**Section 552.30 Initiating, Conducting and Completing Investigations and Lobbyist Sexual Harassment Reviews**

a) The Office of Inspector General (OIG) will conduct all investigations in a professional and thorough manner. Investigations shall be properly documented and shall be submitted in written reports of findings. Proper documentation of an investigation shall include, at a minimum, a description of the alleged misconduct or offense; the events and circumstances surrounding the allegation, including the results of interviews, review of documents and records, and other material information revealed during the investigation; and, as applicable, a recommendation concerning the merits of the allegation.

b) The OIG shall utilize methods for investigative interviews consistent with current police practices and techniques and shall observe and comply with all laws and agreements related to the questioning of employees or other individuals.

c) For the purposes of this Section, the following provisions shall apply when the OIG initiates investigations:

1) The OIG shall maintain an intake procedure, under the supervision of the Deputy Inspector General, for processing all complaints. Complaints may be received by telephone, letter, fax, e-mail or in person. Anonymous complaints shall be accepted. When a complaint is received, it shall be documented on a complaint form and assigned a complaint reference number.

2) The Deputy Inspector General shall review each complaint to determine whether a case should be initiated and assigned to an Inspector. When necessary for this initial decision, an Inspector may be assigned to gather additional, preliminary information concerning the validity of the complaint and/or the credibility of the complainant. When the Deputy Inspector General initiates a case, the complaint shall receive a case number and be assigned to an Inspector.

3) To initiate an investigation, a complaint must, at a minimum, include facts demonstrating OIG jurisdiction and:

A) a reasonable belief that employee misconduct may have occurred involving a violation of a law, rule or regulation; mismanagement; abuse of authority; or a substantial and specific danger to the public health and safety; or

B) credible evidence of a violation of the Lobbyist Registration Act [25 ILCS 170].

d) For the purposes of this Section, the following provisions shall apply when the OIG conducts investigations:

1) The Deputy Inspector General, or his/her designee, shall be responsible for the supervision of all investigative activities and shall ensure that Inspectors:

A) Properly document all investigative activities, which shall include, at a minimum, completion of a complaint form, investigative report and investigative summary;

B) Properly secure all physical evidence, including completion of an inventory of evidence form and securing the evidence in an evidence vault or other secure location;

C) Complete all reports; and

D) Submit case summaries to management that are accurate and complete.

2) Investigative activities may include, but are not limited to: interviews; requests for information, documents or other materials; taking custody of physical evidence; surveillance; and inspection of physical premises. The methods of investigation utilized in each case shall be those most likely to establish the relevant facts of the case.

e) For the purposes of this Section, the following provisions shall apply when the OIG completes investigations:

1) All cases shall be characterized as Active, Pending or Closed.

2) A case is Active when the matter requires current or continued investigation.

3) A case is Pending when the investigation is completed and awaiting prosecution or civil or administrative action. A case may be classified as Pending/Inactive if no investigative activity is anticipated for a period of 30 days or longer.

4) A case is Closed when investigative action ceases due to unfounded allegations, an administrative closing of the case, the completion of adjudication of all subjects, or the referral of the case to another agency for investigation in which the OIG shall not actively participate.

5) A Case Summary Report shall be completed at the conclusion of each investigation.

A) Case Summary Reports shall be submitted to the Deputy Inspector General for approval.

B) The approved Case Summary Reports then shall be submitted to the Inspector General for final approval.

C) Case Summary Reports approved by the Inspector General shall be forwarded to the appropriate Director for informational purposes or for the initiation of disciplinary action. Copies of the Summaries also shall be forwarded to the Director of Personnel.

D) In the case of a violation of the Lobbyist Registration Act [25 ILCS 170], the Inspector General may submit the investigation to the appropriate State's Attorney or to the Attorney General as provided by law.

f) The following provisions shall apply to interactions between the OIG and other law enforcement agencies:

1) When it appears that a case may warrant criminal investigation, the appropriate federal, state or local law enforcement agency shall be contacted for possible joint investigation at the earliest practicable time. When warranted by an investigation, a case shall be presented to the appropriate local or federal prosecutor for a prosecutorial decision.

2) When necessary for the completion of an OIG investigation, the OIG may request information or assistance from appropriate local, state or federal law enforcement agencies.

3) Upon receipt of a request from a local, state or federal law enforcement agency for assistance or information, the OIG shall make reasonable efforts to comply.

g) Reviews of Allegations that an Individual Required to be Registered Under the Lobbyist Registration Act Has Engaged in One or More Acts of Sexual Harassment

1) For the purposes of this subsection (g), *"sexual harassment" means any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:*

A) *submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;*

B) *submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or*

C) *such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.* *For the purposes of this definition, the phrase "working environment" is not limited to a physical location* where *an employee is assigned to perform his or her duties and does not require an employment relationship.* [5 ILCS 430/5-65(b)]

2) The OIG shall maintain an intake procedure, under the supervision of the Deputy Inspector General, for processing all complaints. Complaints may be received by telephone, letter, fax, e-mail or in person. Anonymous complaints shall be accepted. When a complaint is received, it shall be documented on a complaint form and assigned a complaint reference number.

3) The Deputy Inspector General shall evaluate each complaint to determine whether a review should be conducted and the matter shall be assigned to an Inspector.

A) When necessary for this initial decision, an Inspector may be assigned to gather additional preliminary information concerning the validity of the complaint or demonstrating OIG jurisdiction.

B) When the Deputy Inspector General initiates a review, the complaint shall receive a case number and be assigned to an Inspector.

C) To initiate a review of a complaint alleging sexual harassment by an individual required to register under the Lobbyist Registration Act, there must be a logical nexus between:

i) that individual's status as someone who is required to register under the Lobbyist Registration Act; and

ii) the alleged act of harassment.

4) When conducting a review:

A) The Deputy Inspector General, or his or her designee, shall be responsible for the supervision of all reviewing activities and shall ensure that Inspectors:

i) Properly document all reviewing activities;

ii) Properly secure all physical evidence; and

iii) Complete a Summary Review.

B) Reviewing activities may include, but are not limited to: interviews; requests for information, documents or other materials; taking custody of physical evidence; surveillance; and inspection of physical premises. The methods utilized in each review shall be those most likely to establish the relevant facts of the case.

5) The following provisions apply when the OIG completes a review of alleged sexual harassment by an individual required to be registered under the Lobbyist Registration Act:

A) A Summary Review shall be completed at the conclusion of each review. The name of the complainant shall be redacted from the Summary Review and shall include whether reasonable cause exists to believe that a violation regarding an act of sexual harassment has occurred.

B) Summary Reviews shall be submitted to the Deputy Inspector General for approval.

C) The approved Summary Reviews then shall be submitted to the Inspector General for final approval. Upon final approval, all Summary Reviews shall be submitted to the Illinois Attorney General and the Executive Ethics Commission. The complainant shall be informed of this submission.

(Source: Amended at 47 Ill. Reg. 1501, effective January 13, 2023)