

IN THE EXECUTIVE ETHICS COMMISSION  
OF THE STATE OF ILLINOIS

IN RE: TRINA DIGGS, ) OEIG Case #14-01975

OEIG FINAL REPORT (REDACTED)

Below is an amended 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 this amended 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 Trina Diggs at her last known address.

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

**I. INTRODUCTION**

On September 27, 2014, the Office of Executive Inspector General received a complaint alleging that Illinois Department of Human Services (DHS) Public Aid Eligibility Assistant Trina Diggs failed to report to DHS that [Relative], was receiving DHS benefits [REDACTED]. The OEIG concludes that the allegation is **FOUNDED**.

**II. BACKGROUND**

Trina Diggs has been employed by DHS since 1993, when she was hired as an Office Assistant. In August 2010, she worked as an Office Assistant at DHS’ Garfield Family Community Resource Center with an annual salary of \$40,188. In April 2011, Ms. Diggs was promoted to Public Aid Eligibility Assistant with an annual salary of \$43,632. In December 2012, Ms. Diggs voluntarily transferred to DHS’ Stroger Family Community Resource Center and as of April 2014, earned an annual salary of \$47,820.

[Redacted].<sup>1</sup>

### III. INVESTIGATION

#### A. Review of [Relative's] DHS Benefits File

Investigators obtained and reviewed [Relative's] DHS benefits file, which revealed that [Relative] received Supplemental Nutrition Assistance Program (SNAP)<sup>2</sup> and medical benefits from October 18, 2007 until December 12, 2014.<sup>3</sup>

From August 7, 2010, [REDACTED], through December 12, 2014, [Relative] received a total of more than \$8,000 in SNAP benefits.

There is no record in DHS' file that [REDACTED].<sup>4</sup>

#### B. Interview of Trina Diggs

Investigators interviewed Ms. Diggs, who confirmed that she [REDACTED]. Ms. Diggs stated that [REDACTED], she was aware that he received SNAP and medical benefits from DHS. Ms. Diggs said that she "occasionally" saw [Relative] pay for groceries using SNAP benefits. Ms. Diggs said she told [Relative] that he needed to cancel his SNAP benefits.<sup>5</sup>

Ms. Diggs said that she did not notify anyone at DHS that [REDACTED]. Ms. Diggs said she told [Relative] it was his responsibility to report household income to his DHS caseworker, and said "I can't make him." Ms. Diggs also said, "What other action could I take other than telling him? I cannot notify anybody about somebody else's case."

#### C. Interview of [Employee 1].

Investigators interviewed [Employee 1]. [Employee 1] said that he was Ms. Diggs' supervisor and confirmed that she never informed him that [Relative] was a DHS customer. [Employee 1] said that Ms. Diggs should have informed her [Relative] that he should notify his caseworker regarding her income and then ensured that [Relative's] SNAP benefits were in fact

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<sup>1</sup> [Redacted].

<sup>2</sup> SNAP is a program administrated by DHS "designed to help people buy food by supplementing the cash they have available to buy food." DHS Policy Manual § I-05-01; *see also* 305 ILCS 5/12-4.13; 89 Ill. Admin. Code § 10.130(a); 7 U.S.C. § 2011.

<sup>3</sup> DHS records reflect that on December 12, 2014, the day of Ms. Diggs' OEIG interview, [Relative] called DHS and asked that his SNAP benefits be canceled. DHS subsequently canceled the benefits.

<sup>4</sup> [Relative's] file contains a November 2014 letter from DHS asking him to come in for an interview [REDACTED]

<sup>5</sup> During her interview, Ms. Diggs stated that [REDACTED]

cancelled. [Employee 1] said that as a DHS employee, he “would think that [Ms. Diggs] would take some type of responsibility.”

[Employee 1] said that, had Ms. Diggs informed him that her [Relative] received DHS benefits, he would have told her to make sure that her [Relative] contacted his caseworker, and, if her [Relative] failed to do so, ([Employee 1]) would have called [Relative’s] caseworker to ensure [REDACTED]. [Employee 1] said that, [REDACTED].

#### D. Interview of [Employee 2]

Investigators interviewed [Employee 2], who confirmed that [Relative] had been a DHS customer. [Employee 2] said that she reviewed [Relative’s] benefits file and found no evidence that he [REDACTED].

[REDACTED]. [Employee 2] said that had [REDACTED].

#### IV. ANALYSIS

DHS policy provides that DHS employees “shall not participate in or condone fraud, dishonesty, or misrepresentation in the performance of duties.”<sup>6</sup> Condone means to “voluntarily pardon or overlook.”<sup>7</sup> DHS policy also provides that “[e]mployees who . . . fail to report fraud or perform other unlawful actions, may be guilty of administrative malfeasance.”<sup>8</sup>

[REDACTED]. During Ms. Diggs’ interview, she acknowledged that [REDACTED], she knew he received SNAP and medical benefits from DHS. Ms. Diggs also acknowledged that she occasionally saw [Relative] pay for groceries with SNAP benefits. Further, Ms. Diggs was aware that [Relative] needed to cancel his SNAP benefits. However, Ms. Diggs admitted that she never informed anyone at DHS that [Relative] was [REDACTED] receiving DHS benefits. As a result, by failing to notify anyone at DHS for more than four years, [Relative] received SNAP benefits that he may not have been entitled to, potentially as much as \$8,000.<sup>9</sup>

Ms. Diggs stated that she told [Relative] to cancel his benefits but claimed she could not force him to cancel the benefits. She also claimed she did not believe she could notify other DHS staff about his case. However, Ms. Diggs was aware that [Relative] was improperly receiving benefits. As [Employee 1] explained, Ms. Diggs should have taken “some type of responsibility” and followed up to ensure the benefits were canceled. Ms. Diggs could have

<sup>6</sup> DHS Employee Handbook, Section V – Employee Personal Conduct (April 1, 2009).

<sup>7</sup> Black’s Law Dictionary (10th ed. 2014).

<sup>8</sup> DHS Employee Handbook, Section V – Employee Personal Conduct (April 1, 2009).

<sup>9</sup> The OEIG referred [Relative’s] alleged improper receipt of benefits to the Illinois Department of Healthcare and Family Services’ Office of Inspector General, which informed the OEIG that it will be initiating collection with respect to any benefits improperly paid to [Relative]. The OEIG does not arrive at any conclusion regarding the amount of benefits [Relative] improperly received.

notified [Employee 1], [Employee 2], [Relative's] caseworker, DHS' Ethics Officer, or other DHS personnel but failed to do so or take any steps whatsoever to notify DHS.

Thus, the allegation that Trina Diggs violated DHS policy<sup>10</sup> by condoning fraud, dishonesty, or misrepresentation in the performance of duties, and by engaging in administrative malfeasance when she failed to report fraud and failed to notify DHS that [REDACTED] [Relative], who was receiving DHS benefits, is **FOUNDED**.

## V. FINDING AND RECCOMENDATION

Following due investigation, the OEIG issues the following finding:

**FOUNDED** - DHS employee Trina Diggs violated DHS policy when she condoned fraud, dishonesty, or misrepresentation in the performance of duties and engaged in administrative malfeasance when she failed to notify DHS that [REDACTED] [Relative] and he was receiving DHS benefits.

The OEIG recommends that DHS discipline Ms. Diggs.

Because benefits or expenses may have been improperly paid out between August 2010 and December 2014, the OEIG recommends that DHS determine whether any benefits or medical payments made on behalf of [Relative] should be recovered and that it pursue reimbursement for any such funds.

No further investigation is needed and this matter is considered closed.

Date: **July 9, 2015**

Office of Executive Inspector General  
for the Agencies of the Illinois Governor  
69 West Washington Street, Ste. 3400  
Chicago, IL 60601

By: **Daniel Ostrovsky**  
Assistant Inspector General

**Steven Hochstetler**  
Investigator #164

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<sup>10</sup> DHS Employee Handbook, Section V – Employee Personal Conduct (April 1, 2009).



Bruce Rauner, Governor

James T. Dimas, Secretary-designate

July 30, 2015

*Via e-mail to Fallon Opperman, Deputy Inspector General and Chief of Chicago Division,  
on behalf of:*

Maggie Hickey

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 Cases 14-01975, 13-

Dear Executive Inspector General Hickey:

This letter responds to the Final Reports for Cases 14-01975, 1 (attached). The Reports indicate wrongdoing by certain Department of Human Services (DHS) Division of Family and Community Services employees. The Reports recommend a variety of employment-related activity and possible recovery of funds.

Where recommended, DHS is seeking to recover funds. Staff have notified the Department of Healthcare and Family Services for assistance regarding medical benefits. In addition, below is a detailed list of employment-related activity by DHS for these Reports.

**Case 14-01975**

The Report recommends discipline for Ms. Diggs. The Department, however, is seeking employment termination for Ms. Diggs.

If you have any questions, please feel free to contact Robert J. Grindle, DHS' Ethics Officer.

Regards,

  
James T. Dimas  
Secretary-designate



Bruce Rauner, Governor

James T. Dimas, Secretary-designate

April 1, 2016

***Via e-mail to Fallon Opperman, Deputy Inspector General and Chief of Chicago Division,  
on behalf of:***

Maggie Hickey

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 14-01975

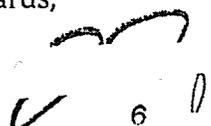
Dear Executive Inspector General Hickey:

This letter provides an update to the response for the Final Report for Complaint Number 14-01975. The Report recommended discipline and recovery of funds. The initial response indicated that the Department of Human Services (DHS) was seeking employment termination instead. Based on information adduced during the pre-disciplinary meeting and rebuttal period, however, Ms. Diggs was issued a written reprimand, which was not grieved.

An overpayment of Supplemental Nutrition Assistance Program (SNAP) benefits was established in the amount of \$8,759.00. No payments have been made. The debt has been referred to the Office of the Comptroller, a private collection agency, and the client has received a Pre-Offset Notice for off-setting of any federal payment through the U.S. Treasurer.

Because all disciplinary action has been completed, with only debt collection remaining (which will happen in the normal course), DHS now considers the matter closed with respect to your office. If you have any questions, please feel free to contact Robert J. Grindle, DHS' Ethics Officer.

Regards,

  
James T. Dimas  
Secretary-designate