

IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

In re: TYRONE FINLEY and)
MAE CLEVELAND) OEIG Case #11-00497

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 Tyrone Finley and Mae Cleveland at their last known addresses.

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

FINAL REPORT

I. INTRODUCTION

A. Allegations

On April 6, 2011, the Office of Executive Inspector General for the Agencies of the Illinois Governor (OEIG) received a complaint involving State employee Tyrone Finley, a Building/Grounds Laborer for the Illinois Department of Central Management Services (CMS). It was alleged that Mr. Finley falsified timesheets so that he could receive paid leave while incarcerated. It was further alleged that Mr. Finley was aided in his misconduct by other State workers, including:

- [REDACTED]; [allegations unfounded]
- CMS Executive II Mae Cleveland (Mr. Finley’s immediate supervisor); and
- [REDACTED] [allegations unfounded]

B. Summary of Findings

Based on its investigation, the OEIG concludes that:

- Tyrone Finley improperly used sick leave to receive compensation during his incarceration, made false written and verbal statements to CMS about his employment, and failed to submit the required forms to justify his paid leave;
- Mae Cleveland failed to ensure proper compliance with CMS timekeeping procedures, failed to report evidence of improper action by Tyrone Finley, and violated the Ethics Act by making a knowing false statement to OEIG investigators;
- There is insufficient evidence to conclude that [REDACTED] engaged in misconduct; and
- There is insufficient evidence to conclude that [REDACTED] engaged in misconduct.

C. Recommendations

Based upon the OEIG's findings and in light of the fact that Tyrone Finley is no longer a State employee, the OEIG recommends that a copy of this report be placed in his personnel file and that any discharge documentation ensure that Mr. Finley has no right to reinstatement to State employment.

The OEIG recommends that Ms. Cleveland be terminated.

II. BACKGROUND

A. Tyrone Finley

Tyrone Finley began working for CMS in 2004 as a Building/Grounds Laborer. Mr. Finley's responsibilities included moving office contents and supplies among various locations. At all times relevant to this investigation, Mr. Finley's direct supervisor was Mae Cleveland, CMS Executive II.

Sometime prior to January 2011, Mr. Finley was arrested and charged with driving on a suspended or revoked license. On January 27, 2011, Mr. Finley had a court appearance in the Criminal Division of the Circuit Court of Cook County. At that court appearance, Mr. Finley was found guilty of driving on a suspended or revoked license, a Class 3 felony. On the same day, Mr. Finley was taken into custody and incarcerated. Mr. Finley remained incarcerated from January 27 until September 7, 2011.

B. Mae Cleveland

As an Executive II, Mae Cleveland supervises eight employees in the Bureau of Property Management. Her duties require her to oversee the activities and job performance of her subordinates, including Mr. Finley. As part of her job, she is required to manage her subordinates' requests for paid time off or "leave" from CMS for reasons including sickness and vacation.

C. [Unfounded allegations redacted]

[Redacted]

D. [Unfounded allegations redacted]

[Redacted]

III. INVESTIGATION

The OEIG's investigation included the following, among other things:

- Review of Tyrone Finley's leave and timekeeping records;
- Review of telephone records;
- Review of audio-recordings of prison phone calls;
- Interview of Tyrone Finley;
- Interviews of Mae Cleveland;
- Interview of [Redacted];
- Interview of Dorothy Finley, Mr. Finley's wife;
- Interview of [Redacted]; and
- Interview of [Redacted] regarding Mr. Finley's medical information.

A. Pre-Incarceration Leave Request Records

OEIG investigators examined Mr. Finley's leave request records (known within CMS as "Official Leave Request Forms") to determine the extent of leave time he requested and was granted during the time period he was incarcerated. Those records indicate that on January 13 and 21, 2011, prior to his incarceration, Mr. Finley requested paid leave, including personal leave, vacation leave, and sick leave, from January 27 through March 19, 2011. Ms. Cleveland approved all of the requested leave time.

The records also revealed that Mr. Finley received almost three vacation days from March 21-23, even though he did not submit any Official Leave Request Forms for those dates.

Between January 27 and March 23, 2011, Mr. Finley’s paid leave consisted of approximately:

- three days in January 2011;
- 18 days in February 2011;¹ and,
- 16.5 days in March 2011.

Following is a table showing how those days of leave were allocated:

Date of Leave	Reason Given	Reason Awarded ²	Date Tyrone Finley Made Request	Date Mae Cleveland Authorized Leave
Jan. 27	Personal Time	<i>Vacation</i>	Jan. 13	Jan. 18
Jan. 28	Personal Time	<i>Vacation</i>	Jan. 13	Jan. 18
Jan. 31	Personal Time	<i>Vacation</i>	Jan. 13	Jan. 18
Feb. 1	Vacation	<i>Personal Time</i>	Jan. 13	Jan. 18
Feb. 2	Vacation	<i>Personal Time</i>	Jan. 13	Jan. 18
Feb. 3	Vacation	<i>Personal Time</i>	Jan. 13	Jan. 18
Feb. 4	Vacation	Vacation	Jan. 13	Jan. 18
Feb. 7	Vacation	Vacation	Jan. 13	Jan. 18
Feb. 8	Vacation	Vacation	Jan. 13	Jan. 18
Feb. 9	Vacation	Vacation	Jan. 13	Jan. 18
Feb. 10	Vacation	Vacation	Jan. 13	Jan. 18
Feb. 14	Vacation	Vacation	Jan. 13	Jan. 18
Feb. 15	Vacation	Vacation	Jan. 13	Jan. 18
Feb. 16	Vacation	Vacation	Jan. 13	Jan. 18
Feb. 17	Vacation	Vacation	Jan. 13	Jan. 18
Feb. 18	Vacation	Vacation	Jan. 13	Jan. 18
Feb. 22	Vacation	Vacation	Jan. 13	Jan. 18
Feb. 23	Vacation	Vacation	Jan. 13	Jan. 18
Feb. 24	Vacation	Vacation	Jan. 13	Jan. 18
Feb. 25	Vacation	Vacation	Jan. 13	Jan. 18
Feb. 26	Vacation	<i>N/A – Saturday is a Regular Off Day</i>	Jan. 13	Jan. 18
Feb. 28	Vacation	Vacation	Jan. 13	Jan. 18
Mar. 1	Vacation	Vacation	Jan. 13	Jan. 18
Mar. 2	Vacation	Vacation	Jan. 13	Jan. 18
Mar. 3	Vacation	Vacation	Jan. 13	Jan. 18
Mar. 4	Vacation	Vacation	Jan. 13	Jan. 18
Mar. 7	Vacation	Vacation	Jan. 13	Jan. 18
Mar. 8	Vacation	Vacation	Jan. 13	Jan. 18
Mar. 9	“Sick”	<i>Employee Illness</i>	Jan. 21	Jan. 21
Mar. 10	Service Injury	<i>Employee Illness</i>	Jan. 21	Jan. 21

¹ Mr. Finley also received 7 hours and 30 minutes of State holiday pay on each of February 11 and 21, 2011.

² Mr. Finley’s attendance records, which list the days for which Mr. Finley was paid and include a confirmation of all authorized paid leave, reflect some discrepancies between the type of leave that Mr. Finley requested and the type of leave ultimately authorized. The discrepancies are noted in the table above in italicized bold font. CMS records did not contain any documentation that explained the discrepancies.

Mar. 11	Service Injury	<i>Employee Illness</i>	Jan. 21	Jan. 21
Mar. 14	Service Injury	<i>Employee Illness</i>	Jan. 21	Jan. 21
Mar. 15	Service Injury	<i>Employee Illness</i>	Jan. 21	Jan. 21
Mar. 16	Service Injury	<i>Employee Illness</i>	Jan. 13	Jan. 18
Mar. 17	Service Injury	<i>Vacation</i>	Jan. 13	Jan. 18
Mar. 18	Vacation	Vacation	Jan. 13	Jan. 18
Mar. 19	Service Injury	<i>N/A – Saturday is a Regular Off Day</i>	Jan. 13	Jan. 18
Mar. 21	- ³	<i>Vacation</i>	No Form Completed	No Form Completed
Mar. 22	-	<i>Vacation</i>	No Form Completed	No Form Completed
Mar. 23	-	<i>Vacation (4.5 hrs)</i>	No Form Completed	No Form Completed

Based on CMS records, Mr. Finley received paid leave consisting of approximately 28.5 vacation days, six sick days, three personal days, and two State holidays.⁴

After Mr. Finley’s permitted leave time was exhausted on March 23, 2011, his continuing absence was reported as unauthorized. None of the forms noting Mr. Finley’s absences after March 21, 2011, bear his signature, but are all signed by Ms. Cleveland. Several of the forms noting Mr. Finley’s unauthorized absences (*i.e.*, the forms covering Mr. Finley’s April 1, 4-6, 14-15, 25, 29, and May 2-3 absences) state in the “Remarks” field that either Mr. Finley or his wife called in the absence.

B. Review of Telephone Records

As part of an investigation of Ms. Cleveland’s potential involvement in or knowledge of Mr. Finley’s actions, OEIG investigators conducted an analysis of telephone calls associated with telephone numbers for Ms. Cleveland and Mr. Finley’s wife, Ms. Finley, between February and May 2011. The telephone call analysis revealed that:

Between February 4 and April 1, 2011

Four telephone calls were made between Ms. Finley’s cellular phone number and Ms. Cleveland’s State-issued cellular phone number, the longest call lasting over 20 minutes.⁵

Between March 23 and May 10, 2011

Approximately 25 telephone calls were placed by Ms. Finley’s cellular phone number to the CMS office telephone number where Ms. Cleveland works.

³ There are no Official Leave Requests for March 21, 22, and 23, for which CMS attendance records record Mr. Finley as being on vacation. The OEIG was unable to determine whether this vacation leave was available to Mr. Finley in January 2011, or whether he accrued this vacation leave between January 27 and March 29, 2011.

⁴ As noted in the table, Mr. Finley sought paid leave for February 26 and March 19, but he was already entitled to time off on those dates because they each fell on a Saturday.

⁵ The first call between Ms. Cleveland and Ms. Finley involving Ms. Cleveland’s State-issued cellular phone occurred during the week following Mr. Finley’s January 27, 2011 court date and incarceration.

Between April 1 and May 5, 2011

Thirteen telephone calls were placed between Ms. Finley's cellular phone number and Ms. Cleveland's *personal* cellular phone number, one of which lasted over 2 hours.

C. Audio Recording of Tyrone Finley's Phone Calls From Prison

Mr. Finley's telephone calls while serving his State sentence in Shawnee Correctional Facility were recorded. The OEIG analyzed those recordings. The following telephone calls were notable.

1. Telephone Call of April 22, 2011

On April 22, 2011, the Shawnee Correctional Facility recorded Mr. Finley talking with Ms. Finley. As set forth in the excerpt below, Mr. Finley and Ms. Finley stated that they had expected Ms. Cleveland to help more than she had with Mr. Finley's situation. Ms. Finley told Mr. Finley that Ms. Cleveland said that there was only so much that she (Ms. Cleveland) could do and that she would not jeopardize her or "██████'s" job for Mr. Finley. The relevant portions of the conversation follow:

Mr. Finley: "When I was telling you that Mae wasn't going to do [expletive]."

Ms. Finley: "Well, I knew she wasn't going to do it, Tyrone. I, I wrote you back and told you she already say, ah, there's only so much she can do, if she's not gonna, she's not gonna, wasn't gonna jeopardize her and ██████'s job."

Mr. Finley: "She's gonna, she's gonna come back and try to tell me that she did this and she did that and she did everything."

Ms. Finley: "And she (Cleveland) also told me to tell you. She also told me to tell you whatever you do, don't get in contact with ██████. . . . She said she heard him – he came to the office – and she heard him telling ██████ that he went on the internet and, and, and ah, saw where you was at. . . . She said afterwards ██████ came to her and she told, she says she told him 'I don't know where he's at. I can only go by what his wife tells me.'"

2. Telephone Call of April 25, 2011

On April 25, 2011, the Shawnee Correctional Facility recorded Mr. Finley talking with Ms. Finley and Ms. Cleveland. As set forth in the excerpt below, Mr. Finley apparently first called Ms. Finley, who then placed a call to Ms. Cleveland at the telephone number for the CMS office where Ms. Cleveland worked. During the three-way conversation that followed, Ms. Cleveland asked Mr. Finley where he was, and he responded that he had been "bouncing from one house to another." During the call, Ms. Cleveland stated that Mr. Finley would need to call

in his absences to CMS every day, but Mr. Finley responded that he would not be able to do so.⁶ ██████████ can apparently be heard talking in the background in one portion of the call.

The conversation went as follows:

Mr. Finley: “Yeah, what’s up with you, [little] girl?”

Ms. Cleveland: “Hey, how’s it going with you?”

Mr. Finley: “[Expletive]. It’s, it’s alright, I can’t complain.”

Ms. Cleveland: “Oh. My god, where are you? Where have? Why haven’t I heard from you?”

Mr. Finley: “[Expletive] ‘Cuz, ah, [Expletive]. I been, I’ve been bouncing from one, from one house to another.”

Ms. Cleveland: “Oh-h-h-h-h. Wow. Ok, so, how you feeling?”

Mr. Finley: “[Expletive]. Tired of this damn place and tired of looking at [derogatory term for African Americans].”

Ms. Cleveland: “Oh my [Laughing]. Ok. Well, alright, I will, um, I will, ah, talk with you later, but I need to, ah, probably hear from you every . . .
[Speaking away from the phone:] ██████████, do I need to hear from him every day?”

“█████████:” [Speaking from afar] “Yeah.”

Ms. Cleveland: “I need to hear from you every day.”

Mr. Finley: “I can’t do that. I can’t . . . [Inaudible]”

Ms. Cleveland: “█████████ said because you have absolutely no time.”

Ms. Finley: “Well I [was fixing] to call ██████████ for him.”

Ms. Cleveland: “Oh, okay.”

Mr. Finley: “Yeah.”

Ms. Cleveland: “Alright.”

⁶ In his interview, Mr. Finley stated that he could not recall ever speaking with Ms. Cleveland from prison and did not know her personal cell phone number.

After dropping Ms. Cleveland from the conversation, a few minutes later during that same telephone call, Mr. Finley asked Ms. Finley to call Ms. Cleveland back to ask her some additional questions. Ms. Finley responded that they will have to call Ms. Cleveland back via her personal cellular telephone number because she (Ms. Cleveland) would not be able to answer any questions over her CMS office line. As set forth in the excerpt below, Ms. Finley provided the following explanation to Mr. Finley as to why Ms. Cleveland had asked Ms. Finley to contact Ms. Cleveland by the personal line and not at either Ms. Cleveland's State office number or State cellular telephone number:

Ms. Finley: "But she (Cleveland) gave me her personal cell phone . . . See, I didn't call neither, neither one of the office numbers."

Mr. Finley: "Okay."

Ms. Finley: "Cuz she said they, they monitoring. They. She think they monitoring the office number and the, ah . . ."

Mr. Finley: "The cell phone number . . ."

Ms. Finley: "Yeah. Yeah the job cell phone number they gave her. . . . So she had called me one night and gave me her personal cell phone."

3. Telephone Call of May 9, 2011

On May 9, 2011, the Shawnee Correctional Facility recorded Mr. Finley talking with Ms. Finley. As set forth in the excerpt below, Ms. Finley stated to Mr. Finley that Ms. Cleveland was not forthcoming with information.

The conversation went as follows:

Mr. Finley: "I kept asking you: talk to Mae . . . [Inaudible]."

Ms. Finley: "But every time I talk to her she always says she didn't know nothing, Tyrone."

Mr. Finley: "[Inaudible] She's lying and [Expletive] . . . [Inaudible]."

Ms. Finley: "She kept saying that it was out of her and [REDACTED] hands. Okay . . ."

D. Interview of Tyrone Finley

On April 2, 2012, after he had been released from prison, OEIG investigators interviewed Tyrone Finley. Mr. Finley stated that, prior to his January 27, 2011 court date, he was aware of the possibility that he might go to jail. He confirmed that he was incarcerated from January 27, 2011, to September 7, 2011.

According to Mr. Finley, in January 2011, he went to the hospital for high blood pressure. He said that he was admitted for one night under the care of Dr. [REDACTED]. He said that he also met with [REDACTED] [a supervisor] sometime in January 2011 to discuss the fact that he (Mr. Finley) was stressed, having asthma attacks, and had an upcoming court date at which he faced the possibility of incarceration. Mr. Finley stated that [REDACTED] [a supervisor] told him he should “do what [he] had to do” and should keep him ([REDACTED]) updated.

Mr. Finley also told investigators that in January 2011 he:

- had been speaking with his supervisor Mae Cleveland about his potential incarceration;
- updated Ms. Cleveland every time he went to court regarding his criminal case; and
- informed some of his co-workers that he faced possible incarceration.

Mr. Finley also stated that he had spoken to Ms. Cleveland in late 2010 about the possibility of retirement. He stated that he went to Ms. Cleveland’s office on January 11, 2011, and told her that he was stressed and sick, and that the doctor had told him to “stay out of work.” Mr. Finley said that these health issues, including asthma attacks, had also been going on in November and December of 2010, and that he had continuing conversations with Ms. Cleveland about his health status. He said it was because of those health issues that he decided to take time off and submitted written requests.⁷ Mr. Finley said that he filled out those requests in Ms. Cleveland’s office.

OEIG investigators showed Mr. Finley copies of leave requests dated January 13 and 21, 2011. Mr. Finley acknowledged filling out the leave requests, which included sick leave requests for the time period of March 9 through March 17, 2011, almost two months subsequent to when he had filled out the requests. Mr. Finley said he believed it was CMS policy that when he sought to use extensive time for an illness, he had to use his vacation and personal leave prior to using his sick leave, so that is how he structured his leave request. Mr. Finley said that he decided to request leave until about March 20, 2011.

Mr. Finley was informed that his telephone calls in prison were recorded and that OEIG investigators had listened to the calls and heard Mr. Finley and his wife discuss Mr. Finley’s State employment. Mr. Finley denied the content of the calls.

Mr. Finley said that after he pleaded guilty on January 27, 2011, he was immediately taken into custody and was unable to tell anyone, including [REDACTED] or his wife that he had been incarcerated.

⁷ In order to take leave from CMS for any reason – e.g., sickness, personal time, or vacation – Mr. Finley was required to submit a written request on an Official Leave Request Form to his immediate supervisor, Mae Cleveland, and receive her authorization.

E. Interviews of Mae Cleveland

OEIG investigators interviewed Mae Cleveland on May 12 and 19, 2011, and May 9, 2012. Below is a description of what Ms. Cleveland said in her interviews, organized by subject matter.

1. Mr. Finley's Pre-Incarceration Leave Request Submission

In her May 9, 2012 interview, Ms Cleveland confirmed that her duties as CMS Executive II required her to approve the leave requests of those under her supervision. Ms. Cleveland said she has approved leave requests throughout her approximate ten years with CMS and also acknowledged that, in order to do so, she has had to be familiar with and comply with CMS policies and rules, including those related to timekeeping. However, Ms. Cleveland told investigators that she was only "somewhat" familiar with all of CMS's policies and rules related to timekeeping.⁸

Ms. Cleveland acknowledged approving and signing Mr. Finley's January 13 and 21, 2011 leave requests on January 18 and 21, 2011. Investigators asked her about several apparent irregularities that the OEIG detected on the leave requests – including that Mr. Finley:

- requested service-injury leave rather than employee illness or sick leave;
- requested leave on two Saturdays during which he is not ordinarily scheduled to work; and
- requested sick leave, personal leave, and vacation in no readily apparent order.

Ms. Cleveland responded that she did not notice or seek any clarification from Mr. Finley about those irregularities or seek any documentation for the six consecutive days of sick leave he asked for in March 2011. Ms. Cleveland stated that she never had a conversation with Mr. Finley about the leave requests after he submitted the first set on January 13, 2011, but she believed that he was authorized under the Family and Medical Leave Act ("FMLA") to take such extensive leave. Ms. Cleveland acknowledged, however, that she never received any completed FMLA paperwork from Mr. Finley – in fact, she did not inquire until late March 2011 whether any FMLA paperwork had been submitted – and the FMLA box was not checked on any of Mr. Finley's leave requests that she signed on January 18 and 21, 2011.

Ms. Cleveland said she believed it was [REDACTED] who helped Mr. Finley with his leave requests.⁹

Nevertheless, although Ms. Cleveland denied meeting with Mr. Finley regarding his leave requests, she stated that she approved his requests for sick leave for time in March 2011 because at the time he requested leave (January 2011), Mr. Finley appeared out of breath. Ms.

⁸ Ms. Cleveland acknowledged being trained on timekeeping policies early in her State employment, but stated that the training was provided by a different State agency prior to her start with CMS.

⁹ In her May 19, 2011 interview, however, Ms. Cleveland stated that on January 21, 2011, Mr. Finley came into her office with his wife, Ms. Finley, at which time Mr. Finley completed a series of leave requests.

Cleveland stated that she approved Mr. Finley's sick time for March because she "assumed he was going to be sick." She stated that Mr. Finley was sick with a breathing problem and that he needed time off. She stated: "[I] saw him and he was sick." Later in the interview, Ms. Cleveland stated that she signed the leave requests because she believed that Mr. Finley was going to bring in the proper medical verification, as she had requested him to do.¹⁰ Ms. Cleveland stated that at the time she "had a feeling" that Mr. Finley was using benefit time to do "something else," but she said she did not know what he was doing.

Ms. Cleveland said she did not ask Mr. Finley about any of his leave requests – for sick leave or otherwise – nor did she recall asking the timekeeper, [REDACTED], about Mr. Finley's leave when he submitted his forms. Ms. Cleveland said she may not have looked over Mr. Finley's requests as carefully as she should have. In fact, during her May 19, 2011 interview, Ms. Cleveland acknowledged to investigators that her advance approval in January 2011 of Mr. Finley's March 2011 sick leave was improper.

2. Phone Contact Between Ms. Cleveland and Dorothy Finley

In her May 9, 2012 interview, Ms. Cleveland told OEIG investigators that around March 23, 2011, she became aware that Mr. Finley no longer had any available leave time to use. According to Ms. Cleveland, she spoke to "Springfield" to determine if Mr. Finley's FMLA packet had been turned in to the Springfield office. Ms. Cleveland stated that "Springfield" told her to contact Mr. Finley's wife. When asked why she was instructed to call Ms. Finley, as opposed to Mr. Finley, Ms. Cleveland stated that Ms. Finley had been "calling in" for Mr. Finley. Ms. Cleveland then added that she had originally called Mr. Finley's number and Ms. Finley answered, but Ms. Finley told her that Mr. Finley was unable to come to the phone. According to Ms. Cleveland, she instructed Ms. Finley to have Mr. Finley call her (Ms. Cleveland) and that Mr. Finley had to turn in his FMLA paperwork.

Ms. Cleveland told OEIG investigators that she had *no conversation* with Ms. Finley or Mr. Finley between January 19 and March 19, 2011. Ms. Cleveland reiterated three times that she had not spoken to Ms. Finley prior to Mr. Finley's leave running out in March 2011. However, when informed that telephone records revealed that she (Ms. Cleveland) had contacted Ms. Finley's cellular telephone via her (Ms. Cleveland's) personal and State telephones in February and March 2011, Ms. Cleveland retracted her earlier denial and confirmed that she had, in fact, spoken with Ms. Finley during this time period.

With regard to the content of these conversations, Ms. Cleveland stated that she may have contacted Ms. Finley to notify her that the "union" wanted to "get in touch with Finley" about his potential retirement. She stated that she also talked to Ms. Finley about the fact that Mr. Finley needed to turn in medical documentation and that he needed to keep calling into work to report his absence. Queried about the duration of her conversations with Ms. Finley – which on one occasion lasted up to 2 hours – Ms. Cleveland stated that the duration of the calls merely

¹⁰ In her May 12, 2011 interview, however, Ms. Cleveland stated that Mr. Finley had brought a medical statement to her on or about January 21, 2011. She stated that the paperwork was the discharge form from the hospital. When the OEIG obtained Mr. Finley's file, there were no hospital records included with Mr. Finley's leave requests.

revealed her extensive efforts to “befriend” Ms. Finley in order to get truthful information about Mr. Finley’s whereabouts. Ms. Cleveland said she started talking to Ms. Finley only to learn of Mr. Finley’s whereabouts and had to work to become friends with her before Ms. Finley would reveal any information about Mr. Finley.

3. Ms. Cleveland’s Knowledge of Mr. Finley’s Incarceration

During her interviews, Ms. Cleveland was asked about her knowledge regarding Mr. Finley’s whereabouts. She made statements related to that subject in all three of her interviews, as summarized below.

a. Ms. Cleveland’s Initial Interview

During Ms. Cleveland’s initial interview on May 12, 2011, she stated that she had spoken with Mr. Finley on or about March 11, 2011 (about two months after he first requested leave in January 2011), and that he had told her he was doing fine, but never said where he was. Ms. Cleveland stated that someone later told her that Mr. Finley was incarcerated but said he did not know this “for sure.”

b. Ms. Cleveland’s Second Interview

During her second interview, on May 19, 2011, Ms. Cleveland initially denied speaking with Ms. Finley and also denied having a three-way conversation with Mr. Finley and Ms. Finley. However, after investigators informed Ms. Cleveland that they had a recorded conversation from prison between her, Mr. Finley, and Ms. Finley, she (Ms. Cleveland) stated that Mr. and Ms. Finley never told her that the call was being recorded. Ms. Cleveland said that, prior to speaking with Mr. Finley, she heard from other employees – including two of Mr. Finley’s coworkers – that Mr. Finley might be in prison, and that Mr. Finley’s whereabouts could be confirmed online, but she never thought to challenge Mr. Finley as to whether or not he was in prison. In any event, Ms. Cleveland denied knowing that Mr. Finley was in prison and denied helping Mr. Finley falsify any leave requests.

c. Ms. Cleveland’s Third Interview

During her third interview, on May 9, 2012, when questioned as to whether she knew that Mr. Finley might soon be incarcerated as of the time she approved his leave requests on January 18 and 21, 2011, Ms. Cleveland replied, “No.” Ms. Cleveland further stated that Ms. Finley did not initially say that Mr. Finley was in jail when they spoke, but that she (Ms. Finley) eventually did tell her (Ms. Cleveland) that he (Mr. Finley) was in prison. Ms. Cleveland was unable to recall when she learned Mr. Finley was in prison and said that she never asked Ms. Finley specifically if Mr. Finley was incarcerated, although she (Ms. Cleveland) did ask generally where Mr. Finley was.

Later in the interview, Ms. Cleveland stated that she thought Ms. Finley told her about Mr. Finley’s incarceration in April or May 2011, prior to her initial May 12, 2011 OEIG interview. When investigators asked Ms. Cleveland why she did not tell them (OEIG

investigators) of this fact during her May 12 or 19, 2011 interviews, Ms. Cleveland stated that she “did not want to be made to feel the way I do now.” Ms. Cleveland then said she should have looked into Mr. Finley’s whereabouts when she first heard he was in prison and stated “maybe I did it the wrong way.”

F. Interview of [REDACTED]

OEIG investigators interviewed [REDACTED], who is responsible for processing leave requests and who processed Mr. Finley’s 2011 leave requests. Although not a supervisor, [REDACTED] is the timekeeper for 38 employees – including Mr. Finley from 2004 through 2011 – and is familiar with CMS’s policies on timekeeping. As part of her leave request processing duties, [REDACTED] is responsible for informing Springfield personnel when CMS employees in her office take leave. [REDACTED] said she did not help Mr. Finley receive improper paid time off.

[REDACTED] said she was told by others that Mr. Finley was out sick for a prolonged period in 2011. As his absences became more and more frequent, and at the request of the [REDACTED] created a call-in log within her office to note all of the instances when Ms. Finley called in on Mr. Finley’s behalf. During each of the calls, Ms. Finley informed CMS of Mr. Finley’s need to take leave that day.¹¹ [REDACTED] indicated that she had never received a call from Ms. Finley personally, but she had received a physician’s statement regarding Mr. Finley’s condition from Ms. Finley in April 2011. According to [REDACTED], Ms. Finley came into the CMS office to pick up a “CMS 95” form. [REDACTED] stated that she gave a blank form to Ms. Cleveland, who then gave it to Ms. Finley. [REDACTED] stated that Ms. Finley returned a completed form to her ([REDACTED]), which was placed in Mr. Finley’s file.

G. Interview of Dorothy Finley

On April 27, 2012, the OEIG interviewed Dorothy Finley. Ms. Finley confirmed that she had several phone conversations with Ms. Cleveland in the spring of 2011 while Mr. Finley was incarcerated.¹² Ms. Finley said Ms. Cleveland would call her whenever she (Ms. Cleveland) had a question about Mr. Finley’s employment.

Ms. Finley told investigators that she recalled telling Ms. Cleveland, possibly in late March 2011, that Mr. Finley was in prison. Upon hearing this news, Ms. Cleveland instructed her (Ms. Finley) to share new information as it came in. Ms. Finley told investigators that, in

¹¹ On May 31, 2011, OEIG investigators interviewed [REDACTED], who stated that it was not until March 23, 2011, that she learned of the possibility that Mr. Finley might be incarcerated. She said that, at that point, she told Ms. Cleveland that Mr. Finley must fill out a physician’s statement (meaning a “CMS 95” form) to take prolonged sick leave, and that that Ms. Cleveland should log any calls that Mr. or Ms. Finley made to the CMS office during his absence.

¹² When interviewed, Mr. Finley was asked if he knew his wife was speaking with his supervisor. He denied knowing that the two women had been communicating by phone while he was incarcerated, or having instructed his wife to speak with his supervisor. He claimed only to have learned about the conversations after his release from prison in September 2011.

light of Ms. Cleveland's request, she later told Ms. Cleveland when Mr. Finley was transferred to a different penal facility in March 2011.

H. Interview of [REDACTED]

The OEIG interviewed [REDACTED] on May 25, 2011. [REDACTED] confirmed that, on January 11, 2011, he met with Mr. Finley regarding his (Mr. Finley's) impending court date and possible incarceration. [REDACTED] recalled that Mr. Finley was concerned about keeping his job despite the incarceration.

[REDACTED] said he told Mr. Finley that he (Mr. Finley) would be unable to keep his job, but that he might be able to retire. [REDACTED] did not recall ever hearing that Mr. Finley was, in fact, incarcerated until shortly before the end of May 2011.

According to [REDACTED], Mr. Finley never followed up with him ([REDACTED]) regarding the substance of the January 2011 conversation, and [REDACTED] never discussed with Ms. Cleveland his conversation with Mr. Finley. [REDACTED] stated that he had been aware that Mr. Finley was not at work throughout the early part of 2011, but was not aware of the reason for his absence. [REDACTED] said that at the point that he learned about Mr. Finley's absence, he asked Ms. Cleveland to get a physician's statement (meaning a "CMS 95" form) from Mr. Finley.

I. Interview of Dr. [REDACTED] Regarding the CMS 95 Form

On May 5, 2011, the OEIG interviewed Dr. [REDACTED] about a CMS 95 Form,¹³ informally referred to as a "physician's statement," that was submitted to CMS on Mr. Finley's behalf. On the line for the physician's signature the document states "[REDACTED]" and was dated April 19, 2011. On the form is the following handwritten statement: "Tyrone [Finley] has [REDACTED] which has caused him to have some chest pain and hypertension." Several fields on the form are blank, but a box labeled "House Confined" was checked. A handwritten notation at the end of the statement reads: "Need [sic] to be evaluated continuously!!"

Dr. [REDACTED] said he was not familiar with the form, nor did he sign it. He did not recognize the handwriting as that belonging to any of his staff. Dr. [REDACTED] did, however, recall that Ms. Finley came in and asked him to fill out a form for Mr. Finley. He said he informed Ms. Finley he could only do so if Mr. Finley came to the office himself.

J. Mr. Finley's, [REDACTED]'s, and Ms. Finley's Responses to Dr. [REDACTED]'s Statement

OEIG investigators asked Mr. Finley about the physician's statement, and Mr. Finley indicated that his wife had mailed him a blank physician statement while he was incarcerated.

¹³ The CMS 95 Form is a two-sided document to be completed by the employee's physician in order to document the need to be away from work because of a long-term illness. According to CMS policy, the form must be completed in order to authorize an employee's extensive sick leave.

Mr. Finley further explained that he could not get anyone in the prison facility to fill it out, so he ultimately mailed it back to his wife uncompleted. Mr. Finley stated that he did not fill it out himself, but he believed that his wife had ensured that it was completed by Dr. [REDACTED].

Investigators asked [REDACTED] about the physician's statement. [REDACTED] said that she had provided Ms. Finley with a blank form and she (Ms. Finley) had later returned it to CMS completed.

Investigators asked Ms. Finley about the physician's statement. She indicated that sometime after Mr. Finley was in prison, Ms. Cleveland called to state that CMS needed to have a physician's statement on file establishing the need for Mr. Finley to be on prolonged sick leave. Ms. Finley said she acquired a blank CMS form and took it to Dr. [REDACTED]'s office and at some later point she picked up a completed physician's statement from Dr. [REDACTED]'s office. Ms. Finley denied completing the form herself.

IV. ANALYSIS & FINDINGS

Chapter 1, Section 2 of the Illinois Department of Central Management Services Policy Manual ("CMS Policy Manual") states: "Breaking rules can incur disciplinary action." Infractions of the rules include:

- "Failure to abide by CMS Rules and Regulations;"
- "Unauthorized absence, excessive absenteeism or tardiness;" and
- "Making a false report, written or oral, including all applications, timekeeping records and information regarding employment."

As discussed below, Tyrone Finley violated CMS policy, and Mae Cleveland violated CMS policy and the Ethics Act. There is not sufficient evidence to conclude that [REDACTED] or [REDACTED] engaged in misconduct.

A. Tyrone Finley Violated CMS Policy

1. Tyrone Finley's Use of Sick Leave was Improper

Chapter 2, Section 7 of the CMS Policy Manual provides that "[s]ick leave may be used for illness, disability or injury, appointments with doctor, dentist or other professional medical practitioner, and also may be used in the event of serious illness, disability, injury or death of a member of the employee's immediate family." *See also* CMS Personnel Rules, Ill. Admin. Code tit. 80 § 303.90. Notably, there is no provision that sick leave may be used for time in which a CMS employee is incarcerated.

In January 2011, Mr. Finley submitted requests for sick leave to be used from March 9-17, 2011. The requests for sick leave did not have a proper basis. Mr. Finley did not have any medical documentation supporting a conclusion that he would be sick from January through

March.¹⁴ Rather, at best, Mr. Finley was predicting that he would be sick for some time period in the future when, in fact, he provided no medical documentation to support his prediction. Accordingly, the allegation that Mr. Finley violated CMS policy by improperly using sick leave is **FOUNDED**.

2. Tyrone Finley Failed to Submit Necessary Official Leave Request Forms to Support Some of his Absences

The CMS Policy Manual states:

- “For days on which an employee is not present at the work site, an Official Leave Request Form (CMS-207) should support time used for vacation, sickness, . . . attendance in court, personal business, . . . or other” (ch. 2, § 2).
- “Failure to report to work without proper authorization will cause an employee unauthorized absence and may result in disciplinary action. Failure to report to work for five consecutive days without notifying the supervisor is cause for discharge” (ch. 2, § 3).

Mr. Finley filed no Official Leave Request Forms covering the leave that he took beginning on March 21, 2011. Yet, he was approved for vacation leave to occur on March 21-23, 2011. The CMS Policy Manual requires employees to submit Official Leave Request Forms supporting leave taken. Accordingly, by failing to submit the required request for leave forms, the allegation that Mr. Finley violated CMS policy is **FOUNDED**.

3. Tyrone Finley Made False Statements Regarding His Leave

The CMS Policy Manual forbids employees from making written or oral false statements regarding the employee’s employment. *See* CMS Policy Manual, ch. 1, sec. 2. The physician’s statement (CMS 95 Form) submitted on Mr. Finley’s behalf was falsified. Dr. [REDACTED], whose purported signature appears on the form, stated that he never signed the form. The falsified form was submitted to CMS by Ms. Finley on Mr. Finley’s behalf. It can reasonably be inferred that Ms. Finley acted with Mr. Finley’s direction or approval regarding the physician’s statement. Support for this inference is found in the fact that Mr. Finley and Ms. Finley communicated about Mr. Finley’s leave both by mail and over the telephone during his incarceration. The fact that Mr. Finley and Ms. Finley were mailing the form to and from prison at a minimum suggests that Mr. Finley was aware of Ms. Finley’s actions with regard to the physician’s statement and gave his implicit, if not explicit, approval for his wife to handle the form on his behalf. These actions make Mr. Finley responsible for the submission of a false form to CMS.

¹⁴ Chapter 2, Section 7 of the CMS Policy Manual states: “For periods of absence of more than ten consecutive workdays, the employee shall provide verification for such absence.” *See also* CMS Personnel Rules, III. Admin. Code tit. 80, § 303.90. It also states regarding sick leave: “An employee must notify the supervisor or other designated person within one hour of the start of the scheduled work shift; however, for long-term illnesses an acceptable physician’s statement may be utilized in lieu of calling in daily.”

Mr. Finley also made oral misrepresentations when he submitted his Official Leave Request Forms indicating that he was taking time off due to an illness. Regardless of whether he took vacation leave, personal leave, or sick leave, Mr. Finley represented to his supervisor, Ms. Cleveland, and to the OEIG, that it was because he was sick. Mr. Finley structured his leave based on his belief that CMS policy required him to take vacation and personal leave prior to taking sick leave when he would be gone for a prolonged period of illness. Yet, the fact that he took a leave period that was continuous beginning on the date of his incarceration reveals that the true reason for taking his leave was to continue to receive a State salary and maintain his employment status during his period of incarceration – something that ██████████ previously told him (Mr. Finley) that he could not do. The CMS Policy Manual requires CMS employees to submit Official Leave Request Forms that support any leave taken. By providing false oral and written representations – including the physician’s statement and leave requests – regarding the reasons he was seeking a leave of absence, Mr. Finley violated the prohibition on false statements.

Accordingly, the allegation that Mr. Finley violated CMS policy by making false written and oral statements about his employment is **FOUNDED**.

B. Mae Cleveland Violated CMS Policy and the Ethics Act

1. Mae Cleveland Failed to Ensure Proper Compliance with Timekeeping Policies

CMS Policy Manual, Chapter 2, Section 2 states: “*Each supervisor and timekeeper is fully responsible for proper compliance with agency timekeeping rules and procedures*” (emphasis added). First, Ms. Cleveland acknowledged that it was improper for her to approve multiple consecutive sick leave days two months in advance without any written documentation from a medical professional.

Second, Ms. Cleveland did not ensure that Mr. Finley signed Official Leave Request Forms for March 21- 23, 2011, as is required for any day for which leave is taken. Indeed, Mr. Finley was given vacation leave for those dates without any paperwork having been completed. At minimum, Ms. Cleveland should have recorded his absence as unauthorized, especially in light of the fact that she admitted to believing that Mr. Finley might be using his leave time for some other purpose. Accordingly, the allegation that Ms. Cleveland failed to ensure proper compliance with CMS timekeeping rules and procedures in violation of the CMS Policy Manual is **FOUNDED**.

2. Mae Cleveland Failed to Report Wrongdoing

CMS employees are required to report employee misconduct immediately. CMS Policy Manual, Ch. 2, § 2 (regarding employee attendance and timekeeping: “Any evidence of omission or improper action must be reported immediately to the Office of Internal Personnel. Failure to comply will result in appropriate disciplinary action.”); *see also id.* at Ch. 1, § 2.

Ms. Cleveland ultimately denied knowing about Mr. Finley's incarceration until April or May 2011, when Ms. Finley supposedly told her of Mr. Finley's incarceration. Even if it were true that Ms. Finley first told Ms. Cleveland of Mr. Finley's incarceration in April or May 2011,¹⁵ Ms. Cleveland had many reasons, prior to April or May 2011, to believe that Mr. Finley was incarcerated and not on appropriately approved leave.

First, Mr. Finley reported that he had told Ms. Cleveland in advance that he might be incarcerated following his January 27, 2011 court hearing. Second, Ms. Cleveland indicated that she had heard rumors that Mr. Finley was incarcerated from other CMS employees. Third, after his January 27, 2011 court appearance, Ms. Cleveland was only able to speak with Mr. Finley through Ms. Finley. In fact, Ms. Cleveland had numerous phone conversations with Ms. Finley, one of which lasted for over two hours. Despite the information indicating that Mr. Finley was in fact incarcerated, Ms. Cleveland never reported anything to any Human Resource personnel nor did she report anything to her supervisor, [REDACTED]. Ms. Cleveland also failed to ask Mr. Finley if he was in prison when she spoke directly to him in April 2011. The OEIG concludes that Ms. Cleveland's inaction with regard to Mr. Finley's incarceration rumors suggests that she either knew that Mr. Finley was in prison, or was remaining willfully ignorant by purposely failing to confirm he was in prison.

At no time did Ms. Cleveland report the "evidence of omission or improper action" by Mr. Finley as she was obligated to do under the CMS Policy Manual. Therefore the allegation that Ms. Cleveland violated CMS policy by failing to report wrongdoing is **FOUNDED**.

3. Mae Cleveland Made False Statements to OEIG Investigators

Section 20-70 of the Ethics Act provides that it is the duty of every employee of an agency under the jurisdiction of the OEIG to cooperate in any investigation undertaken pursuant to the Ethics Act. "Failure to cooperate includes, but is not limited to, intentional omissions and knowing false statements." 5 ILCS 430/20-70. Ms. Cleveland was untruthful throughout the interview process about her knowledge that Mr. Finley was in prison. She ultimately admitted that, sometime during early 2011, she knew Mr. Finley was incarcerated. But of key importance is the question whether Ms. Cleveland knew that Mr. Finley might soon be incarcerated as of the time she approved his leave requests on January 18 and 21, 2011. Ms. Cleveland was asked during her last interview if Mr. Finley told her that there was a possibility that he might go to jail, and she replied, "No." That denial constitutes a knowing false statement in violation of Ms. Cleveland's duty to cooperate in the investigation. The OEIG concludes that the denial is false for the following reasons.

First, Mr. Finley stated in his own interview that he told [REDACTED] and Ms. Cleveland about his potential incarceration prior to his January 27, 2011 court date. [REDACTED] acknowledged that Mr. Finley spoke to him about the potential incarceration, and [REDACTED] told Mr. Finley he may be able to retire. Given that Mr. Finley accurately stated that he told [REDACTED] about his potential incarceration because he (Mr. Finley) was worried about keeping his job, it makes sense that Mr. Finley also told his direct supervisor, Ms. Cleveland, about his

¹⁵ According to Ms. Finley, she told Ms. Cleveland of Mr. Finley's incarceration in or around March 2011.

potential incarceration. In other words, there is no reason for Mr. Finley to lie about this point, and therefore we conclude that Mr. Finley was being truthful when he stated that he told Ms. Cleveland about his potential incarceration.

Second, Ms. Cleveland's approval of leave requests for Mr. Finley spanning more than two months into the future is inexplicable if she did not know Mr. Finley might be going to jail. On January 18, 2011, Ms. Cleveland approved 32 days of leave for Mr. Finley based on vacation time and personal days to which he apparently was entitled. Three days later, on January 21, 2011, she approved five more days of leave – this time based on sickness. The sick leave was for a period over a month and a half into the future. It is difficult to see how Mr. Finley or Ms. Cleveland knew that Mr. Finley was going to be sick just short of two months hence. But more importantly, it is evident that Mr. Finley, with Ms. Cleveland's assistance, was arranging for as much leave time as he could, using all available bases, including vacation time, personal days, and sick time. The true reason for the requested leave was clearly something else. Therefore, the OEIG concludes that Ms. Cleveland knew the true reason for Mr. Finley's leave requests was that Mr. Finley might go to jail. When she denied this fact, and continued to deny it in three interviews with the OEIG, she was not being truthful.

Accordingly, because the evidence supports a conclusion that Ms. Cleveland knew in late January that Mr. Finley was setting up his leave to accommodate the possibility that he might become incarcerated in late January 2011, the OEIG concludes that the allegation that Mae Cleveland violated the Ethics Act by making a false statement to the OEIG is **FOUNDED**.

C. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[Redacted]

D.

[Redacted] [Section concerning unfounded allegations redacted.]

[Redacted]

V. LOSS TO STATE

The OEIG leaves it to CMS to appropriately calculate the loss of public funds. The OEIG estimates that the loss of State funds caused by Mr. Finley's improper use of paid sick leave time during his incarceration is at least \$1,215.¹⁶

VI. CONCLUSIONS

The OEIG issues the following findings:

- **FOUNDED** – Tyrone Finley improperly used sick leave during his incarceration in violation of CMS policy.
- **FOUNDED** – Tyrone Finley failed to submit the required forms to justify his paid leave in violation of CMS policy.
- **FOUNDED** – Tyrone Finley made false written and oral statements about his employment in violation of CMS policy.
- **FOUNDED** – Mae Cleveland failed to ensure proper compliance with CMS timekeeping procedures in violation of CMS policy.

¹⁶ This calculation was arrived at by taking Mr. Finley's hourly wage of \$26.99 multiplied by 45, the number of hours that Mr. Finley took sick leave during his incarceration – six 7.5-hour days. (Mr. Finley's hourly calculation is based upon the Illinois Department of Central Management Services' formula of converting base salary to daily or hourly equivalents pursuant to Ill. Admin. Code tit. 80, § 310.70. According to that formula, Mr. Finley's base salary of \$4,183/month was multiplied by 12 months and then divided by 1,860 or the number of hours full-time State employees work in a year.) The OEIG leaves it to CMS whether also to include as loss to the State compensation Mr. Finley received related to vacation time and personal days.

- **FOUNDED** – Mae Cleveland failed to report evidence of omission or improper action by Tyrone Finley in violation of CMS policy.
- **FOUNDED** – Mae Cleveland violated the Ethics Act by making a knowing false statement to the OEIG.
- **UNFOUNDED** [REDACTED]
- **UNFOUNDED** [REDACTED]

Based upon the OEIG’s findings and in light of the fact that Tyrone Finley is no longer a State employee, the OEIG recommends that a copy of this report be placed in his personnel file and that any discharge documentation ensure that Mr. Finley has no right to reinstatement to State employment.

The OEIG recommends that Mae Cleveland be terminated.

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

Date: **December 18, 2012**

Office of Executive Inspector General
for the Agencies of the Illinois Governor
32 W. Randolph Street, Ste. 1900
Chicago, IL 60601

By: **Tiffany A. Stedman**
Assistant Inspector General #146

Brandon Myers
Supervising Investigator #122



ILLINOIS

Pat Quinn, Governor

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

Malcolm Weems, Director

CONFIDENTIAL

January 7, 2013

Ricardo Meza, Executive Inspector General
Office of Executive Inspector General
32 West Randolph, Suite 1900
Chicago, Illinois 60601

RE: OEIG Case No. 11-00497

Dear Executive Inspector General Meza:

We have reviewed the Office of the Executive Inspector General's Final Report regarding the above-referenced matter. Please accept this letter as CMS' response.

CMS will place a copy of the Final Report in Tyrone Finley's personnel file. No change is necessary to his discharge documentation as his current transaction is listed as 'Discharge for Cause' which means he has no right to reinstatement to any position of employment that falls under the Personnel Code. Placing the Final Report into Mr. Finley's personnel file will implicate his liberty interest in future employment with outside employers. As a consequence, he must be given notice and an opportunity to respond. To satisfy both his due process right and his rights under the Personnel Record Review Act, he will be invited to submit a rebuttal or other statement that will be attached to the Final Report in his file. CMS will send Mr. Finley a letter informing him of the change to his personnel file, include a copy of the Final Report for his perusal, and inform him of his right to respond.

In the matter of CMS employee Mae Cleveland, CMS is pursuing charges seeking her discharge from state employment.

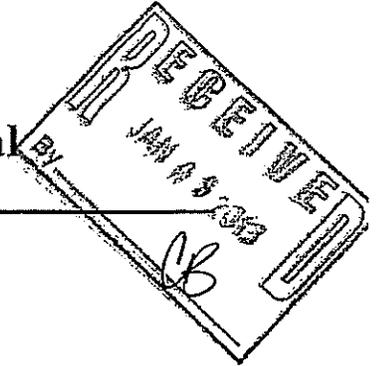
Should you have any questions please contact our Ethics Officer, Jay Brown, at 312-814-5451.

Sincerely yours,

Malcolm Weems
Director



Office of Executive Inspector General
for the Agencies of the Illinois Governor
www.inspectorgeneral.illinois.gov



OEIG RESPONSE FORM

Case Number: 11-00497

Due Within 20 Days of Receipt of Report

Please check the box that applies.

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

See letter.

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

(over)

- We are implementing one or more of the OEIG recommendations, however, we plan to depart from other OEIG recommendations.

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

- We do not wish to implement any of the OEIG recommendations.

(Explain in detail why and provide details of any alternate plan(s).)

Signature

Jay Brown

Print Name

Central Management Services,

Print Agency and Job Title Ethics Offi

Jan. 8, 2013

Date

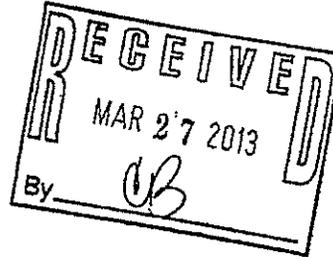


ILLINOIS Pat Quinn, Governor
DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
Malcolm Weems, Director

CONFIDENTIAL

March 22, 2013

Ricardo Meza, Executive Inspector General
Office of Executive Inspector General
32 West Randolph, Suite 1900
Chicago, Illinois 60601



RE: OEIG Case No. 11-00497

Dear Executive Inspector General Meza:

I am writing to provide an update to our previous correspondence regarding the above-referenced matter.

CMS employee, Mae Cleveland will be issued a 20 day suspension, set to begin on April 2, 2013. Furthermore, an agreement has been reached with her representing union (AFSCME) that no grievance will be pursued and the matter will be considered closed.

Should you have any questions please contact our Ethics Officer, Jay Brown, at 312-814-5451.

Sincerely yours,

 Malcolm Weems
Director

RECEIVED

MAY 6 2013

IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

EXECUTIVE ETHICS COMMISSION

IN RE: Tyrone Finley)

11-000497

RESPONDENT'S SUGGESTIONS FOR REDACTION / PUBLIC RESPONSE

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

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

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

Respondent's Signature

4/28/2013
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

Dear Chad Fornoff 4/28/2013
I WANT TO THANK YOU FOR LOOKING IN MY
CASE FOR ME. AND GIVING ME A ^{turn} ~~response~~ TO
RESPONSE. SO I'M JUST GOING TO WRITE DOWN
WHAT I CAN ABOUT MY CASE. I DIDN'T DO
WHAT THEY SAID I DID. AND IF YOU CAN
LET ME HAVE A FACE TO FACE MEETING WITH
YOU I CAN SHOW I AM TELLING YOU THE TRUTH
AND DID THEY TELL YOU I TALK TO ~~THEY~~ - '11
AND ON TAPE TOO.