **FOUNDED** – Charles Parton knowingly provided DJJ with false information relating to two drug tests purportedly administered on July 5, 2012.
- **FOUNDED** – Charles Parton knowingly provided DJJ with false information relating to six drug tests purportedly administered on August 24, 2012.
- **FOUNDED** – Charles Parton engaged in conduct unbecoming of a DJJ employee.

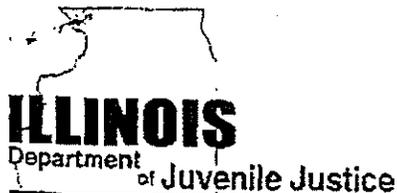
The OEIG recommends that DJJ terminate Charles Parton. No further investigation is required and this matter is considered closed.

Date: **December 20, 2012**

Office of Executive Inspector General
for the Agencies of the Illinois Governor
607 East Adams, 14th Floor
Springfield, IL 62701

James Jennings
Assistant Inspector General

Tiffany Pryor-Wallace
Investigator #157



Pat Quinn
Governor

Arthur D. Bishop
Director

James R. Thompson Center, 100 West Randolph Street, Suite 4-200, Chicago, IL 60601
Telephone: (312) 814-3017 / TDD: (800) 526-0844

MEMORANDUM

DATE: January 3, 2013

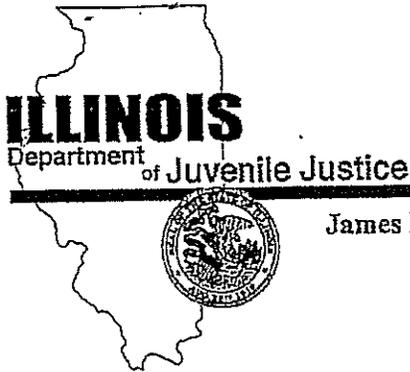
TO: Neil P. Olson, Deputy Inspector General & Chief of Springfield Division
Office of the Executive Inspector General

FROM: Todd Creviston, Labor Relations Administrator
Illinois Department of Juvenile Justice

SUBJECT: OEIG Case No. 12-01551

The Department of Juvenile Justice has received OEIG Case No. 12-01551 and is in the process of setting up the employee review hearing. The Department of Juvenile Justice is making a request for an additional 30 days (February 13, 2013) for this response.

Thank you for your consideration of this extension and please advise if it has been granted. If you have any questions or concerns, please contact me at (815) 207-0443.



Pat Quinn
Governor

Arthur D. Bishop
Director

James R. Thompson Center, 100 West Randolph Street, Suite 4-200, Chicago, IL 60601
Telephone: (312) 814-3017 / TDD: (800) 526-0844

March 6, 2013

Neil P. Olson
Deputy Inspector General & Chief of Springfield Division
Office of Executive Inspector General
607 East Adams, 14th Floor
Springfield, IL 62701-1634

Re: OEIG Complaint #12-01551

Dear Mr. Olson:

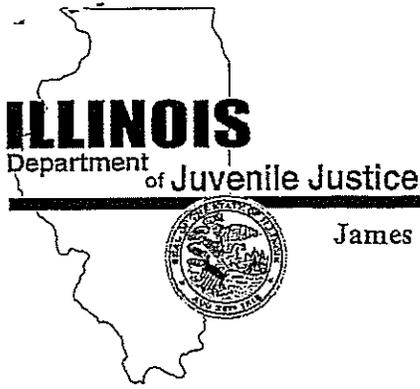
This is a follow-up letter to OEIG Complaint #12-01551. The Department of Juvenile Justice, at the request of the OEIG, conducted an Employee Review Hearing for Mr. Parton. The hearing officer found Mr. Parton guilty and recommended a 25 day suspension.

If your office would like a copy of the Employee Review Hearing, please contact Todd Creviston, Labor Relations Administrator, for Department of Juvenile Justice at (815) 207-0443.

Sincerely,

Arthur D. Bishop
Director
Illinois Department of Juvenile Justice

cc: Beth Compton, DJJ Chief Legal Counsel



Pat Quinn
Governor

Arthur D. Bishop
Director

James R. Thompson Center, 100 West Randolph Street, Suite 4-200, Chicago, IL 60601
Telephone: (312) 814-3017 / TDD: (800) 526-0844

April 19, 2013

Neil P. Olson
Deputy Inspector General & Chief of Springfield Division
Office of Executive Inspector General
607 East Adams, 14th Floor
Springfield, IL 62701-1634

Re: **OEIG Complaint #12-01551**

Dear Mr. Olson:

Per your request, the following is an update of OEIG Complaint #12-01551. An employee review hearing was held and Mr. Parton was issued a 25 day suspension. The final resolution of this matter was Mr. Parton's 25 day suspension being reduced to a 15 day suspension at the facility by the Superintendent and Local Union prior to a grievance being filed.

If you have any questions or concerns, please contact Todd Creviston, Labor Relations Administrator, for Department of Juvenile Justice at (815)

Sincerely,

✓ Arthur D. Bishop
Director
Illinois Department of Juvenile Justice

cc: Beth Compton, DJJ Chief Legal Counsel

Fornoff, Chad

From: Charles Parton <charles.parton@ny.gov>
Sent: Wednesday, June 12, 2013 3:36 PM
To: Fornoff, Chad
Subject: OIEG Report No. 12-01551 Charles Parton

Mr. Chad Fornoff
Executive Director
Executive Ethics Commission

Per our telephone conversation I am requesting that the Executive Ethics Commission do include my suggestions and additional information I provided in rebuttal to the OEIG report that was submitted to the Ethics Commission to be released in public report.
Please feel free to call me with any questions @

Thank you,
Charles F. Parton

RECEIVED

MAY 7 2013

EXECUTIVE ETHICS COMMISSION

IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

IN RE: Charles Parton)

12-01551

RESPONDENT'S SUGGESTIONS FOR REDACTION / PUBLIC RESPONSE

Please check the appropriate line and sign and date below. If no line is checked the Commission will not make your response public if the redacted report is made public.

_____ Below is my public response. Please make this response public if the summary report is also made public; or

Below are my suggestions for redaction. I do not wish for these suggestions to be made public.

Respondent's Signature

4/30/13
Date

Instructions: Please write or type suggestions for redaction or a public response on the lines below. If you prefer, you may attach separate documents to this form. Return this form and any attachments to:

Illinois Executive Ethics Commission
401 S. Spring Street, Room 513 Wm. Stratton Building
Springfield, IL 62706

READ THE ERH HEARING OFFICER'S CONCLUSION
G. E. I. G. FINAL Report II Background DJT Drug Testing
Stated Reason for Drug testing proven inaccurate By Dept
Administrative Director or inmate drug testing.
I have attached a copy of ERH Hearing Officer
Jeffrey Hooker Conclusion which Dismisses 10 of 11
Charges and more accurately explains my Admitted
Misconduct. Also noted Letter From Director Bishop
States I was give 15 day suspension. This is ALSO inaccurate
as I agreed to and served 14 day suspension

Over →

I would also like to state as a trained investigator for the Department of Corrections and having reviewed the investigation conducted by the OEIG that these investigators are obviously inexperienced. They based their conclusion on one interview with myself and Reseatching Documents without any further interviews being made for verifying their findings from these documents. I was able to provide proof prior to the ERH to dismiss 10 of the 11 charges made by the OEIG and had they conducted further interviews they would have made these discoveries and ~~for~~ the matter an inaccurate unfounded charges would not been made against me.

The OEIG should make every effort to find the facts prior to recommending the discharge of a 28 year Employee with an impeccable record.

Ⓢ

NOTE: I AM REQUESTING COPY OF REPORT THAT IS MADE PUBLIC BE MAILED TO ME



MEMORANDUM

DATE: February 15, 2013

TO: William Peyton, Superintendent
IYC Harrisburg

FROM: Jeffrey J. Hooker
Employee Review Hearing Officer

SUBJECT: ERH Supervisor Charlie Parton

The hearing began on Wednesday, January 16-2013 @ 2:00pm and concluded on the same date @ 3:30pm.

Present: Jeffrey J. Hooker, ERH Hearing Officer
Robert Price, Chief of Security/MGT Rep
Rocky James, CU 500 Union Representatives
Charlie Parton. Employee

Charge: Standards of Conduct ID 03.02.1080

Summary of Proceedings: An employee review hearing was conducted on the above date and times for JJ Specialist Supervisor Charlie Parton. Both Management and Union agreed to waive the reading of the charges.

Management: Robbie Price states that management believes the charges are substantiated based on the investigation results.

Summary from the Union: The union read a prepared statement which is attached to the end of this report. The union requests that all charges be dropped immediately.

Hearing Officer's Conclusion: The Office of the Executive Inspector General concluded that Supervisor Charlie Parton was guilty of conduct charges due to falsifying drug test results on eleven youth at IYC Harrisburg. It is apparent, at the time of the incident in question, that the practice at IYC Harrisburg was for drug tests to be completed upon exit from the drug program. The Drug Testing Coordinator would sign the forms on many occasions the next day after another staff completed the drug test. In many cases the coordinator (Mr. Parton) would conduct the tests and sign the forms and many other times another staff would conduct the tests and the coordinator would still sign the forms. Out of the eleven youth referenced in the OEIG investigation it was determined that ten of these youth were actually tested by another staff member and Mr. Parton simply signed the form. On one occasion a youth was transferred from the Harrisburg Drug Program to IYC Murphysboro and the test was not completed, but Mr. Parton signed the form that it was actually conducted. Mr. Parton did not lie when interviewed because he was following past practice and one youth slipped through the system and was not tested.

Even though common practice does not justify falsification of state forms, there is no proof this was a malicious act by Supervisor Parton nor did Mr. Parton gain financially from this action. Mr. Parton was attempting to ensure the drug program was not jeopardized by an audit finding for not conducting the drug test upon a youth's exit from the program. The practice and procedure was flawed and has been modified by the facility Superintendent as of this date to ensure this does not happen in the future. Even though there was no intent to fraud the state of Illinois, Supervisor Parton did falsify one drug testing result form.

Recommendation- This Hearing Officer recommends Supervisor Parton be suspended 25 days due to the severity of the charges.

<
~~Jeffrey J. Hooker~~, Employee Review Hearing Officer

2/25/13
Date

I concur with the Employee Review Board Hearing Officer's recommendation. Proceed with disposition.

I do not concur with the Employee Review Board Hearing Officer's recommendation and am imposing the following disciplinary action:

~~William Peyton~~, Superintendent

2/25/13
Date

Cc: Charlie Parton, JJ Specialist Supervisor
AFSCME Union Local #779/Rocky James
Personnel
ERH File