

IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

In re: JAMES LONG) OEIG Case #13-01578

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 James Long at his last known address.

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

FINAL REPORT

I. INTRODUCTION

On August 1, 2013, the OEIG received an anonymous complaint alleging that Illinois Department of Human Services (DHS) Office of the Inspector General (OIG) Bureau Chief James Long was abusing State time and travel regulations. Specifically, the complaint alleged that Mr. Long falsely claimed he was traveling from Anna, his work headquarters, to Springfield to deliver supplies, when in fact he was traveling during work time to his family home in Springfield. The complaint also alleged that Mr. Long may have claimed mileage for these trips to Springfield.

II. BACKGROUND

From approximately 2005 until 2010, James Long worked as an Investigative Team Leader for DHS OIG at the McFarland Mental Health Center (McFarland) in Springfield. In 2010, Mr. Long became the Bureau Chief of Investigations in the Southern Region (Southern

Bureau Chief) until his retirement in May 2014. As the Southern Bureau Chief, Mr. Long was headquartered at the Choate Mental Health and Development Center (Choate) in Anna. During this time, Mr. Long maintained his family residence in Springfield and, around 2011, obtained a second residence in Anna.

As the Southern Bureau Chief, Mr. Long was responsible for managing the Southern Bureau, supervising and directing all investigations and staff, and making sensitive policy and procedure recommendations to the Inspector General. Mr. Long supervisees were located in offices in Anna, Chester, and Highland (the Highland office was moved from Greenville in late 2013). Although the Southern Region covers 32 counties in southern Illinois, it does not include the Springfield area.

Mr. Long's supervisor was [REDACTED], who worked in the Chicago office.¹ According to the CMS records, in April 2012, Mr. Long was paid \$7883 per month, he subsequently received two pay increases, and in March 2014, his salary was \$8402 per month.

III. INVESTIGATION

A. Mr. Long's State Time And Travel Records

The OEIG obtained and analyzed Mr. Long's time and travel records from August 2012 through March 2014,² including, but not limited to, itineraries, daily staff attendance sheets, monthly attendance reports, leave slips, travel vouchers, and emails to his supervisor. The records show that Mr. Long completed weekly itineraries that he emailed to [supervisor]. These itineraries listed Mr. Long's starting and ending work times, lunch hour, and general locations where he would be working (such as, Anna AM – Springfield PM) for each day. On most occasions, Mr. Long also emailed [supervisor] on the days he travelled to Springfield and indicated the time he departed Anna and the time he arrived in Springfield.

Mr. Long's itineraries and/or emails to [supervisor] from August 2012 through March 2014, reflected that Mr. Long travelled to Springfield during his State working hours on either a Thursday or Friday on 33 occasions (typically, every other Friday). On 28 of the 33 trips, Mr. Long travelled from Anna directly to Springfield, and on five occasions, Mr. Long stopped in either Greenville or Highland to visit with an investigator he supervised. In many of the trips, Mr. Long emailed [supervisor] the time he was departing Anna for Springfield and/or the time he arrived in Springfield.

While reviewing Mr. Long's travel documents, the OEIG located several emails from Mr. Long to [supervisor] that indicated Mr. Long travelled to Springfield during his State working hours but he did not go to the Springfield office upon his arrival or did not conduct work at the Springfield office. For example:

¹[supervisor] left DHS OIG employment in January 2015.

²The OEIG initially obtained time and travel record for the time period of August 2012 through July 2013 and then in March 2014 extended the request to include time and travel records from July 2013 through March 2014.

- On Thursday, April 25, 2013, Mr. Long emailed [supervisor] and wrote, “I will be departing for Springfield at 1:00 PM. Since the trip will be over three hours, I will not be working at McFarland [Springfield]. I have my blackberry in the event I need to be reached.” Mr. Long’s timekeeping records indicate that he used sick appointment time and was off work on Friday, April 26, 2013.
- On July 19, 2013, Mr. Long emailed [supervisor] that he was leaving Anna that morning to travel to Greenville to conduct a supervisory visit with an investigator. Mr. Long also wrote, “By the time I reach McFarland [Springfield], it will be the end of my work day. I have my blackberry in the event of an emergency.”

The OEIG’s analysis of Mr. Long’s travel records also showed discrepancies regarding Mr. Long’s travel on at least three Fridays in 2013 and 2014. On these three occasions, Mr. Long indicated in his itineraries or emails to [supervisor] that he (Mr. Long) was travelling from Anna to either Greenville or Highland and then on to Springfield, but his travel vouchers indicated he travelled from Anna to Greenville or Highland and then back to Anna. Following is a chart of the travel locations that Mr. Long listed in his travel records for July 19, 2013, October 11, 2013, and January 17, 2014.

Travel Date	Itinerary	Emails to Supervisor	State Travel Voucher
July 19, 2013	Anna in a.m., Greenville and Springfield in p.m.	Departing Anna at 9:30 a.m. for Greenville. By the time he reaches Springfield, it will be the end of his work day	Travelled from Anna to Greenville in a.m., departed Greenville at 1:30 p.m. and arrived in Anna at 3:50 p.m.
October 11, 2013	Anna in a.m., Greenville and Springfield in p.m.	Departing Anna at 9:45 a.m. for Greenville. After a short visit and lunch, will leave for Springfield. Arrived at Springfield office at 1:58 p.m.	Travelled from Anna to Greenville in a.m., departed Greenville at 1:15 p.m. and arrived in Anna at 2:20 p.m.
January 17, 2014	Anna in a.m., Carlyle and Springfield in p.m.	Departing Anna at 11:00 a.m. for Highland. After visiting new office and lunch, will leave for Springfield to pick up cases for review, and by then his work day should be ended.	Travelled from Anna to Highland in a.m., departed Highland at 2:50 p.m. and arrived in Anna at 4:00 p.m.

On these three travel vouchers, Mr. Long was reimbursed for the mileage from Greenville or Highland back to Anna. For his travel on July 19 and October 11, 2013, Mr. Long was reimbursed \$62.15 (\$124.30 total) for each trip from Greenville back to Anna, and for his travel on January 17, 2014, Mr. Long was reimbursed \$66.08 for the trip from Highland back to Anna. Mr. Long signed each travel voucher certifying that the amounts listed for reimbursement were correct and just, the expenses were occasioned by official business, and that the journey

was performed with all practicable dispatch by the shortest route usually traveled in the customary reasonable manner.

B. Interviews of Mr. Long Regarding Travel To Springfield During State Time

The OEIG interviewed James Long on April 28, 2014,³ and September 3, 2014. Mr. Long stated that, when he was selected for the Southern Bureau Chief position, he maintained an office in Springfield in addition to his office in Anna. According to Mr. Long, he travelled to his Springfield office on State time about once every two weeks and would typically stop in Greenville or Highland to see an investigator he supervised along the way. He said that when he travelled to Springfield and returned back to his home in Anna on the following Sundays, he would travel back through Greenville or Highland. According to Mr. Long, [REDACTED] authorized him to maintain the two offices and expected Mr. Long to be in Anna at least three days per week.⁴ Mr. Long stated that he was the only DHS OIG Bureau Chief who maintained an office that was outside of his jurisdictional area.

According to Mr. Long, when he travelled to Springfield, he would bring mail, equipment, and supplies from the Anna office, and he would also pick up equipment and cases involving deaths of disabled individuals that he was required to review. Although Mr. Long's position description did not require him to travel to Springfield or to deliver equipment or pick up cases from Springfield, Mr. Long said he thought he was saving the State money and time by bringing and taking items to and from the Springfield office. When asked, Mr. Long said that the individual who held the Southern Bureau Chief position prior to Mr. Long, "pretty much" used the mail system to get things to the Springfield office.

1. Mr. Long's Travel Records Showing Travel to Springfield

Mr. Long reviewed records of the 23 times he traveled to Springfield on either a Thursday or Friday between August 9, 2012, and July 19, 2013, (22 of which depict travel directly from Anna to Springfield without a stop to visit an investigator).⁵ Mr. Long acknowledged that the records depicted his travel to Springfield during that timeframe. He said that if he had a doctor's appointment on a Friday, he would travel to Springfield during State time on that Thursday because, "normally I don't like to get up at four o'clock in the morning to come up here [Springfield] for a sick appointment." Mr. Long said that the main purpose for the trips to Springfield was for him to go home for the weekend or attend a doctor's appointment the following day, but that he would always go by the Springfield DHS OIG office to drop off anything he was delivering. Mr. Long said that if he had to wait until after his working hours to travel from Anna to Springfield, he would not get to his home in Springfield until after 9:00 p.m.

Mr. Long said that based on the itineraries he sent to [supervisor], he believed [supervisor] approved his travel to Springfield, and that he was conducting State business during

³ Prior to obtaining the travel documents from August 2013 through March 2014, the OEIG learned that Mr. Long would be retiring from the DHS OIG on May 1, 2014. The OEIG chose to interview Mr. Long while he was still a State employee and with only the August 2012 through July 2013 travel documents that had been provided by DHS at that time.

⁴ [REDACTED] resigned [REDACTED] effective August 1, 2012.

⁵ Mr. Long was first interviewed when the OEIG only had travel records from August 2012 through July 2013.

his travels to Springfield when he received calls from investigators about their cases. When asked why he did not seek mileage reimbursement when he travelled between Greenville or Highland and Springfield if he were conducting State business, Mr. Long said, "Because 9 times out of 10..." if he was just going to stop in and deliver supplies, he "usually... just felt bad..." claiming the mileage when he was going to stay in Springfield and visit home anyway.

OEIG investigators questioned Mr. Long about the April 25, 2013, email he sent to [supervisor] in which he wrote, "I will be departing for Springfield at 1:00 PM. Since the trip will be over three hours, I will not be working at McFarland [Springfield]. I have my blackberry in the event I need to be reached." Mr. Long responded that he did stop in the Springfield office on April 25, 2013, but did not conduct work in the office. He said that prior to going to his home in Springfield, he always stopped in the Springfield office to drop off or pick up items. Mr. Long stated that his primary reason for driving to Springfield on April 25, 2013, was to attend a doctor's appointment the next day.

2. Mr. Long's Travel Vouchers Showing False Entries

Mr. Long was shown his travel vouchers, timesheets, and itineraries for July 19, 2013, October 11, 2013, and January 17, 2014. After reviewing the documents, Mr. Long said that he did not travel from Greenville or Highland back to Anna on the dates and times he indicated on each of these travel vouchers, but instead drove from Greenville or Highland to Springfield. Mr. Long admitted putting inaccurate and untruthful dates and times of his travel back to Anna on these three travel vouchers and that he signed them knowing that the information contained in the travel vouchers was incorrect. Mr. Long said that he felt he was "entitled" to the reimbursement for the mileage from Greenville or Highland back to Anna because on these three trips, he travelled back to Anna from Springfield on those following Sundays and travelled through Greenville or Highland on those return trips. When asked why he did not put his Sunday travel back to Anna on his travel vouchers, Mr. Long said he thought it would not "look right putting a Sunday date." Mr. Long admitted that there may have been a "couple of times" where he signed a false statement not realizing it was that significant and for that he apologized.

C. Interviews Of [Supervisor] Regarding Mr. Long's Travel To Springfield During State Time

The OEIG interviewed [supervisor] on February 13, 2014, and May 28, 2015. [Supervisor] said that when he supervised Mr. Long, he encouraged Mr. Long to spend time with the employees Mr. Long supervised in Anna, Chester, and Greenville. He said that he approved Mr. Long's travel to Springfield because the travel was always work related. [Supervisor] said that Mr. Long would often deliver equipment, large boxes of files, and files for storage to Springfield, and Mr. Long would also pick up files, death investigation cases that Mr. Long needed to review, and equipment for the Anna office. He said that Mr. Long would also occasionally attend management meetings in Springfield.

[Supervisor] said that Mr. Long waited to travel to Springfield until Mr. Long had enough items that needed to be transported and that he would not have authorized Mr. Long to travel to

Springfield to deliver an insignificant item. [Supervisor] said that the DHS OIG utilized postal and shipping services to ship files and equipment between the offices throughout the State but there are some investigative files involving sensitive issues that the DHS OIG is reluctant to mail. [Supervisor] said that Mr. Long was not permitted to travel to his home in Springfield on State time. He said that during their telephone conversations, Mr. Long always provided him with a legitimate basis for travelling to Springfield. [Supervisor] said that he always assumed Mr. Long's travel to Springfield was work related and that he never had a reason to question Mr. Long's travel because Mr. Long was not the type of employee to abuse travel policies.

OEIG investigators showed [supervisor] several emails from Mr. Long, including the April 25, 2013, email to him from Mr. Long in which Mr. Long wrote, "I will be departing for Springfield at 1:00 PM. Since the trip will be over three hours, I will not be working at McFarland [Springfield]." [Supervisor] responded that if Mr. Long travelled to Springfield and did not go to the DHS OIG office, it was an obvious problem that he must have missed, but he did not intentionally overlook the travel issues with Mr. Long.

[Supervisor] said that Mr. Long had a blanket approval for his travel and that he ([supervisor]) reviewed Mr. Long's travel vouchers prior to sending the travel vouchers to the DHS OIG timekeeper for review and processing. [Supervisor] was shown Mr. Long's travel vouchers, itineraries, and emails for Mr. Long's travel on July 19, 2013, October 11, 2013, and January 17, 2014. After reviewing the documents, [supervisor] said that Mr. Long should not have recorded on his State travel vouchers that he travelled back to Anna on these dates because Mr. Long's itineraries reflected that he travelled to Springfield instead. [Supervisor] said he was not aware that Mr. Long had entered the incorrect travel dates and times on any of his travel vouchers. [Supervisor] said it was an oversight on his part that he missed these discrepancies in Mr. Long's travel records on these dates. [Supervisor] said he was unsure if Mr. Long would have been permitted to put on his State travel vouchers the dates and times of his Sunday travel from Springfield back to Anna. [Supervisor] said that he did not believe that Mr. Long necessarily falsified the travel vouchers but perhaps manipulated the travel rules instead. [Supervisor] said he could have done a better job monitoring Mr. Long's travel, but at the time he never had a reason to question Mr. Long's travel and he wanted Mr. Long to travel to visit with investigators that Mr. Long supervised.

D. Mileage Reimbursement For Travelling To His Home In Springfield

The OEIG review of Mr. Long's DHS OIG travel documents show that from August 2012 through March 2014, Mr. Long made numerous trips to Springfield, but submitted only one travel voucher for reimbursement for travel to Springfield on August 22, 2013. This travel involved a one-day round trip between Anna and Springfield for the purpose of picking up a new State vehicle.

IV. ANALYSIS

A. James Long Commuted To His Home In Springfield On State Time

DHS policy provides that employees are expected to be on site, performing required duties during the hours established for their job.⁶ DHS policy also provides that when an employee has determined that *travel is needed to complete their assigned job duties*, the employee shall submit a request for travel or have a blanket approval request on file.⁷ While Mr. Long had blanket approval for his travel, it does not appear that these deliveries were necessary to complete his DHS OIG Bureau Chief duties. Mr. Long's explanation that he would transport supplies and files between the Springfield and Anna offices appears to be an artificial justification for travel rather than a legitimate requirement of his position. Mr. Long said that the former Southern Bureau Chief "pretty much" used the mail system to get things to the Springfield office, and there is no apparent reason that Mr. Long could not have done the same. Mr. Long said he thought he was saving the State money by bringing items to and from the Springfield office. However, it appears unlikely that any savings on postage outweighed the cost of Mr. Long's salary during the 28 trips between August 2012 and March 2014, over three hours in duration each, from Anna directly to Springfield. Using Mr. Long's lowest salary during this time period, he was paid over \$4,000 by the State to make the 28 trips to Springfield (28 trips x 3 hours each x \$48.51 per hour). By Mr. Long's own admission, his travel to Springfield on Thursdays and Fridays was for the purpose of being home on the weekends with his family or attending doctor's appointments. Additionally, at least two of Mr. Long's emails indicated that he travelled to Springfield during State compensated time, but then apparently did not conduct work at the DHS OIG office upon his arrival in Springfield. For the foregoing reasons, the allegation that Mr. Long abused State time by travelling to his home in Springfield on State time is **FOUNDED**.⁸

B. James Long Falsified State Travel Vouchers

DHS policy states that DHS will not tolerate written or oral falsification by any employee on State records, such as travel vouchers and timesheets, including a misrepresentation, falsification, or omission of any fact.⁹ By Mr. Long's own admission, Mr. Long violated this policy when he signed three separate State travel vouchers listing dates and times for his travel back to Anna but did not travel to Anna on those dates or at those times. It appears that had Mr. Long travelled back to Anna from Highland or Greenland on the dates and times he recorded, the travel would have been in the performance of his duties as the Southern Bureau Chief (visiting an investigator he supervised) and the mileage would have been reimbursable. However, Mr. Long did not return to Anna, travelled to Springfield instead, and listed false dates and times of travel on his State travels vouchers. Mr. Long said that, even though he did not travel back to Anna on those dates, he travelled back to Anna those following Sundays and he thought it would not "look right putting a Sunday date." Mr. Long's actions violate DHS policy and are an unacceptable practice, especially in light of the fact that Mr. Long was a Bureau Chief within a State Inspector General's Office. Therefore, the allegation that James Long violated DHS policy by misrepresentation and/or falsification of his travel on three travel vouchers is **FOUNDED**.

⁶ DHS Employee Handbook, Section III – Time and Attendance, Attendance (04/01/09).

⁷ DHS OIG Department Directive ADM 06-004 (V)(A) (03/29/13).

⁸ The OEIG concludes that an allegation is "founded" when it has determined that there is reasonable cause to believe that a violation of law or policy has occurred, or that there has been fraud, waste, mismanagement, misconduct, nonfeasance, misfeasance, or malfeasance.

⁹ DHS Administrative Directive 01.02.03.060, Falsification of Records.

C. James Long Did Not Receive Mileage Reimbursement For Travelling To His Home In Springfield

DHS policy states that employees will be reimbursed for reasonable, authorized travel expenses incurred by them in the performance of their duties, but commuting expenses between an employee's residence and headquarters are not reimbursable.¹⁰ The investigation revealed that Mr. Long did not seek reimbursement for his travel to Springfield except on one occasion when he made a round-trip to Springfield to retrieve a new State vehicle. Based on the foregoing, there is insufficient evidence that Mr. Long received mileage reimbursement for travelling to his home in Springfield and this allegation is **UNFOUNDED**.

V. RECOMMENDATIONS

Following due investigation, the OEIG issues these findings:

- **FOUNDED** – James Long abused State time by travelling to Springfield during State compensated time for the purpose of travelling home in violation of DHS policy.
- **FOUNDED** – James Long falsified information on State travel vouchers in violation of DHS policy.
- **UNFOUNDED** – James Long received mileage reimbursement for travelling to his home in Springfield.

Based upon the evidence and because James Long is no longer employed by DHS, the OEIG recommends that this report be placed in Mr. Long's DHS personnel file.

No further investigative action is warranted and this case is considered closed.

Date: **September 8, 2015**

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¹⁰ DHS Administrative Directive 01.05.02.010, Travel Control System.



Bruce Rauner, Governor

James T. Dimas, Secretary-designate

September 18, 2015

Via e-mail to Thomas Klein, Deputy Inspector General and Chief of Springfield Office, on behalf of:

Maggie Hickey

Acting Executive Inspector General

Office of the Executive Inspector General for the Agencies of the Illinois Governor

69 West Washington Street, Suite 3400

Chicago, Illinois 60602

RE: Response to the Final Report for Complaint 13-01578

Dear Acting Executive Inspector General Hickey:

This letter responds to the Final Report for Complaint Number 13-01578, which is attached. The Report essentially details time abuse and falsification of information by a Department of Human Services employee, James Long. Your office recommended placing a copy of the Report into Mr. Long's personnel file. The Department agrees with your recommendation. On September 9, 2015, a copy of the Report was placed in his personnel file.

The Department now considers this matter closed. If you have any questions, please feel free to contact Robert J. Grindle, DHS' Ethics Officer.

Regards,

James T. Dimas
Secretary-designate