

IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

IN RE: RUTHSHELL WALKER)

OEIG Case #19-02048

PUBLICATION OF REDACTED VERSION OF OEIG FINAL REPORT

Below is the redacted 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. To balance these interests, the Commission may redact certain information contained in this report. The redactions are made with the understanding that the subject or subjects of the investigation have had no opportunity to rebut the report’s factual allegations or legal conclusions before the Commission.

The Commission received this 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 Executive Inspector General for the Governor, and to Ruthshell Walker’s last address.

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

OEIG SUMMARY REPORT

I. INTRODUCTION AND ALLEGATION

On October 9, 2019, the OEIG self-initiated an investigation after its Hiring and Employment Monitoring Division (HEM) discovered that Juvenile Justice Specialist for the Illinois Department of Juvenile Justice (DJJ), Ruthshell Walker¹ may have falsified her August 7, 2019 employment application for an Associate Deputy Director position at the Illinois Department of Children and Family Services (DCFS) by indicating she was laid off and failing to disclose that she had previously been terminated by DCFS for cause in 1998. Personnel records reflect that Ms. Walker returned to State employment in 2012 when she was hired by DJJ.

II. BACKGROUND

Ms. Walker began her State employment in January 1991 as a DCFS Child Protective Investigator. She worked there until her separation from DCFS in August 1998. In November 2012, Ms. Walker began working at DJJ, first as a Juvenile Justice Specialist Intern and then as a Juvenile Justice Specialist in 2013. She briefly left DJJ to work as an Illinois Department of Human Services (DHS) Caseworker from August 2016 to December 2016, and then returned to her DJJ Juvenile Justice Specialist position, which is her current position. Ms. Walker is a member of the American Federation of State, County and Municipal Employees (AFSCME).

III. INVESTIGATION

A. Termination from DCFS

OEIG investigators requested and reviewed Ms. Walker's DCFS personnel records related to her separation in 1998. The records reflected that Ms. Walker was discharged for cause from DCFS effective August 20, 1998, based on a DCFS Inspector General Report recommending Ms. Walker should be disciplined for "her lack of professionalism and failure to conduct a full investigation." On July 21, 1998, DCFS issued a termination letter to Ms. Walker stating she was discharged for the following reasons: (1) falsification of testimony; (2) making false statements; (3) failure to perform assigned duties; and (4) failure to properly assess risk of harm.

Records reflected that on August 18, 1998, Ms. Walker grieved the discharge. An internal DCFS memorandum, dated September 22, 1998, from then-Labor Relations Specialist [Former Employee 1] to then-Office of Employee Services Manager of Personnel and Labor [Former Employee 2] reported that AFSCME was willing to resolve the discharge grievance by having Ms. Walker submit a letter of resignation, which would replace the discharge in her personnel file. Ms. Walker's personnel records did not reflect that such a resignation letter was ever submitted, nor

¹ Formerly Whitehead.

was there documentation reflecting that the grievance was ever resolved.² In addition, the OEIG requested records from AFSCME about the grievance; in response, AFSCME indicated that it had some grievance records, such as the statement of charges, but no record of any resolution.³ The discharge was effective August 20, 1998.

B. Ms. Walker’s Applications for State Employment

After her 1998 separation from DCFS employment, Ms. Walker submitted the following signed applications for State employment:

- A June 15, 2011 application for a DJJ Juvenile Justice Specialist Intern position.
- A January 24, 2013 application for a DJJ Juvenile Justice Specialist position.
- A July 13, 2015 application for a DHS Human Services Caseworker position.
- An August 7, 2019 application for DCFS Associate Deputy Director for Budget and Finance.

On each of these applications, Ms. Walker listed DCFS as a previous employer, and wrote “laid off” as a reason for leaving her employment with DCFS in 1998. On her DJJ and DCFS applications,⁴ Ms. Walker checked “no” in response to the question “[h]ave you ever been fired from a job.”⁵ All the signed applications from DCFS and DJJ contained the following statement:

I certify the information on this application is true and accurate and understand that misrepresentation of any material fact may be grounds for ineligibility or termination of employment.

In addition, the signed DHS application also contained the following statement:

I certify that the information on this application is true and correct to the best of my knowledge, and misrepresentation of any material fact may be grounds for ineligibility or termination of employment.

For each of the above applications, except for the August 7, 2019 DFCS application, Ms. Walker was offered and accepted the positions.

C. Interview of DCFS [Identifying Information Redacted] [Employee 2]

The OEIG spoke with DCFS [Identifying Information Redacted] [Employee 2], who reviewed the applications received in response to the 2019 posting for the Associate Deputy

² In an email dated November 22, 2019 to the OEIG, DCFS [Identifying Information Redacted] [Employee 1] explained that if a letter of resignation is not received by the employee as agreed to in any resolution, then the discharge stands.

³ The records of the grievance that AFSCME was able to produce were similar to records obtained from DCFS. OEIG investigators also reviewed Ms. Walker’s records from Central Management Services (CMS), which did not reflect any outcome to Ms. Walker’s grievance.

⁴ Ms. Walker’s DHS application was an upward mobility application that did not include the question “[h]ave you ever been fired from a job.”

⁵ The question noted in parenthesis that a “[d]ownsize/layoff is not applicable.”

Director for Budget and Finance position, including Ms. Walker's application.⁶ [Employee 2] said prior to inviting candidates for interview, he reviewed each candidates' information in both the CMS and DCFS personnel systems and that this review revealed that Ms. Walker had been discharged for falsification of records in 1998.⁷ [Employee 2] explained that if there had been a resolution to Ms. Walker's grievance, it would be in the DCFS personnel system, and based on his review of the information in the DCFS personnel system, he does not believe her grievance was ever resolved. He added that there was no record of Ms. Walker being laid off in 1998 and that DCFS has not laid off any employees since 1992.⁸ [Employee 2] stated that Ms. Walker was not selected to be interviewed for the DCFS Associate Deputy Director for Budget and Finance position due to her discharge in 1998 and because she listed that she was laid off on her application, which [Employee 2] explained would result in Ms. Walker failing the interview screening process because she falsified her application.

D. Interview of Ruthshell Walker

During her interview,⁹ Ms. Walker admitted to writing "laid off" as a reason for leaving DCFS on all four of her subsequent State employment applications and checking "no" on the box asking if she had ever been fired from a job on her DCFS and DJJ applications. Ms. Walker acknowledged that she was discharged by DCFS in 1998 and that she subsequently grieved the discharge. She claimed that AFSCME told her she would be discharged pending a DCFS IG investigation but that AFSCME later told her that she would be laid off along with other employees as a result of mass layoffs due to closures of the DCFS office on 2333 S. Indiana Avenue in Chicago when the Robert Taylor Homes and Stateway Garden Homes closed.¹⁰ She added that if she had been told she had the option to resign in lieu of discharge she would have submitted a resignation letter. However, she maintained that she was laid off by DCFS and denied falsifying State employment applications. In fact, Ms. Walker stated that prior to applying to DJJ in 2011, she contacted someone at DCFS who confirmed she was laid off, though she could not recall who at DCFS she spoke to.

IV. ANALYSIS

Walker Provided False Information on Her Employment Applications

Personnel records show that Ms. Walker was discharged for cause in 1998 for, among other things, falsifying information and providing false testimony. Records also reflect that, although

⁶ Investigators interviewed [Employee 2] on September 17, 2020.

⁷ Investigators reviewed Ms. Walker's information from the DCFS personnel system and confirmed it indicated Ms. Walker was discharged from DCFS for falsification of records on August 20, 1998.

⁸ OEIG investigators confirmed with DCFS [Identifying Information Redacted] [Employee 3] that DCFS did not layoff any employees in 1998 or 1999.

⁹ Investigators interviewed Ms. Walker on August 25, 2020.

¹⁰ Robert Taylor Homes and Stateway Gardens were a public housing projects located in the Bronzeville neighborhood of the South Side of Chicago. In the 1990s, federal HOPE VI funds were granted to secure replacement housing for high-rise public housing residents, after the city decided to replace the buildings with mixed income communities. The last buildings of the Robert Taylor Homes and Stateway Gardens housing projects were demolished in 2007. Jake Bittle, Srishti Kapur, and Jasmine Mithani, *Redeveloping the State Street Corridor*, SOUTH SIDE WEEKLY, Jan. 31, 2017, <https://southsideweekly.com/chicago-unfulfilled-promise-rebuild-public-housing>.

Ms. Walker grieved the discharge, there was no record that the grievance was resolved in a manner that would refute the discharge for cause. Nevertheless, Ms. Walker subsequently submitted a total of four State employment applications, in 2011, 2013, 2015, and most recently in 2019 in an application submitted to DCFS, where she claimed that she was “laid off” by DCFS in 1998. On each of Ms. Walker’s applications she signed them certifying the information on them was true and acknowledging that any misrepresentation of any material fact was grounds for ineligibility or termination of employment.

When the OEIG questioned Ms. Walker about her 1998 separation from State employment, she acknowledged she checked “no” on the box asking if she had ever been fired from a job on her DCFS and DJJ applications. Ms. Walker also acknowledged she was discharged by DCFS in 1998 and that she grieved the discharge. However, she stated that contrary to DCFS records, she was laid off in 1998, and therefore she did not lie on her applications. She explained that after the union initially told her that she would be discharged due the DCFS IG investigation, the union later explained to her that she would be laid off along with others due to the closure of her local office. Despite these assertions, Ms. Walker’s union was unable to produce any documents supporting the idea that her grievance might have been resolved, her DCFS personnel file contained no record of a layoff, and DCFS’s [Identifying Information Redacted] [Employee 2], confirmed that DCFS had no record of Ms. Walker being laid off.¹¹ He also said that DCFS has not laid anyone off since 1992, and DCFS’s [Identifying Information Redacted] [Employee 3], verified that DCFS did not layoff any employees in 1998 or 1999. Given the lack of evidence that Ms. Walker’s 1998 separation from State employment was anything other than a discharge for cause, the allegation that Ms. Walker provided false information on four State employment applications is **FOUNDED**.¹²

V. FINDING AND RECOMMENDATIONS

As a result of its investigation, the OEIG concludes that there is **REASONABLE CAUSE TO ISSUE THE FOLLOWING FINDING:**

- **FOUNDED** – Ruthshell Walker provided false information on her DCFS, DJJ, and DHS employment applications.

The OEIG recommends that DJJ review Ms. Walker’s employment applications and subsequent statements about her applications in light of the OEIG’s findings and take whatever action it deems appropriate regarding Ms. Walker’s continued employment with DJJ.

¹¹ Article XX of the current AFSCME Contract provides that State employees subject to layoff receive advance notice of the layoff, as well as a packet of information, informing the employee of his or her rights with respect to the layoff. OEIG investigators reviewed Ms. Walker’s personnel file which did not include any documents relating to a layoff from DCFS.

¹² The OEIG concludes that an allegation is “founded” when it has determined that there is reasonable cause to believe that a violation of law or policy has occurred, or that there has been fraud, waste, mismanagement, misconduct, nonfeasance, misfeasance, or malfeasance.

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

Date: September 30, 2020

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

By: **Alexa Vouros**
Assistant Inspector General

Edward Doyle
Investigator #159



Office of Executive Inspector General
for the Agencies of the Illinois Governor
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**AGENCY OR ULTIMATE JURISDICTIONAL AUTHORITY
RESPONSE FORM**

Case Number: 19-02048

Return 20 Days After Receipt

Please check the box that applies. (Please attach additional materials, as necessary.)

We have implemented all of the OEIG recommendations. Please provide details as to actions taken:

We will implement some or all of the OEIG recommendations but will require additional time to do so.
We will report to OEIG within 45 days from the original return date.

We do not wish to implement some or all of the OEIG recommendations. Please provide details as to what actions were taken, if any, in response to OEIG recommendations:

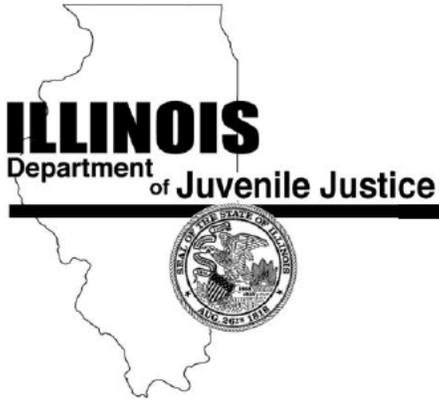
Disciplinary charges are approved and will be presented to employee for hearing and her rebuttal before imposition of discipline.

[Redacted Signature]
Signature

DJS - Labor Relations Admin.
Print Agency and Job Title

Pete Wessel
Print Name

10-21-20
Date



JB Pritzker
Governor

Heidi Mueller
Director

2715 West Monroe, Springfield, IL 62704
Phone: (217) 557-1030 / TDD: (800) 526-0844

December 8, 2020

Sherry E. Bult
Senior Paralegal
Office of Executive Inspector General
69 W. Washington St., Suite 3400
Chicago, Illinois 60602

Re: OEIG Case Number 19-02048

Dear Ms. Bult:

This letter is to confirm that based on the above referenced investigation, Department of Juvenile Justice employee Ruthshell Walker was issued a 30-day suspension effective December 1, 2020. Ms. Walker has grieved her suspension and it is currently pending at Step 3 of the grievance process.

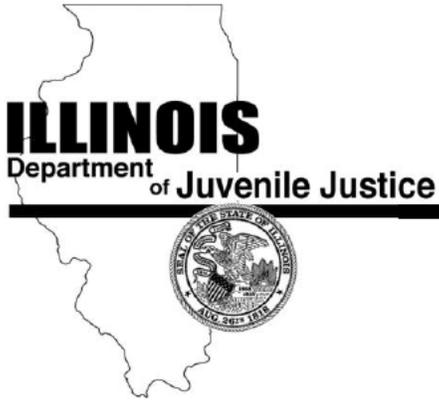
Please contact me if you have any questions regarding the above at (217) 685-0513.

Sincerely,



Pete Wessel
Labor Relations Administrator

Cc: Heidi Mueller, Director
NeAngela Dixon, General Counsel



JB Pritzker
Governor

Heidi Mueller
Director

2715 West Monroe, Springfield, IL 62704
Phone: (217) 557-1030 / TDD: (800) 526-0844

March 4, 2021

Sherry E. Bult
Senior Paralegal
Office of Executive Inspector General
69 West Washington Street, Suite 3400
Chicago, Illinois 60602

Re: OEIG Case Number 19-02048

Dear Ms. Bult:

Please be advised that the grievance filed on behalf of Ruthshell Walker related to the above referenced case was settled on March 2, 2021, by agreeing to reduce the 30-day suspension to a 20-day suspension.

Please let me know if you have any questions or need additional information.

Sincerely,

[Redacted Signature]

Pete Wessel
DJJ Labor Relations Administrator

cc: Heidi Mueller, Director
NeAngela Dixon, General Counsel