

IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

In re: KEN DURST and)
DEPARTMENT OF HUMAN)
SERVICES,) OEIG Case #s 13-02020 and
) 13-2606

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, the Department of Human Services, and to Ken Durst at his last known address.

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

I. ALLEGATIONS

On September 24, 2013, the Office of Executive Inspector General (OEIG) received a complaint alleging that [Individual 1] was receiving Supplemental Nutrition Assistance Program (SNAP) benefits from the Illinois Department of Human Services (DHS) despite the fact that he was incarcerated in the Illinois Department of Corrections (IDOC).¹ The OEIG opened an investigation and assigned this matter case number 13-02020.

¹ The complaint also alleged that [Individual 1’s] girlfriend sold his benefits for cash. The OEIG informed the Illinois Department of Healthcare and Family Services’ Office of the Inspector General (HFS’ OIG) that [Individual 1] was receiving benefits while incarcerated. [Individual 1] last received benefits on February 9, 2014, and HFS informed the OEIG that it was seeking to recoup any benefits improperly paid to [Individual 1]. Because HFS is charged with investigating Public Aid benefits fraud and is already recouping [Individual 1’s] benefits, the OEIG did not investigate the allegation that [Individual 1’s] benefits were improperly sold and thus makes no findings regarding that matter.

On December 24, 2013, the OEIG received a complaint alleging that [Individual 2] was receiving SNAP benefits from DHS despite the fact that she was incarcerated in the ██████ County jail. The complaint further alleged that [Individual 2's] boyfriend used her benefits.² The OEIG opened an investigation and assigned this matter case number 13-02606. Because of their similarities, both investigations (13-02020 and 13-02606) will be discussed in this report.

The OEIG's investigation found that [Individual 1] improperly received benefits while incarcerated at IDOC. Even though IDOC and DHS had entered into an agreement to share information, the computer program designed to identify incarcerated individuals who are receiving benefits had a design flaw that allowed some individuals to go undetected. The investigation also revealed that, even though state law requires DHS to enter into agreements with Illinois county sheriff offices for the purpose of preventing inmates from receiving benefits, DHS is doing so with only approximately 10 out of 102 counties. This resulted in [Individual 2], as well as potentially numerous other inmates, improperly receiving benefits. A summary of the OEIG's investigation and recommendations is below.

II. BACKGROUND

A. Incarcerated Persons are Ineligible for SNAP Benefits

SNAP is a program administrated by DHS "designed to help people buy food by supplementing the cash they have available to buy food."³ Federal law governing SNAP benefits provides that an individual residing in an institution that supplies the majority of that person's meals is not eligible to receive SNAP benefits.⁴ Similarly, DHS policy provides that residents of institutions, including IDOC inmates, are generally not eligible to receive SNAP benefits.⁵

B. Tracking and Termination Requirements for Incarcerated SNAP Recipients

Since August 14, 1996, Illinois law has required DHS to enter into intergovernmental agreements to conduct monthly information exchanges with various correctional facilities.⁶ Specifically, the Illinois Public Aid Code provides that DHS:

. . . shall enter into intergovernmental agreements to conduct monthly exchanges of information with the Illinois Department of Corrections, the Cook County Department of Corrections, and the office of the sheriff of every other county to determine whether any individual included in an assistance unit receiving public aid under any Article of this Code is an inmate in a facility operated by the Illinois Department of Corrections, the Cook County Department of Corrections, or a county sheriff.⁷

² According to the HFS' OIG, [Individual 2] last received benefits on June 19, 2014. Because HFS informed the OEIG that it will seek to recoup any benefits improperly paid to [Individual 2] at the conclusion of the OEIG's investigation, the OEIG is referring this matter to HFS' OIG.

³ DHS Policy Manual § I-05-01; *see also* 305 ILCS 5/12-4.6; 305 ILCS 5/12-4.13; 89 Ill. Admin. Code § 10.130(a); 7 U.S.C. § 2011.

⁴ 7 U.S.C. § 2012(m)(4); 7 C.F.R. § 273.1(b)(7)(vi).

⁵ DHS Policy Manual §§ 03-23-01, 04-05-04.

⁶ 305 ILCS 5/12-4.7b.

⁷ *Id.*

The purpose of the information exchanges is to generate a list of recipients of public aid who are incarcerated.⁸ DHS must then conduct a monthly review of the list of individuals and verify whether the individuals are eligible to receive benefits. If an individual is not eligible for benefits, DHS must terminate those benefits.⁹

III. INVESTIGATIONS

As part of the OEIG's investigations, investigators interviewed DHS employees and obtained, among other documents, copies of [Individual 1] and [Individual 2's] benefit files, incarceration records, reports from the DHS computer system responsible for identifying DHS clients who are incarcerated, internal DHS correspondence regarding its computer program, information provided to DHS by county sheriff offices, and an intergovernmental agreement between DHS and the Jackson County Sheriff's Office. A summary of the investigative findings follows.

A. [Individual 1]

[Individual 1's] incarceration dates relevant to this investigation include the following:

- **January 24, 2012:** incarcerated at the [REDACTED] County Sheriff's Office;
- **May 24, 2012:** transferred from the [REDACTED] County Sheriff's Office and admitted to IDOC custody; and
- **April 23, 2014:** released from IDOC on parole.¹⁰

[Individual 1] received benefits from DHS since at least February 2012. [Individual 1's] benefits file from DHS showed that he had at least six different DHS case numbers.¹¹ [Individual 1's] benefits ledger and history revealed that from at least February 21, 2012 through February 9, 2014, [Individual 1] received \$100, \$189, or \$200 per month in SNAP benefits from DHS, totaling \$4,856.

B. [Individual 2]

[Individual 2's] incarceration dates relevant to this investigation include the following:

- **December 11, 2013:** incarcerated at [REDACTED] County jail; and
- **April 1, 2014:** transferred to IDOC.¹²

A review of [Individual 2's] benefits ledger and history revealed that, while she was incarcerated in the [REDACTED] County jail from December 11, 2013 through April 1, 2014,

⁸ See *id.*; DHS Policy Manual § 22-14-01.

⁹ 305 ILCS 5/12-4.7b.

¹⁰ See Inmate Search, <https://www2.illinois.gov/idoc/Offender/Pages/InmateSearch.aspx> (last visited May 29, 2014).

¹¹ [Individual 1] was assigned different case numbers when he applied for benefits at different times. The case numbers listed in [Individual 1's] file were DHS case numbers: [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; and [REDACTED].

¹² As of the date of this report, [Individual 2] remains incarcerated at IDOC.

[Individual 2] received \$189 per month in SNAP benefits from DHS. On April 1, 2014, [Individual 2] entered the IDOC. Similarly, while she was incarcerated at the IDOC from April 1 through June 2014,¹³ [Individual 2] received \$189 per month in SNAP benefits from DHS. Thus, while incarcerated from December 11, 2013 through June 2014 in ██████ County and IDOC, [Individual 2] received SNAP benefits totaling \$1,323.

C. DHS Process of Tracking Inmates

Given that individuals received benefits from DHS while incarcerated, the OEIG expanded its investigation to determine how DHS tracks and terminates benefits of individuals who are incarcerated at county sheriffs' offices and IDOC.

1. DHS Use of Data Exchange to Identify Recipients of Benefits Incarcerated at IDOC

As noted above, DHS identifies individuals who are incarcerated at IDOC and receiving benefits through an exchange of information with IDOC. DHS receives a list of inmates from IDOC each month and then runs a computer program to check if any of those inmates are recipients of DHS benefits. DHS refers to this system as a "data exchange." The system compares the name, date of birth, and social security number of each new inmate to DHS' list of benefit recipients. If two of three comparisons match a DHS benefit recipient, the program generates a "match sheet" identifying the individual. The match sheet is sent to the appropriate DHS local office for the inmate's eligibility for benefits to be reviewed by a caseworker.¹⁴

With respect to [Individual 1], investigators obtained and reviewed all match sheets that were sent to the local office in ██████ County – the county responsible for processing [Individual 1's] SNAP benefits. The DHS data exchange never produced a match sheet identifying [Individual 1] as incarcerated.

2. DHS Uses a Manual System to Identify Recipients of Benefits Incarcerated at County Sheriffs' Offices

DHS identifies individuals who are incarcerated by county sheriffs' offices by receiving information¹⁵ on paper from a sheriff's office and manually reviewing the information to identify individuals that are receiving benefits. DHS receives information from sheriffs' offices either on an apparently voluntary basis or pursuant to written agreements. However, as detailed below, DHS is not fully aware of what counties it has written agreements with, as it does not have copies of most agreements it may have entered into with county sheriffs' offices.

The OEIG requested that DHS provide copies of its agreements with county sheriffs' offices to exchange information regarding inmates, as well as documentation of DHS' efforts to enter into such agreements. In response, the OEIG obtained letters dated March 10 and April 3,

¹³ Although [Individual 2] remains incarcerated at IDOC, according to her benefit ledger, the last time she received benefits was on June 19, 2014.

¹⁴ See DHS Policy Manual § 22-14-01.

¹⁵ The type of information counties provide varies by county, but generally includes a list of inmates, as well the inmates' names, dates of birth, sexes, social security numbers, booking and release dates, and jail locations.

1997, from DHS Bureau of Program Performance and Performance Management Bureau Chief Ken Durst to 95 Illinois counties requesting the counties enter into an agreement to send DHS inmate information on a monthly basis. However, DHS only provided a copy of one executed agreement it has with Jackson County.

With respect to [Individual 2], investigators discovered that DHS never entered into an intergovernmental agreement with the ██████ County Sheriff's Department and thus, since DHS does not receive incarceration information from ██████ County, DHS was unaware of [Individual 2's] incarceration.

With respect to the Cook County Department of Corrections, investigators discovered that DHS never entered into an intergovernmental agreement with Cook County and thus, does not receive information from Cook County regarding inmates that may be improperly receiving DHS benefits while incarcerated.¹⁶

D. Interview of DHS Bureau of Program Performance and Performance Management Bureau Chief Ken Durst

On February 7 and July 17, 2014, investigators interviewed DHS Bureau of Program Performance and Performance Management Bureau Chief Ken Durst. Mr. Durst stated that he has held his position for the past 20 years. Mr. Durst stated that he reports to ██████ and that his duties and responsibilities include overseeing data exchanges, program reporting, audits, federal reporting, and statistics.

1. The IDOC Data Exchange

Mr. Durst said that to identify IDOC inmates who receive DHS benefits, DHS relies on either its data exchange with IDOC or on the inmates to self-report during IDOC's intake process. Mr. Durst confirmed the data exchange process described above by explaining that IDOC sends DHS the names, social security numbers, and birthdates of individuals who were incarcerated in the last thirty days. DHS' computer program then compares the IDOC information with DHS' database and generates match sheets listing inmates receiving DHS assistance. Mr. Durst further confirmed that each match sheet is reviewed to ensure that the DHS benefit recipient and inmate is the same person and then is mailed to the local office that handles each DHS client's case.

2. [Individual 1] and the Computer Programming Error

Mr. Durst stated that he first became aware that [Individual 1] was incarcerated when the OEIG informed him of that fact.¹⁷ Mr. Durst stated he then checked with DHS' technical staff and discovered that DHS' computer program only checks the first case number listed in the DHS database. Thus, if a benefits recipient had more than one case number, the program may not

¹⁶ Investigators reviewed a sample of documents regarding 50 inmates incarcerated at the Cook County Department of Corrections from June through December 2014. Investigators discovered that 28 of those inmates received more than \$28,000 in DHS benefits during this time period.

¹⁷ On December 11, 2013, OEIG investigators informed the DHS Ethics Officer and Mr. Durst that [Individual 1] was incarcerated at IDOC and provided information from IDOC's publicly available inmate search.

generate a match sheet if the first case number is closed. Because the computer program only checked [Individual 1's] first case number, which was closed, the computer program did not produce a match sheet identifying [Individual 1] as an incarcerated DHS benefits recipient.

Mr. Durst stated that he requested that DHS' technical staff correct the computer program so that it searches all DHS case numbers. Further, Mr. Durst requested that DHS implement a new annual review of all inmates to catch any inmates that the monthly data exchange program might fail to identify.¹⁸

3. The County Sheriff Data Exchange

Mr. Durst stated that DHS operates a data exchange with some Illinois county sheriffs. Specifically, Mr. Durst explained that DHS receives an inmate roster from participating counties. DHS then reviews the roster and searches DHS' client database by using the inmate's name, social security number, and birth date to identify DHS clients receiving benefits who are also incarcerated. Mr. Durst said that when DHS identifies a client who is receiving benefits and incarcerated, DHS sends an explanatory memo with an attached screenshot of DHS' client database to the appropriate local DHS office. Mr. Durst added that matches are not frequently found and that the exchange is "a lot of effort for not much success."¹⁹

Mr. Durst stated that the following nine county sheriff offices participate in the DHS data exchange program: DuPage, Randolph, Moultrie, Vermillion, Saline, Franklin, Mason, Perry, and Marshall. However, Mr. Durst said that DHS does not have a copy of an intergovernmental agreement with any of these counties. Mr. Durst said that DHS does have an intergovernmental agreement with Jackson County Sheriff William Kilquist,²⁰ although DHS does not currently receive information from Jackson County. Mr. Durst did not know why DHS does not receive information from Jackson County. Mr. Durst also stated that DHS does not operate an exchange of information with Cook County.

Mr. Durst stated that in accordance with the Illinois Public Aid Code,²¹ in 1997, DHS sent letters to all county sheriff offices requesting that they sign an attached agreement to provide DHS with a monthly paper file listing all incarcerated individuals. Mr. Durst said that approximately 40 (out of 102) county sheriff offices responded to DHS' letter, but DHS does not have any record of the responses.²² Mr. Durst stated that in 1997, he did bring the issue to the attention of his then-supervisor, [REDACTED], but did not recall her response.

Mr. Durst said DHS had not taken any action since 1997 to ask the remaining Illinois county sheriffs' offices to participate in a data exchange. When asked why DHS has not taken any action since 1997, Mr. Durst said it was a "manpower" issue and noted that his staff has been reduced from 28 to 12 employees. Mr. Durst also said that while the law requires DHS to act, the law does not require county sheriffs to do anything.

¹⁸ The OEIG reviewed internal DHS correspondence, which confirmed that on January 30 and February 11, 2014, Mr. Durst submitted a written request to technical staff to fix the computer program and institute an annual review.

¹⁹ Mr. Durst said DHS does not track how often it identifies clients receiving benefits who are also incarcerated.

²⁰ The intergovernmental agreement is in the form of a January 29, 1998 letter from Mr. Kilquist to DHS.

²¹ See 305 ILCS 5/12-4.7b

²² Mr. Durst said that a former DHS employee, who reported to him, stored the responses, but that he could not locate them.

E. DHS Modifies its Computer Program and Enters into an Agreement with Sangamon County

Following Mr. Durst's interviews, the OEIG obtained records showing that effective January 2015, DHS modified its computer program so that once a year, it will identify all inmates still receiving benefits. In January 2015, as a result of the modified program, DHS identified **more than 5,000 inmates who were potentially improperly receiving benefits while incarcerated.** Further, effective February 2015, DHS modified its computer program in its monthly data exchange with IDOC so that the program searches all DHS case numbers.

In addition, on October 30, 2014, and March 2, 2015, Mr. Durst sent letters to the Sangamon County Sheriff's Department asking it to enter an agreement with DHS to exchange data regarding inmates.²³ On May 6, 2015, DHS entered into an agreement to conduct a data exchange with the Sangamon County Sheriff's Department. Mr. Durst confirmed that as of June 17, 2015, DHS had not entered into agreements with other counties, although it planned to, beginning with larger counties.²⁴

F. OEIG Review of DHS Clients Identified by the Data Exchange Program with IDOC and County Sheriff Offices

Given the deficiencies discovered in DHS' identification of inmates receiving benefits, the OEIG sought to determine whether DHS appropriately terminated benefits for inmates when its data exchange system properly identified inmates receiving DHS benefits. Investigators examined a group of inmates identified by the IDOC²⁵ data exchange as DHS clients. Investigators found that the majority of those inmates had their benefits terminated by DHS within approximately 40 days after a match sheet was sent to a local office.²⁶ Thus, DHS was able to take appropriate action and terminate benefits for inmates who are not so entitled once it identifies those inmates.

IV. ANALYSIS

A. DHS Violated State Law by Failing to Identify Recipients of SNAP Benefits who were Incarcerated

The Illinois Public Aid Code requires DHS to conduct monthly exchanges of information with IDOC to determine whether any individual receiving SNAP benefits is incarcerated at IDOC.²⁷ The investigation revealed that for many years, although DHS conducts information exchanges each month with IDOC, DHS' computer program failed to identify all recipients of SNAP benefits who were incarcerated at IDOC. As a result of the OEIG's investigation, DHS

²³ On January 6, 2015, Mr. Durst also sent a letter asking the Illinois Sheriff's Association for assistance in exchanging information with county sheriffs.

²⁴ The OEIG also obtained internal DHS correspondence showing that DHS has begun efforts to establish a data exchange with the Cook County Department of Corrections, although no such exchange has yet to be created.

²⁵ The group consisted of inmates from Winnebago County who were: receiving DHS benefits, eligible to renew the benefits using DHS' phone redetermination system, and sentenced to IDOC in June 2012, July 2012, and June 2013.

²⁶ The OEIG referred the information regarding some inmates to HFS' OIG.

²⁷ 305 ILCS 5/12-4.7b. DHS provides SNAP benefits pursuant to its authority under the Public Aid Code. 305 ILCS 5/12-4.6; 305 ILCS 5/12-4.13.

discovered that, because of a programming error, instead of checking all DHS case numbers associated with an individual, the program only checked the first case number assigned to an individual even though recipients of SNAP benefits may have multiple case numbers. Indeed, one such individual is [Individual 1], who received SNAP benefits for almost two years while incarcerated at IDOC.²⁸

After the OEIG notified DHS of this issue, at Mr. Durst's request, DHS fixed the computer programming error, effective February 2015. In addition, DHS created a new program to annually review all inmates at IDOC to determine if any inmates are receiving DHS benefits. As a result, in January 2015, DHS identified more than 5,000 inmates potentially improperly receiving benefits. Although DHS has now fixed its program, the 5,000 inmates it recently identified exemplifies the significant potential for improper receipt of benefits that it failed to detect while its data exchange malfunctioned.

Thus, the allegation that, through January 2015, DHS violated the Illinois Public Aid Code, 305 ILCS 5/12-4.7b, by conducting a monthly exchange of information with IDOC that failed to accurately determine whether all individuals receiving SNAP benefits were inmates at IDOC is **FOUNDED**.

B. Ken Durst Failed to Ensure that DHS Entered into Intergovernmental Agreements with County Sheriff Offices

The Illinois Public Aid Code requires DHS to enter into intergovernmental agreements to conduct monthly exchanges of information with *all* Illinois county sheriff offices to determine whether any individual receiving SNAP benefits is incarcerated in a county jail.²⁹ Despite this clear requirement, through the time of Mr. Durst's interview in July 2014, DHS only received information from nine counties. Further, despite the fact that it received information from those nine counties, DHS did not have a copy of any intergovernmental agreements with those counties. In fact, the only intergovernmental agreement that DHS was able to produce at that time was from Jackson County, a county that apparently no longer provided information to DHS despite having an agreement to do so. DHS, therefore, failed to enforce the only intergovernmental agreement it could identify.

As the Bureau Chief of the Bureau of Program Performance and Performance Management, Mr. Durst is responsible for ensuring that DHS operates a functioning exchange of information and enters intergovernmental agreements with county sheriff offices. At the time of his interviews in early 2014, Mr. Durst acknowledged that neither he, nor anyone at DHS, had made any effort to enter intergovernmental agreements with county sheriffs since 1997, when he sent letters to all county sheriffs requesting that they sign such agreements. While Mr. Durst believed that approximately 40 county sheriffs responded to the 1997 letters and signed written agreements, DHS did not have a copy of those agreements and therefore cannot enforce them. In addition, DHS had not enforced its intergovernmental agreement with Jackson County, and did

²⁸ As detailed above, [Individual 1] received benefits while in IDOC custody from April 21, 2012 to February 9, 2014.

²⁹ 305 ILCS 5/12-4.7b. DHS provides SNAP benefits pursuant to its authority under the Public Aid Code. 305 ILCS 5/12-4.6; 305 ILCS 5/12-4.13.

not have intergovernmental agreements with the nine counties it received information from. The failure to make even a minimal effort to comply with this law for approximately 18 years has potentially resulted in numerous inmates improperly receiving benefits.

Mr. Durst stated that he had not taken any steps to comply with the law since 1997 due to a “manpower” issue and noted that his staff had been reduced. Mr. Durst also noted that the law does not require county sheriffs to enter intergovernmental agreements with DHS. Nevertheless, the law has been clear since 1996 that DHS has an obligation to operate working exchanges with county sheriff offices. As a result of the OEIG’s investigation, Mr. Durst sent two letters to the Sangamon County Sheriff’s Department and on May 6, 2015, DHS and the Sangamon County Sheriff’s Department entered an agreement to exchange information regarding inmates. DHS has also begun efforts to establish a data exchange with Cook County, and Mr. Durst said he plans to enter agreements with additional, larger county sheriff’s offices.

Mr. Durst’s recent efforts to establish data exchanges with county sheriffs are appropriate and should continue. Still, as of June 2015, DHS has agreements with only ten counties, and has not contacted the other 91 counties in Illinois to attempt to establish a data exchange. Moreover, from 1997 until October 2014, DHS made no effort to attempt to enter into intergovernmental agreements with county sheriff departments. The OEIG finds that Mr. Durst took insufficient steps to ensure that DHS followed the law, and in particular, failed to take any steps between at least 1997 and October 2014 to enter intergovernmental agreements with county sheriff offices.

Thus, the allegation that, from 1997 until October 2014, Mr. Durst failed to ensure that DHS operated a working information exchange and entered into intergovernmental agreements with county sheriff offices is **FOUNDED**.

V. FINDINGS AND RECOMENDATIONS

Following due investigation, the OEIG issues these findings:

- **FOUNDED** – DHS violated the Illinois Public Aid Code through January 2015, by conducting a monthly exchange of information with IDOC that failed to accurately determine whether all individuals receiving SNAP benefits were inmates at IDOC.
- **FOUNDED** – Ken Durst, from 1997 until October 2014, failed to ensure that DHS entered into intergovernmental agreements with county sheriff offices, in violation of the Illinois Public Aid Code.

The OEIG recommends that DHS:

1. ensure its monthly data exchange with IDOC continues searching *all* case numbers;
2. continue conducting an annual review of IDOC inmates’ eligibility for benefits;
3. make a more concerted effort to enter into agreements with county sheriffs’ offices to obtain identification of pre-trial detainees or inmates in order to determine whether they are improperly receiving DHS benefits;

4. consistent with 305 ILCS 5/12-4.7b, use any legal means available to recoup overpayments to [Individual 1], [Individual 2], and any other inmate for any period during which he or she was ineligible to receive assistance;
5. to the extent DHS determines it is necessary, undertake any necessary efforts to encourage legislators to amend the Illinois Public Aid Code to address any gaps in the law affecting DHS' ability to enforce it; and
6. take whatever action it deems appropriate with respect to Ken Durst.

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

Date: **August 7, 2015**

Office of Executive Inspector General
for the Agencies of the Illinois Governor
69 W. Washington Street, Ste. 3400
Chicago, IL 60602

By: **Joshua I. Grant**
Deputy Inspector General

Tara M. Grimm
Assistant Inspector General

Edward J. Doyle
Investigator #159



Bruce Rauner, Governor

James T. Dimas, Secretary-designate

August 28, 2015

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

Maggie Hickey

Acting Executive Inspector General

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

69 West Washington Street, Suite 3400

Chicago, Illinois 60602

RE: Response to the Final Report for Complaints 13-02020 and 13-02606

Dear Acting Executive Inspector General Hickey:

This letter responds to the Final Report for Complaint Numbers 13-02020 and 13-02606, attached. The Report describes situations in which individuals received assistance benefits, while they were incarcerated and describes deficiencies in the Department of Human Services' computer matching programs. As a result, the Report made six recommendations.

The recommendations will be implemented. The computer matching programs and data exchanges will continue. A more concerted effort will be made to establish data exchange agreements. Collections activities have already been initiated for one individual and will be initiated for the other. The Department will pursue a legislative change with respect to the agreements requiring cooperation. The Department's Office of Labor Relations is being consulted regarding appropriate disciplinary action for Mr. Durst.

The Department appreciates your office drawing attention to this very serious matter. Unfortunately, the root cause of this issue was a mistake in the transition planning when the Department of Human Services was initially created. Again, thank you, and should you have further questions, please feel free to contact Robert J. Grindle, DHS' Ethics Officer.

Regards,

James T. Dimas
Secretary-designate



Bruce Rauner, Governor

James T. Dimas, Secretary-designate

September 2, 2015

Via E-mail

Fallon Opperman
Deputy Inspector General and Chief of Chicago Division
Office of the Executive Inspector General for the Agencies of the Illinois Governor
69 West Washington Street, Suite 3400
Chicago, Illinois 60602

RE: Additional Information regarding Complaints 13-02020 and 13-02606

Dear Deputy Inspector General Opperman:

This letter responds to your request for additional information concerning the Final Report for Complaint Numbers 13-02020 and 13-02606. You asked how the Department disciplined Mr. Durst. An oral reprimand was given to Mr. Durst regarding these complaints.

If you need additional information, please do not hesitate to contact me.

Regards,

Robert J. Grindle
Deputy General Counsel and Ethics Officer