

IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

In re: JAMES COCKRELL

)

OEIG Case # 09-00772

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 James Cockrell at his 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. Certain information contained in the proposed public response may have been redacted in accordance with the Commission’s determination that it should not be made public. The Commission, having reviewed all suggestions received, makes this document available pursuant to 5 ILCS 430/20-52.

I. Allegations and Background

The Office of Executive Inspector General (“OEIG”) received a complaint alleging that James Cockrell, the Administrator of Capital Planning Liaisons with the Illinois Capital Development Board (“CDB”), is often absent from the workplace for long periods of time and that, when he is in the office, he spends most of his time making personal calls on his personal cell phone.

As Administrator of Capital Planning Liaisons at CDB, Mr. Cockrell’s work hours are 8:00 a.m. to 4:30 p.m. Monday through Friday with a one-hour unpaid lunch. In addition to his job with CDB, Mr. Cockrell was the president of Riteway Logistics, Inc (“Riteway”). According to Mr. Cockrell, Riteway was a trucking company that stopped conducting business in

September 2009. Illinois Secretary of State records show that Mr. Cockrell was the president of Riteway from July 25, 2007, until the corporation was dissolved in December 2009.

II. Investigation

A. Surveillance

Investigators conducted surveillance of Mr. Cockrell on October 21, 2009, December 3, 2009, and January 26, 2010, in an effort to determine if he was absent from the work area without authorization during work hours. On December 3, 2009, Mr. Cockrell was seen leaving his work site during work hours for approximately 30 minutes. A review of Mr. Cockrell's time records revealed that Mr. Cockrell took an hour of vacation time to cover this absence. On the other two days that Mr. Cockrell was surveilled, excluding brief absences that may have fallen during breaks, he was not seen leaving his work site during work hours.

B. Review of Mr. Cockrell's Personal Cell Phone Records

In order to determine the amount of time Mr. Cockrell spent on his personal cell phone, the OEIG obtained his personal cell phone records from Verizon Wireless for the period between July 1, 2009 and December 16, 2009. The phone records were compared with Mr. Cockrell's time records from July 1, 2009 through December 3, 2009. A review of the phone records revealed that Mr. Cockrell was on his personal cell phone during compensated time (not including lunch breaks or benefit time taken) for over 169 hours out of the 699.75 hours he reported working from July 1, 2009 through December 3, 2009.

C. Interview with [redacted]

On March 8, 2010, the OEIG interviewed [redacted]. [Redacted] informed the OEIG that CDB employees are permitted to do their jobs without much oversight, and that CDB is lenient with lunch breaks as well as start and end times. He further stated, because so many CDB employees conduct work outside of the office, there is, by necessity, a level of trust afforded to employees. [Redacted] stated that he never had any reason to question Mr. Cockrell's use of time.

When shown a summary of Mr. Cockrell's personal cell phone usage from July 1, 2009 through December 3, 2009, [redacted] was unable to explain why Mr. Cockrell would have used his personal cell phone as much as the records indicated. [Redacted] stated that CDB employees, including Mr. Cockrell, are required to submit time slips in order to take benefit time.

D. First Interview with James Cockrell

On March 8, 2010, investigators interviewed Mr. Cockrell. Mr. Cockrell said that he conducts personal business during work hours but uses compensatory time when he needs to conduct personal business during work hours. Mr. Cockrell stated that, although CDB did not have a policy to allow managers to accumulate compensatory time, he accumulates off-the-book

compensatory time when he travels for State business during non-working hours. Mr. Cockrell said that his work sometimes requires him to arrive early and that he occasionally comes to the office after work hours. Mr. Cockrell also said that his supervisor allows him to use compensatory time in any manner he (Mr. Cockrell) chooses, without submitting any paperwork, and that all the managers at CDB follow this practice.

When asked about his personal cell phone usage during compensated time, Mr. Cockrell stated that he uses his personal cell phone for State business. Mr. Cockrell explained that he seldom uses his State cell phone because it is large and he does not like to carry it. Mr. Cockrell indicated that he could not estimate the amount of time he uses his personal cell phone for State business without reviewing his cell phone records. Mr. Cockrell also said that he handles personal calls on his cell phone during compensated time, but he could not estimate the amount of time he spent on personal calls without reviewing his cell phone records.

E. Follow-up Review of Mr. Cockrell's Cell Phone Records

Approximately one week following his first interview with the OEIG, Mr. Cockrell provided the OEIG with a list of phone numbers appearing in his cell phone records that he claimed related to State business. In light of this new information, a second review of Mr. Cockrell's personal cell phone usage was conducted. Not including calls made to or received from numbers on this list, Mr. Cockrell's use of his personal cell phone during work hours (excluding lunch breaks and any benefit time taken) from July 1 through December 3, 2009, was reduced to 133 hours, 38 minutes, 17 seconds for an average of approximately 1 hour 20 minutes per day over the 97 work day period reviewed.¹ The following chart reflects Mr. Cockrell's monthly usage of his personal cell phone during compensated time during this period:

Month in 2009	Phone Usage During Compensated Time
July	40 hours, 37 minutes, 25 seconds
August	31 hours, 40 minutes, 37 seconds
September	24 hours, 23 minutes, 54 seconds
October	22 hours, 37 minutes, 55 seconds
November	12 hours, 49 minutes, 51 seconds
December 1-3	1 hours, 28 minutes, 35 seconds
Total	133 hours, 38 minutes, 17 seconds

A reverse telephone number search engine was used to determine the owner of the phone numbers that called or were called by Mr. Cockrell's personal cell phone. It was determined that Mr. Cockrell's cell phone was used to make calls to or receive calls from at least 57 different companies related to the trucking industry.

CDB personnel records reflect that Mr. Cockrell's salary from July 8, 2008, through at least January 21, 2010, was \$65,040 annually. Mr. Cockrell is paid to work 37.5 hours per week, or 1950 hours per year. Based on these numbers, Mr. Cockrell was paid approximately

¹ This represents approximately 19% of the 699.75 hours that Mr. Cockrell reported working during this period.

\$4,457.34 for the 133 hours, 38 minutes, and 17 seconds of State time he spent handling calls related to his personal business.

F. Second Interview of Mr. Cockrell

Mr. Cockrell contacted the OEIG and requested to be interviewed a second time. During this second interview, which took place on April 8, 2010, Mr. Cockrell again said that he earns compensatory time off-the-books and that his supervisor allows him to use this time in any manner he chooses without submitting paperwork. Mr. Cockrell said he used his personal cell phone while at work for personal calls and calls related to Riteway, but stated that he used compensatory time to handle these calls.

G. Third Interview of Mr. Cockrell

On April 19, 2010, Mr. Cockrell was again interviewed by the OIEG. During this interview, Mr. Cockrell said he is allowed to use compensatory time as he wishes. Mr. Cockrell said that he earned compensatory time because his job duties required him to work overtime to visit worksites and occasionally travel to Chicago. Mr. Cockrell provided a two-page letter to the OEIG at this interview. In the letter, which is addressed to the OEIG investigator, Mr. Cockrell states that his compensatory time is not recorded on the CDB timekeeping system and that he can use compensatory time without submitting any paperwork. The letter also stated that Mr. Cockrell worked an average of three to four hours of overtime each week. Mr. Cockrell's time records indicate that he reported working more than the required 37.5 hours in 12 of the 29 weeks from May through November 2009 (including benefit time). In only one of those 29 weeks did Mr. Cockrell report more than 39 hours in a week (including benefit time).

G. Second Interview of [redacted]

On April 19, 2010, the OEIG conducted a second interview of [redacted]. [Redacted] stated that Mr. Cockrell is not required to visit worksites of CDB projects as part of his job duties. [Redacted] explained that Mr. Cockrell might be required to travel to Chicago on occasion, but there was no reason from him to work longer than his scheduled work time. [Redacted] stated that he was unaware of Mr. Cockrell using compensatory time, and he was not aware of any other managers conducting personal business during State time or using any compensatory time. [Redacted] looked at Mr. Cockrell's phone records and indicated that not many of the calls appeared to be related to State business. [Redacted] stated that there was no reason for Mr. Cockrell to call so many different numbers as part of his CDB duties, nor would his CDB duties require him to place out-of-state calls.

III. Analysis

A. CDB Policy on Use of State Compensated Time to Conduct Personal Business

Chapter XI of the CDB Personnel Policies and Procedures Manual states in Section S that “misuse or abuse of state working time for personal gain or for any reason other than performing the employee’s assigned duties” is grounds for disciplinary action up to and including discharge.

By his own admission, Mr. Cockrell was regularly on his personal cell phone during his working hours for reasons unrelated to his State employment. Mr. Cockrell claims that he used compensatory time to make these phone calls. Although Mr. Cockrell admits that he did not have any compensatory time reflected in CDB records and he did not fill out paper work to request compensatory time, he claims his supervisors allowed him to use compensatory off-the-books time whenever he wanted. According to Mr. Cockrell, this was the common practice for management level employees at CDB. However, [redacted], stated that he was unaware that Mr. Cockrell or any other manager used compensatory time in this manner. [Redacted] also stated that, although CDB is lenient with start and stop times for management level employees, Mr. Cockrell would be required to submit a leave slip in order to use benefit time.

Despite Mr. Cockrell’s claim that there is no policy for management level employees at CDB to earn compensatory time, Chapter V, Section H of the CDB Personnel Policies and Procedures Manual contains such a policy. Pursuant to the policy, non-code employees can earn compensatory time with the prior approval or either their immediate supervisor or the executive director, depending on the employee’s pay grade. There is no CDB policy that would allow an employee to use compensatory time as he or she sees fit without prior approval and without filling out the proper paper work or use off-the-books time.

Moreover, even if CDB policy were as Mr. Cockrell described, Mr. Cockrell would not have earned enough compensatory time to cover all of the time he spent making personal phone calls on his personal cell phone during work time. Between July 1, 2009, and December 3, 2009, Mr. Cockrell spent on average more than six hours per week making personal calls on his personal cell phone.² Mr. Cockrell claims that he worked on average between three and four hours more than the required 37.5 hours per week. Thus, even if true, it is not enough to make-up for the more than six hours per week that Mr. Cockrell spent making personal calls. Moreover, Mr. Cockrell’s time records show that he only put in more than the required 37.5 hours (including benefit time) in 12 out of the 29 weeks from May through November 2009 and that he only worked more than 39 hours (including benefit time) in one of those weeks.³ Furthermore, [redacted] expressed doubt that Mr. Cockrell’s State duties would require him to work significantly more than the required 37.5 hours per week.

Mr. Cockrell claimed that much of the overtime he worked was the result of traveling to work sites or to Chicago. Yet [redacted] stated that while Mr. Cockrell may be required to travel to Chicago on occasion, his job duties did not require him to travel to work sites. Moreover, Chapter V, Section H of the CDB Personnel Policies and Procedures Manual states that “under most circumstances, an employee’s travel time outside of normal work hours will not be eligible

² This does not include time spent on calls made to or received from numbers that Mr. Cockrell identified as being related to his State employment.

³ These time records would include time Mr. Cockrell spent on personal calls during work time as time spent working. If the time spent on personal calls is deducted, Mr. Cockrell spent significantly less than 37.5 hours per week on State business (including benefit time taken).

for compensatory time.” Therefore, even if CDB policy were as Mr. Cockrell described it, he would not have earned enough compensatory time to cover the amount of time he spent making personal calls during work hours.

Based on the evidence uncovered in the investigation, the allegation that Mr. Cockrell violated CDB policy by using work time for personal business is **FOUNDED**.

B. CDB Policies Concerning Outside Employment

Chapter XI, Section N, of the CDB Personnel Policies and Procedures Manual states that “outside employment should not conflict with regular work hours, nor impair the efficiency of or disrupt the employee’s or another employee’s work.” Moreover, Chapter XI, Section S, of the Manual states that “misuse or abuse of state working time for personal gain” is grounds for discipline up to and including discharge.

Mr. Cockrell owned and operated a trucking company named Riteway Logistics, Inc. (“Riteway”) until, at least, September 2009. By his own admission, Mr. Cockrell made telephone calls related to Riteway during work hours. Mr. Cockrell’s personal phone records indicate that he both received calls from and made calls to dozens of companies associated with the trucking industry during work hours. Moreover, the drop-off in Mr. Cockrell’s personal cell phone usage after September 2009 supports the conclusion that much of his personal cell phone use was related to Riteway. Because the operation of Riteway conflicted with Mr. Cockrell’s regular work hours, Mr. Cockrell violated CDB’s policy on outside employment. In addition, because he operated his for-profit business on work time, Mr. Cockrell abused work time for personal gain in violation of CDB policy.

C. Absence from the Workplace

The investigation did not establish that Mr. Cockrell was absent from the workplace during working hours without leave. Of the three work days that Mr. Cockrell was surveilled, he was found to be absent from the work place during work hours (other than brief absences that could have fallen during permitted break periods) on one occasion. Mr. Cockrell’s time records indicate that he took vacation time on that day to cover this absence, and he accurately recorded his time on his time sheet for that day. Accordingly, the allegation that Mr. Cockrell is frequently absent from the workplace without leave is **UNFOUNDED**.

V. Findings

- **FOUNDED** – Mr. Cockrell violated CDB policy by using State compensated time to conduct personal business.
- **FOUNDED** – Mr. Cockrell violated CDB policy by engaging in outside employment that conflicted with his State work hours and by using State compensated time for personal gain.
- **UNFOUNDED** – Mr. Cockrell violated CDB policy by being absent from his work station for extended periods of time during work hours.

Based upon the evidence, the OEIG recommends that Mr. Cockrell be subject to discipline for his abuse of State compensated time. In addition, the OEIG recommends that CDB seek reimbursement of up to \$4,457.34 for the 133 hours, 38 minutes, and 17 seconds of compensated time Mr. Cockrell spent handling calls related to his personal affairs.

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

State of Illinois
PAT QUINN, GOVERNOR

CAPITAL DEVELOPMENT BOARD



Gus Behnke, Acting Executive Director

Board Members January 10, 2011
Anthony R. Licata
Chairman

Neil Olson
Deputy Director
Office of Executive Inspector General
Illinois Building – 607 East Adams Street
Springfield, Illinois 62701

Mark J. Ladd
Glyn M. Ramage
Michael Y. Chin
Stewart A. Munoz
Stephen A. Toth

RECEIVED
JAN 11 2011
BY: _____

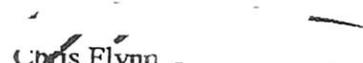
Re: OEIG Case No. 09-00772

Dear Mr. Olson:

In accordance with OEIG Case No. 09-00772, attached is the completed OEIG Response Form. If you have any questions or concerns, please call me at 217-782-0700 or email me at Chris.Flynn@illinois.gov.

Sincerely

Capital Development Board
Office of Legal Counsel


Chris Flynn
Chief Legal Counsel / Ethics Officer

Wm. G. Stratton Building
401 South Spring Street
Third floor
Springfield, Illinois
62706-4050

cc: Gus Behnke, CDB Acting Executive Director

James R. Thompson Center
100 West Randolph Street
Suite 14-600
Chicago, Illinois 60601-3283

217.782.2864
217.524-0565 FAX
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OFFICE OF EXECUTIVE INSPECTOR GENERAL
FOR THE AGENCIES OF THE ILLINOIS GOVERNOR

32 WEST RANDOLPH STREET, SUITE 1900
CHICAGO, ILLINOIS 60601
(312) 814-5600

RICARDO MEZA
EXECUTIVE INSPECTOR GENERAL

OEIGG RESPONSE FORM

Case Number:
09-00772

Return By:
20 Days after Receipt of Report

Please check the box that applies.

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

~~Subject is being suspended without pay for 30 calendar days beginning February 1, 2011 and the Capital Development Board is seeking reimbursement of \$4,457.34 as recommended.~~

- We will implement all of the OEIGG recommendations but will require additional time.
We will report to OEIGG within 30 days from the original return date:
(Provide details regarding action planned / taken.)

(over)

*** IF YOU WISH TO DEVIATE FROM OEIGG RECOMMENDATIONS YOU MUST OBTAIN PRIOR WRITTEN APPROVAL FROM THE OEIGG.**

We are implementing the OEIGG recommendations however, we request approval to deviate as follows:

(Provide details regarding action planned / taken and proposed alternate(s).)

We do not wish to implement any of the OEIGG recommendations and request approval to deviate as follows:

(Explain why and provide details of alternate plan.)

Signature _____

Christopher M. Flynn
Print Name

Capital Development Board, Chief Counsel
Print Agency and Job Title

1/10/2011
Date

* We will accept or reject your proposed alternate plan within 30 days of its receipt.

State of Illinois
PAT QUINN, GOVERNOR

CAPITAL DEVELOPMENT BOARD



Gus Behnke, Acting Executive Director

Board Members February 7, 2011
Anthony R. Licata

Chairman Neil Olson

Deputy Director
Mark J. Ladd
Office of Executive Inspector General
Glyn M. Ramage
Illinois Building – 607 East Adams Street
Michael Y. Chin
Springfield, Illinois 62701
Stewart A. Munoz
Stephen A. Toth

Re: OEIG Case No. 09-00772

Dear Mr. Olson:

Please be advised that upon further review, CDB may wish to submit an amended discipline plan for Mr. Cockrell. After further discussion, it appears there may have indeed been some potential for miscommunication regarding compensatory time; accordingly, CDB intends to revisit its policies regarding such time. In the meantime, CDB will likely limit the penalties due Mr. Cockrell which may have, in part, been caused by miscommunication between Mr. Cockrell and the Executive Director as well as Mr. Cockrell's immediate supervisor at the time of the misbehavior. Unfortunately, there was some lack of immediate clarity regarding communications that may have taken place among these parties as neither the Director nor Mr. Cockrell's supervisor were interviewed as part of the report. After further review and discussion with Mr. Cockrell's current supervisor, it appears there was at least the potential for a misunderstanding related to compensatory time; therefore, while CDB intends to punish Mr. Cockrell for time misspent, this discipline may be reduced from CDB's initial proposal.

Absent objection from OEIG, CDB will issue this amended plan no later than Monday, February 21, 2011. In the meantime, please feel free to contact me with any questions.

Wm. G. Stratton Building
401 South Spring Street
Third floor
Springfield, Illinois
62706-4050

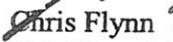
Thanks again.

James R. Thompson Center
100 West Randolph Street
Suite 14-600
Chicago, Illinois 60601-3283

Sincerely

Capital Development Board
Office of Legal Counsel

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Chris Flynn
Chief Legal Counsel / Ethics Officer

cc: Gus Behnke, CDB Acting Executive Director



OFFICE OF EXECUTIVE INSPECTOR GENERAL
FOR THE AGENCIES OF THE ILLINOIS GOVERNOR

32 WEST RANDOLPH STREET, SUITE 1900
CHICAGO, ILLINOIS 60601
(312) 814-5600

RICARDO MEZA
EXECUTIVE INSPECTOR GENERAL

OEIGG RESPONSE FORM

Case Number:
09-00772

Return By:
20 Days after Receipt of Report

Please check the box that applies.

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

- We will implement all of the OEIGG recommendations but will require additional time.
We will report to OEIGG within 30 days from the original return date:
(Provide details regarding action planned / taken.)

(over)

*** IF YOU WISH TO DEVIATE FROM OEIGG RECOMMENDATIONS YOU MUST OBTAIN PRIOR WRITTEN APPROVAL FROM THE OEIGG.**

We are implementing the OEIGG recommendations however, we request approval to deviate as follows:

(Provide details regarding action planned / taken and proposed alternate(s).)

See attached letter.

We do not wish to implement any of the OEIGG recommendations and request approval to deviate as follows:

(Explain why and provide details of alternate plan.)

Signature

Christopher M. Flynn

Print Name

CDB Ethics Officer/Chief Counsel
Print Agency and Job Title

3/7/2011
Date

* We will accept or reject your proposed alternate plan within 30 days of its receipt.

CAPITAL DEVELOPMENT BOARD



Gus Behnke, Acting Executive Director

Board Members February 18, 2011

Anthony R. Licata
Chairman

Neil Olson

Deputy Director

Mark J. Ladd

Office of Executive Inspector General

Glyn M. Ramage

Illinois Building – 607 East Adams Street

Michael Y. Chin

Springfield, Illinois 62701

Stewart A. Munoz

Stephen A. Toth

Re: OEIG Case No. 09-00772

Dear Mr. Olson:

The Capital Development Board (“CDB”) would like to amend its discipline plan for James Cockrell. Upon further review, we have uncovered certain aspects of the allegations where there was either the potential for miscommunication or statements that we were simply unable to verify.

For example, Mr. Cockrell has suggested that these allegations, or facts leading to these allegations, were discussed with [Redacted] on three separate occasions prior to the investigation in question. [Redacted] stated he does not recall meeting with Mr. Cockrell to discuss this matter in question, and [Redacted] does not have record on his calendar of these meetings as Mr. Cockrell states they were last minute, walk-in meetings. CDB does not believe it can verify whether this did or did not occur. Accordingly, it seems that Mr. Cockrell’s cell phone usage issue may have never been mentioned as a concern of CDB to him prior to the April 2010 interview. He never received an oral or written reprimand for this matter.

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Third floor
Springfield, Illinois
62706-4050

James R. Thompson Center
100 West Randolph Street
Suite 14-600
Chicago, Illinois 60601-3283

Dunn-Richmond Economic
Development Center
150 East Pleasant Hill Road
Carbondale, Illinois 62901

1222 Shooting Park Road
Suite 108
Peru, Illinois 61354

Further, Mr. Cockrell traveled numerous times during the period at issue to Illinois Department of Transportation (“IDOT”) facilities; this required driving time during which Mr. Cockrell alleges he made a number of the calls discussed in the report. Further, due to this travel, CDB has been informed of a number of times Mr. Cockrell left his phone with other colleagues at Riteway Logistics, Inc., and calls would have been made on that cell phone, but not by Mr. Cockrell. Mr. Cockrell suggests this travel time can be verified with specific IDOT staff Mr. Cockrell has named.

CDB, it seems, does not have a sufficient compensatory time policy. Mr. Cockrell may have been informed orally by his supervisor or [Redacted] that he was approved compensatory time; however, neither Mr. Cockrell’s supervisor during the period the calls were made, nor [Redacted], are currently employed by CDB, making this similarly difficult to verify. Mr. Cockrell claims he turned in a time “earned” slip, and a representative from CDB Personnel returned it

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to Mr. Cockrell because there was no policy. Several other staff have confirmed there was no written plan for compensatory time, but other staff members have been able to use compensatory time directed and approved by their supervisors, without anything in writing. CDB intends to improve its policy regarding compensatory time.

Finally, despite this issue, all records indicate Mr. Cockrell has performed his job duties well.

Accordingly, CDB would like to amend the discipline plan for Mr. Cockrell to five (5) working days of suspension without pay. CDB further intends to establish a small working group to confirm a written plan documenting compensatory time earned and used.

Please feel free to contact me at (217) 782-0700 if you have any questions or concerns.

Sincerely,

CAPITAL DEVELOPMENT BOARD
OFFICE OF LEGAL COUNSEL

Chris Flynn
Chief Legal Counsel

State of Illinois
PAT QUINN, GOVERNOR

CAPITAL DEVELOPMENT BOARD



Gus Behnke, Acting Executive Director

Board Members
Anthony R. Licata
Chairman

Mark J. Ladd
Glyn M. Ramage
Michael Y. Chin
Stewart A. Munoz
Stephen A. Toth

February 28, 2011

Neil Olson
Deputy Director
Office of Executive Inspector General
Illinois Building – 607 East Adams Street
Springfield, Illinois 62701

Re: OEIG Case No. 09-00772

Dear Mr. Olson:

As requested, please let this letter serve as notice that for the reasons stated in CDB's February 18, 2011 letter, CDB's discipline plan in OEIG Case No. 09-00772, as amended in the February 18th letter, will not include seeking reimbursement of any monies as discussed in the prior response.

As always, please feel free to contact me at (217) 782-0700 if you have any questions or concerns.

Sincerely,

**CAPITAL DEVELOPMENT BOARD
OFFICE OF LEGAL COUNSEL**

Chris Flynn
Chief Legal Counsel

Wm. G. Stratton Building
401 South Spring Street
Third floor
Springfield, Illinois
62706-4050

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Chicago, Illinois 60601-3283

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150 East Pleasant Hill Road
Carbondale, Illinois 62901

1222 Shooting Park Road
Suite 108
Peru, Illinois 61354

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IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

IN RE: JAMES COCKRELL

)

09-00772

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

6-10-2011
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

Psalm 83 attached and March 11, 2010 letter
from the executive director. Thanks

June 13, 2011

Public response of James Cockrell if report is published.

Psalm 83

¹Keep not thou silence, O God: hold not thy peace, and be not still, O God.

²For, lo, thine enemies make a tumult: and they that hate thee have lifted up the head.

³They have taken crafty counsel against thy people, and consulted against thy hidden ones.

⁴They have said, Come, and let us cut them off from being a nation; that the name of Israel may be no more in remembrance.

⁵For they have consulted together with one consent: they are confederate against thee:

⁶The tabernacles of Edom, and the Ishmaelites; of Moab, and the Hagarenes;

⁷Gebal, and Ammon, and Amalek; the Philistines with the inhabitants of Tyre;

⁸Assur also is joined with them: they have holpen the children of Lot. Selah.

⁹Do unto them as unto the Midianites; as to Sisera, as to Jabin, at the brook of Kison:

¹⁰Which perished at Endor: they became as dung for the earth.

¹¹Make their nobles like Oreb, and like Zeeb: yea, all their princes as Zebah, and as Zalmunna:

¹²Who said, Let us take to ourselves the houses of God in possession.

¹³O my God, make them like a wheel; as the stubble before the wind.

¹⁴As the fire burneth a wood, and as the flame setteth the mountains on fire;

¹⁵So persecute them with thy tempest, and make them afraid with thy storm.

¹⁶Fill their faces with shame; that they may seek thy name, O LORD.

¹⁷Let them be confounded and troubled for ever; yea, let them be put to shame, and perish:

¹⁸That men may know that thou, whose name alone is JEHOVAH, art the most high over all the earth.



Board Members

Anthony R. Licata
Chairman
Mark J. Ladd
Glyn Ramage
Michael Chin
Stewart A. Munoz
Reagen C. Atwood
Stephen A. Toth

March 11, 2010

Re: James Cockrell

To whom it may concern:

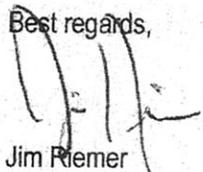
Please be advised that James Cockrell has been an employee of the Capital Development since January 2006. He began his career as a Capital Planning Liaison (CPL), assigned to the Illinois Department of Transportation and Illinois Courts agencies. Capital Planning Liaisons are assigned to state agencies to plan and prioritize Capital constructions projects according to life, health, safety concerns and available state funding.

In July of 2008, James was promoted to Administrator of Capital Planning. He supervises nine Capital Planning Liaisons, (5) in Springfield and (4) in Chicago, covering (20) state agencies. He has also served as Acting Administrator of the Federal Employment Practices Department. James assists with public outreach events for Minority Business Enterprises / Female Business Enterprises Participation and Minority Workforce programs.

Since he has been with Capital Development Board, James has exhibited an excellent job performance. He is a team player and a trusted partner that uses his time effectively to assist in the Accomplishment of the overall goals of the agency. James has exceptional interpersonal skills and the decision making ability to deal credibly with internal and external customers. He also has exhibited the proven capacity to manage union and non-union personnel, as well as balance, prioritize and complete multiple team projects.

Please give James every consideration.

Best regards,


Jim Riemer
Executive Director, Capital Development Board

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