

IN THE EXECUTIVE ETHICS COMMISSION  
OF THE STATE OF ILLINOIS

In re: TROY McMILLAN ) OEIG Case # 09-00402

OEIG FINAL REPORT (REDACTED)

Below is a final summary report from an Executive Inspector General. The General Assembly has directed the 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 its factual allegations or legal conclusions before the Commission.

The Executive Ethics Commission (“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 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 Troy McMillan at her last known address.

These recipients were given fifteen days to offer suggestions for redaction or provide a response to be made public with the report. The Commission, having reviewed all suggestions received, makes this document available pursuant to 5 ILCS 430/20-52.

## **SUMMARY OF INVESTIGATION**

The Office of Executive Inspector General (“OEIG”) received a complaint alleging that Illinois Department of Employment Security (“IDES”) Public Service Administrator (“PSA”) Troy McMillan (“McMillan”) falsified her employment application and improperly sold her State-issued laptop computer to pay off personal debts. The OEIG concludes that these allegations are **FOUNDED**, in part, and **UNFOUNDED**, in parts.<sup>1</sup> Further, the OEIG finds that McMillan improperly delayed notification of the authorities about her stolen laptop.

### *I. McMillan’s State Employment Application*

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<sup>1</sup> The original complaint also included an allegation that McMillan used illegal narcotics; however, OEIG investigators did not find any evidence to support this contention. Therefore, the OEIG finds that allegation is **UNFOUNDED** and did not address the issue in its final report.

McMillan, State-employed since approximately May 1999, has completed at least five (5) State employment-related applications since her initial hire as an IDES Revenue Analyst. Those applications, dated between April 1999 and January 2006, included one employment application - dated November 23, 1999 - and four (4) "Promotional Employment Application(s)," dated June 27, 2000; July 3, 2000; January 27, 2004 and January 26, 2006 for PSA and Senior Public Service Administrator ("SPSA") positions.<sup>2</sup> A review of the subject applications indicated that McMillan had attended three (3) institutions of higher learning and attained 112 semester hours of course credit, but did not receive any degrees. The breakdown, as communicated in McMillan's applications, is outlined below:

<u>School (City/State)</u>	<u>Attendance Date</u>	<u>Semester Hours</u>
Lake Forest College (Lake Forest, IL)	August 1979-June 1980	16
Columbus College (Columbus, GA)	August 1980-June 1983	84
University of Maryland (Aberdeen, MD)	August 1988-August 1989	12

Although the applications contained a section for McMillan to indicate whether the credits received were based on the quarter or semester system for each educational institution, McMillan specified that all the hours attained were received under the semester hour system. In addition, investigators observed that on certain CMS applications, dated between 1999 and 2006, she had noted that she attended four years of college. The OEIG notes, however, that none of the positions McMillan applied for required a college degree; instead, they all required either a college degree or equivalent experience.<sup>3</sup>

McMillan, during her OEIG interview, told investigators that although she did not obtain her college degree, she had attended three (3) different collegiate institutions between 1979 and 1989. Investigators reviewed McMillan's CMS applications with her, during which time she told the investigators that the 84 semester hours she received from Columbus College was incorrect. Specifically, Columbus State College operated on the quarter system, which did not equate to semester hours.<sup>4</sup> McMillan attributed the mistake to an oversight on her part. Further, McMillan stated that she included on some of her applications that she attended four years of college because she understood the question to mean the number of years she had attended college, and not the number of semester hours usually associated with the completion of each college year. McMillan denied that it was her intent to deceive the State regarding her academic achievements.

The OEIG notes that the 84 quarter hours noted by McMillan equates to only 50.4 semester hours.<sup>5</sup> In adding the converted semester hours from McMillan's Columbus College

<sup>2</sup> According to McMillan's personnel file, she was promoted to the position of PSA on September 1, 2000.

<sup>3</sup> At the time of her initial April 1999 CMS employment application, McMillan already had several years of professional experience.

<sup>4</sup> OEIG investigators confirmed that Columbus State University awarded only quarter credit hours to its students.

<sup>5</sup> Investigators obtained a quarter to semester conversion chart which indicated that each quarter hour equals .6 semester hours.

attendance to her Lake Forest College and University of Maryland credits, she received a total of 78.4 semester hours, which was short of the approximately 120 credit hours needed to graduate from a traditional liberal arts program. Therefore, in stating that she received 112 semester hours on her CMS applications, McMillan overinflated her credentials by a total of 33.6 semester hours.

## *II. McMillan's State-issued laptop*

OEIG investigators received an allegation that McMillan sold her State-issued computer in order to pay off certain personal outstanding debts. In their review of the available evidence, investigators obtained and reviewed emails and police reports submitted by McMillan. Specifically, an email, dated May 21, 2008, from McMillan to her former boyfriend, [redacted].<sup>6</sup> In her message to [redacted], McMillan forwarded two emails from her supervisor, [redacted], which asked McMillan to produce a copy of a police report relative to the missing laptop. In her email to [redacted], McMillan included [redacted] emails from May 5, 2008 and May 21, 2008 along with the phrase: "Tell me what to do..."

OEIG investigators further obtained and reviewed a Chicago Police Department ("CPD") "Original Case Incident Report," dated May 22, 2008. In the "Narrative" section of the report, it stated that McMillan reported that her laptop was "lost" at her personal residence on January 25, 2008. On July 18, 2008, McMillan submitted a CPD "Supplementary Report," where she indicated that her laptop was not lost, but stolen by [redacted].

During his OEIG interview, [redacted] told investigators that in approximately February 2008, McMillan informed him that her assigned IDES laptop computer was damaged. [Redacted] stated that McMillan's position required that she sometimes utilize her laptop to provide presentations at local schools. In approximately May 2008, he contacted McMillan to obtain additional information from her regarding the damaged laptop. Shortly thereafter, McMillan told [redacted] that the subject equipment was not damaged, but had been stolen by her former boyfriend.<sup>7</sup>

McMillan, during her OEIG interview, stated that on January 25, 2008, her State-issued laptop was stolen from her residence by [redacted]. Shortly thereafter, on approximately January 25<sup>th</sup> or 26<sup>th</sup>, she filed a complaint, via the City of Chicago's nonemergency telephone number, but did not recall either the person she contacted or the complaint number provided. Because she was not given any documentation, she contacted the Chicago Police Department ("CPD") directly on approximately May 22, 2008 and filed a police report at that time.<sup>8</sup> McMillan stated that she informed the CPD officer that her computer was stolen; however, the officer who took her information mistakenly indicated that the computer was lost. Therefore, on July 18, 2008,

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<sup>6</sup> OEIG investigators attempted to contact [redacted], but he was unresponsive.

<sup>7</sup> According to a Central Management Services "Request for Deletion from Inventory" document obtained by the OEIG, McMillan's laptop, which cost the State \$2,415.00 when purchased in December 2002, was deleted from the State's inventory on June 15, 2009.

<sup>8</sup> McMillan stated, during her interview, that she may have followed-up with the authorities regarding her initial complaint between February and March 2008; however, she did not have any documentation to support this contention.

McMillan filed a Supplemental Report with CPD, which declared that [redacted] absconded with her State laptop, and she did not have his contact information.

McMillan further confirmed that she had previously submitted the emails she received from [redacted] to [redacted], but it was only an attempt to get [redacted] to return the laptop. McMillan further told investigators that after she filed her supplemental report in July 2008, she and [redacted] reconciled and [redacted] lived at her residence until December 2008. McMillan stated that it was a mistake for her not to update her July 2008 CPD supplemental report with [redacted] contact information. McMillan denied that she sold the computer to pay off personal debts.

## ANALYSIS

### *I. Falsification of McMillan's Application*

IDES Procedures Manual Section 1019.558, "Making False Statements," states:

"IDES, other governmental agencies, and the public must be able to rely on the truthfulness of IDES employees in matters of official interest. 'Matters of official interest' include...application forms, and other forms that serve as a basis for appointment, reassignment, promotion, or other personnel action..."

Based on the available evidence, McMillan failed to accurately document her credentials on her CMS applications. Specifically, McMillan overinflated her college education by 33.6 semester hours. Although McMillan claimed that the result was an oversight, the OEIG notes that the applications offered sections for both semester and quarter hours next to each educational institution listed. Equally troubling, McMillan noted that she had attained four (4) years of college on at least some of her applications between 1999 and 2006. Her college experience, coupled with the number of semester hours listed on CMS applications could improperly imply that she received, or was close to receiving, a college degree. In reality, she was still approximately 41.6 semester credit hours shy from graduation.<sup>9</sup> In failing to properly account for her academic credentials, she may have led individuals to believe that she was more qualified than her application indicated. Therefore, the allegation that McMillan provided inaccurate academic information relative to her CMS applications for hire and promotion is **FOUNDED**.

The OEIG, however, declines to make a disciplinary recommendation because McMillan did not claim that she received a college degree and she did have several years of professional experience when she submitted her initial CMS application, which appeared to meet the "equivalent" prerequisites of her position. The OEIG does recommend that IDES reexamine McMillan's applications to determine whether either her initial hire or subsequent promotion was proper in light of the available evidence.

### *II. Failure to Timely Report of Stolen Laptop*

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<sup>9</sup> Assuming 120 Semester credit hours are necessary for graduation from a liberal arts program, McMillan's 78.4 hours remained 41.6 semester credit hours short of a bachelor's degree.

Section 4004.603 of IDES' Information Technology Security policy, titled "Responsible Care," requires that "[a]ll users shall maintain a clean work area and guard against potential damage to hardware or destruction of data through spillage, carelessness, etc."

The available evidence suggests that McMillan's State issued computer was lost on January 25, 2008; however, it took approximately four (4) months before McMillan filed her first police report. Although McMillan stated that she had initially contacted the authorities in January 2008, she was unable to provide any documentation to prove her assertion. Indeed, the available evidence indicated that McMillan's first CPD report was dated May 22, 2008. Further, McMillan waited until July 2008 to clarify her initial CPD report. McMillan's carelessness caused the delay of an investigation of the stolen laptop by, at minimum, four (4) months. And, McMillan's inattention continued. Shortly after her July CPD report, when she told police she did not have his contact information, she and [redacted] reconciled. McMillan admitted to investigators that [redacted] resided at her home between approximately August and December 2008, but she failed to notify the proper authorities of his whereabouts during that period. In neglecting to immediately report the theft and in failing to update the authorities of the missing laptop, the OEIG finds that McMillan was careless with her State equipment in violation of agency regulation. The OEIG, therefore, recommends that IDES seek restitution from McMillan for the lost laptop, which cost the State \$2,415.00.

### *III. Theft of State Equipment*

Although the evidence was not sufficient to conclude that McMillan sold her State-issued laptop, the circumstances make the computer's disappearance appear suspect. In particular, the OEIG notes that McMillan's email, dated May 21, 2008, asking [redacted] to provide advice regarding [redacted] email seemed curious. McMillan's explanation that she simply wanted [redacted] to return the computer becomes questionable since she and [redacted] reconciled approximately three (3) months after the alleged theft. Equally doubtful was McMillan's failure to notify the authorities of [redacted] location even after he began to reside with McMillan. Although the combination of these two factors raised suspicions regarding theft, without additional evidence, the OEIG was unable to substantiate a finding. Therefore, the allegation that McMillan sold her State-issued laptop to pay off certain personal debts is UNFOUNDED.

## **CONCLUSION AND RECOMMENDATIONS**

Based upon the evidence, the OEIG determined that:

- **FOUNDED** – McMillan provided inaccurate academic information relative to her CMS applications for hire and promotion, in violation of IDES policy.
- **FOUNDED** – McMillan carelessly failed to either report or update the authorities of her missing laptop in a timely manner, in violation of IDES policy.
- **UNFOUNDED** – McMillan sold her State-issued laptop to pay off certain personal debts, in violation of IDES policy.

The OEIG recommends that IDES counsel McMillan relative to the need to safeguard her State equipment from damage. In addition, IDES should seek restitution from McMillan for the lost laptop, which cost the State \$2,415.00. Lastly, the OEIG recommends that IDES reexamine McMillan's CMS applications, in light of her inaccurate academic credit hours, to determine whether either her hiring or promotion was improper.

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



**OFFICE OF EXECUTIVE INSPECTOR GENERAL**  
for the Agencies of the Illinois Governor

James A. Wright, Executive Inspector General • [www.inspectorgeneral.illinois.gov](http://www.inspectorgeneral.illinois.gov)

**OEIG RESPONSE FORM**

Case Number: 09-00402

**Due 20 Days after Receipt of Report**

Please check the box that applies.

- We have implemented all of the OEIG recommendations:  
(Provide details regarding action taken.)

*IDES is in the process of initiating discipline and is drafting charges. I will provide an update as soon as possible.*

- We are implementing the OEIG recommendations however, we seek to deviate as follows:  
(Provide details regarding action planned / taken and proposed alternate(s).)

We do not wish to implement any of the OEIG recommendations and seek to deviate as follows:

(Explain why and provide details of alternate plan.)

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Leticia Dominici  
Signature

IDES  
Sr Policy Advisor / Ethics  
Print Agency and Job Title Officer

Leticia Dominici  
Print Name

6-21-10  
Date

Return to Sherry Bult, Office of Executive Inspector General, 32 W. Randolph St.  
Chicago, Illinois 60601



Illinois Department of Employment Security

Pat Quinn  
*Governor*

Maureen T. O'Donnell  
*Director*

October 5, 2010

2010 OCT -7 PM 1:25

OFFICE OF THE DIRECTOR

Millicent Willis  
Deputy Inspector General  
Office of Executive Inspector General  
32 West Randolph Street, Suite 1900  
Chicago, Illinois 60601

Re: Complaint Number 09-00402

Dear Deputy Inspector General Willis:

This letter will serve as a final status of all of the recommended findings to the above-referenced matter.

With regard to the finding that Ms. McMillan failed to report or update the missing IDES laptop computer in a timely manner, Ms. McMillan will serve a seven-calendar day suspension beginning October 14, 2010, and will pay \$300 in restitution.

Additionally, the finding that Ms. McMillan provided inaccurate academic information on her CMS-100 application for hiring and promotions has been addressed. CMS Examining Division finished its review of the CMS-100 Ms. McMillan recently submitted to verify that Ms. McMillan met the qualifications for each position she has held in state government and concluded that she has met the qualifications for each position.

If you have any questions, please do not hesitate to contact me at 312/793-5015 or [Letitia.Dominici@illinois.gov](mailto:Letitia.Dominici@illinois.gov).

Sincerely yours,

Letitia Dominici  
Senior Policy Advisor/Ethics Officer

cc: Maureen T. O'Donnell, Director

IN THE EXECUTIVE ETHICS COMMISSION  
OF THE STATE OF ILLINOIS

IN RE: Troy McMillan )

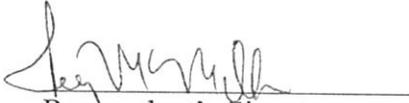
# 09-00402

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

Jan 5, 2011  
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

Please see attached public response.  
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### CMS Application

The information I provided on my initial CMS 100 application included additional educational credits not included in the OEIG report. I have received, and included on my application, credits for coursework I completed for Series 6, 7, and 63 life and annuity insurance licenses and for my attendance at the Harford Leadership Academy in 1994. On subsequent CMS promotional applications, I also included credits earned in continuing education and professional development courses. It is important to note that I have been found qualified and met the qualifications for each position I have held in State government. It was never my intention to provide inaccurate or misleading information regarding my academic information.

### State-Issued Laptop

My state-issued laptop went missing in late January 2008. Upon its disappearance, I knew that my former boyfriend [redacted] had taken it. I was attempting to get it returned before having to file a police report. When I found two pieces of the laptop keyboard when cleaning my kitchen, I realized that [redacted] had broken the laptop. At that time, I realized it was unlikely that I would be able to recover the laptop from [redacted] and called 311 to report that the laptop had been stolen by [redacted]. The individual taking my complaint stated that she could report the laptop only as lost since I did not actually see [redacted] take the laptop. Unfortunately, I neglected at the time I made the report to record the name of the individual to whom the report was made or a complaint number.

Upon being contacted by my supervisor in May 2008 regarding the laptop, I made a police report that my laptop had been stolen by [redacted] in January 2008. The police report erroneously stated that the laptop had been lost, rather than stolen. I then filed a supplemental report in July 2008 to make clear that the laptop had been stolen by [redacted]. At the time I made the supplemental police report I did not have contact information for [redacted].

In early September 2008, [redacted] came to my home saying that he was homeless. I realize now that it was a poor decision, but out of pity I allowed [redacted] to live with me until December 2008 so that he would not be on the street. I did not update [redacted]'s contact information with the Chicago Police on the stolen laptop complaint because I incorrectly believed that the matter had been resolved. It was never my intention to delay an investigation into my stolen laptop. It does, however, bear pointing out that this investigation was initiated by a complaint filed by my former boyfriend [redacted] upon my forcing his removal from my home in December 2008.

