



Cuyahoga County Agency of Inspector General



SEMI-ANNUAL REPORT

January 1, 2018 – June 30, 2018

Mark D. Griffin

Inspector General



**CUYAHOGA COUNTY
AGENCY OF INSPECTOR GENERAL**

July 31, 2018

Dear Citizens of Cuyahoga County,

I am pleased to present to you the Cuyahoga County ("County") Agency of Inspector General's ("AIG") Semi-annual Report for the period January 1, 2018 through June 30, 2018.

During the first six months of 2018, among other things, the AIG:

- Assisted law enforcement entities in their investigations of allegations of public corruption;
- Identified \$1.4 million in unused County funds and targeted an additional \$4 million for further review;
- Identified an additional \$701,925.43 in uncollected delinquent property taxes and tax liens owed by County contractors;
- Completed 27 investigations;
- Collaborated with the County's Internal Auditor to review best practices for preventing conflicts of interest;
- Monitored improvements to the Department of Development's loan servicing program;
- Provided 66 ethics advisory opinions;
- Reviewed 2,339 contractor background checks;
- Reviewed 1,841 driver's license abstracts;
- Substantially expanded its preventative and proactive ethics education program to reach out to all County departments; and
- Worked with the County Charter Review Commission to offer to voters the option of adding the AIG to the County Charter.

During the next six months, our goals will be to: continue to assist law enforcement entities in their investigations; hire an IT Auditor and "Big Data" Analyst to directly access and analyze County data; and further expand our proactive ethics education program to include County vendors and employees of other local government entities.

I welcome your thoughts and comments on our past and on our future.

Respectfully,

A handwritten signature in blue ink, reading "Mark D. Griffin".

Mark D. Griffin, Inspector General

Inspector General Mark D. Griffin



Mark D. Griffin ("Mr. Griffin") serves as Cuyahoga County's ("County") second Inspector General ("IG"). Mr. Griffin was appointed as IG by County Executive Armond Budish and was unanimously confirmed by County Council. Mr. Griffin was appointed on April 28, 2015 to fill an unexpired term ending June 30, 2016. Subsequently, Mr. Griffin was reappointed to a five (5) year term commencing July 1, 2016 and ending June 30, 2021. In his role as IG Mr. Griffin is responsible for investigating waste, fraud and abuse in the County, which has approximately five thousand (5,000) employees and a one point three billion (\$1.3 billion) dollar annual budget.

Prior to becoming IG, Mr. Griffin represented whistleblowers in matters before federal court and state court involving the United States ("U.S.") Department of Labor, the U.S. Internal Revenue Service and the U.S. Securities and Exchange Commission. He practiced law for more than twenty (20) years with a substantial part of his law practice including the investigation of dishonest and fraudulent conduct. Mr. Griffin litigated cases under the False Claims Act involving allegations that certain defendants defrauded the United States. He has also represented U.S. Treasury agents who investigated money-laundering and financial fraud allegations; as well as whistleblowers who revealed fraudulent practices in major hospital chains, assisted living facilities and pharmacies.

Mr. Griffin's law practice included several significant cases which involved complicated financial investigations. The Cellnet Case involved discriminatory pricing of cellular telecommunications services and resulted in, among other things, a twenty-two (\$22,000,000) million-dollar settlement for his client – considered by the Judge to be one of the largest single-plaintiff settlements in County history. Separately, the Penn Central Case lasted over 40 (forty) years and resulted in a fourteen point eight (\$14.8) million-dollar settlement for thirty-two (32) former employees. Both of these cases required investigations into payment practices of contractors or employees. Mr. Griffin's cases also include a one point seven (\$1.7) million-dollar fraud judgment against an associate of the Scarfo Crime family.

Mr. Griffin earned his Masters' Degree in Public Policy from Harvard's John F. Kennedy School of Government. He graduated at the top of his class from Case Western Reserve University School of Law and received his Bachelor's Degree in Economics and Political Science from the University of Pennsylvania. Mr. Griffin's background includes working as an Intern for a Conservative member of British Parliament, and serving two years as a Peace Corps Volunteer in Cameroon, West Africa building schools, supporting small economic development projects and promoting community development.

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Executive Summary

The first half of 2018 has been a very, very busy six-month period in certain aspects that are obvious and in other aspects that are not immediately apparent. During the first half of 2018, the Agency of Inspector General ("AIG") closed 27 investigations, identified \$1.4 million in County contracts with unused funds, expanded its proactive ethics education program and issued 66 ethics advisories.

This most recent semi-annual period highlighted the AIG's important role in working collaboratively with law enforcement entities and the County's Internal Auditor to fight fraud, waste and abuse.

Some of the AIG's representative work of the first six months of 2018 includes:

Cooperation and Assistance with Public Corruption Investigations

The AIG is not a law enforcement entity, does not have subpoena power, and is required by County ordinance to refer matters to an appropriate law enforcement entity if there is a reasonable belief that there is violation of law or policy. During the first six months of 2018, the AIG has cooperated and assisted the efforts of law enforcement to investigate allegations of criminal public corruption.

Collaboration with Internal Audit Regarding Conflicts of Interest

At the request of the County Executive, the AIG worked with Internal Audit to review the best practices for preventing unlawful conflicts of interest. This review indicated that although the County followed the standard set by other entities, there are opportunities for improvement. The County, like almost all other jurisdictions, places the responsibility on individual County employees to avoid and/or disclose and recuse themselves from any conflicts of interest. However, the County can improve its efforts by expanding its ethics education and better notifying vendors that contracts may be invalidated if an improper conflict of interest is discovered.

Collaboration with Internal Audit Regarding the County's Response to Subpoenas

The AIG worked with Internal Audit to engage and supervise Vestige Ltd. to review the County's responses to subpoenas. This process identified a limited number of gaps that permitted the County, where possible, to correct these deficiencies.

Revised and Improved the AIG's Vendor Background Check Process

The collaborations noted above identified opportunities for the AIG to improve its own process of conducting background checks regarding County vendors. Although the County's process exceeds the process used by the Federal government for its own vendors, the AIG specifically identified ways to improve the queries, search terms and documentation for its on-line searches. The AIG: 1) reviewed every internet search for every one of our 2,339 contractors on record; 2) changed the search terms on our internet searches so that each search is run separately; 3) changed the background check process to include screen shots of each search; 4) revised the terms of our mandatory self-disclosures so that the contractor discloses pending charges and allegations – not just final convictions or judgments; and 5) opened a review of past applications that may – or may not – lead to debarment.

Decertification of Unused County Funds

After receiving an anonymous complaint, the AIG worked with the Office of Budget and Management ("OBM") to analyze County records to determine if there were encumbered fund balances that could – or should – be decertified. County Code §701.08 permits OBM to decertify funds that have been encumbered, but not used, on contracts that have been inactive and expired for over twelve (12) months. In prior years, the Ohio Auditor of State has criticized this failure in its management letters to the County in 2014, 2015 and 2016. The AIG cross-matched financial data to identify contracts with encumbered balances that had not been accessed during the twelve months of calendar year 2017. Then, the AIG requested that County departments with such balances either decertify these encumbrances or explain why they should not be decertified.

The AIG found:

Encumbrances Decertified After Receipt of the May 25, 2018 AIG Email	\$634,152
No Objections to Decertifying Encumbrances After Receipt of the May 25, 2018 AIG Email	<u>\$787,000</u>
Total Decertified	\$1,421,152
 Additional Questioned Encumbrances	 \$4,151,038

These decertified funds are not “found” or “newly discovered” because they were never “lost” -- the County Fiscal Office was at all times aware of these encumbrances and projected as part of the County’s budget plan that such funds would be decertified on a timely basis.

Identified Unpaid Taxes Owed By County Vendors

As part of its background check process, the AIG also identified an additional seven hundred one thousand nine hundred twenty-five dollars and forty-three cents (\$701,925.43) in uncollected delinquent property taxes and tax liens owed by County contractors.

Expanded Proactive Ethics Education

During this reporting period, the AIG substantially expanded its proactive education program to systematically provide ethics training to every County department. This training has been well-received. The AIG has found County employees to be engaged and concerned with making certain that County government acts appropriately as steward of the public interest.

Assistance with Charter Review Commission

By answering questions and providing information, the AIG worked with the Charter Review Commission to draft a proposed amendment adding the AIG to the County Charter. The AIG sought to provide candid information and to answer any questions posed by the Charter Review Commission. Ultimately, the duties and responsibilities of the AIG are determined by the people of Cuyahoga County and the AIG will continue to support and follow their decisions whatever they may be.

Other Accomplishments During the First Half of 2018

Less than half of the AIG’s resources are dedicated to investigations. Instead, the bulk of its resources are targeted towards achieving mandated ethics or compliance requirements.

For example, during the last six (6) months, as part of its compliance obligations, the AIG analyzed:

1,841 Driver’s License Abstracts for employees authorized to operate a County owned vehicle or drive a personal vehicle for County purposes. In an effort to increase

compliance and reduce County liability, the AIG began reviewing employee driving records on a quarterly basis. The AIG narrowed the number of potential County Vehicle Use Policy violations to seventeen (17) employees in the 1st quarter and eighteen (18) employees in the 2nd quarter. The identified employees were reported to the Agency directors and HR for further review and, where necessary, disciplined.

- 208 Secondary Employment & Private Business Activity Disclosures.
- 137 Nepotism/Conflict of Interest submissions.
- Initiated and reviewed background checks regarding 2,339 contractors.
- Issued 66 Ethics Opinions and Advisories.
- Worked with County departments and the Board of Control to update contractor registration exemptions.

Goals – Past and Present

Goals Past: Comparing Actual Performance to Goals Set for the First Half of 2018

In its prior semi-annual report, the AIG set forth four (4) specific goals relating to the mission of the agency. As discussed below, these goals were partially – but not completely -- achieved:

- 1) **Hire Full Time IT Auditor & “Big Data” Analyst.** An IT Auditor has been hired, but has not yet started employment with County. Although, the AIG made two employment offers for a full-time IT Auditor, the candidates declined these offers for varying reasons. In July, a third candidate accepted the offer and expects to join the County as soon as possible. The AIG has been interviewing to fill the position for a “big data” analyst to review County information and hopes to be able to fill this position in the next 60 days.
- 2) **Review Contract Compliance.** The AIG has continued to review identified contracts to determine whether the County has received full value for taxpayers’ dollars. This process resulted in the identification of \$1.4 million in funds that could be decertified.

- 3) **Expand the AIG's Proactive Education Programs.** The AIG worked extensively to promote a County Culture of Compliance and has initiated regular “roadshow” presentations i.e. ethics compliance trainings to County departments regarding the County's ethics code. The AIG expects to rotate through every County department during the second half of 2018.
- 4) **Research and explore** how the AIG can provide ethics compliance services to other communities within the County. The AIG continues to explore this option, and has begun discussions regarding circulating appropriate ethics updates as well as conducting additional trainings.

For the second half of 2018, the AIG intends to achieve the following goals:

- 1) **Assist and Cooperate with Law Enforcement Authorities** regarding related investigations.
- 2) **Initiate Full Time IT Auditor & “Big Data” Analyst.** The AIG intends to complete the hiring process for a full-time IT Auditor and a “big data” analyst.
- 3) **Expand the AIG's Proactive Education Programs** by reaching out to other municipal or government officials in Cuyahoga County as well as contractors and lobbyists with emailed ethics updates.

SECTION 1: ADMINISTRATION¹

1.1 AGENCY OF INSPECTOR GENERAL STRUCTURE

1.2 AGENCY OF INSPECTOR GENERAL BUDGET



7 Full Time Staff; **1** Part Time Staff

2018 Projected Budget: \$954,632

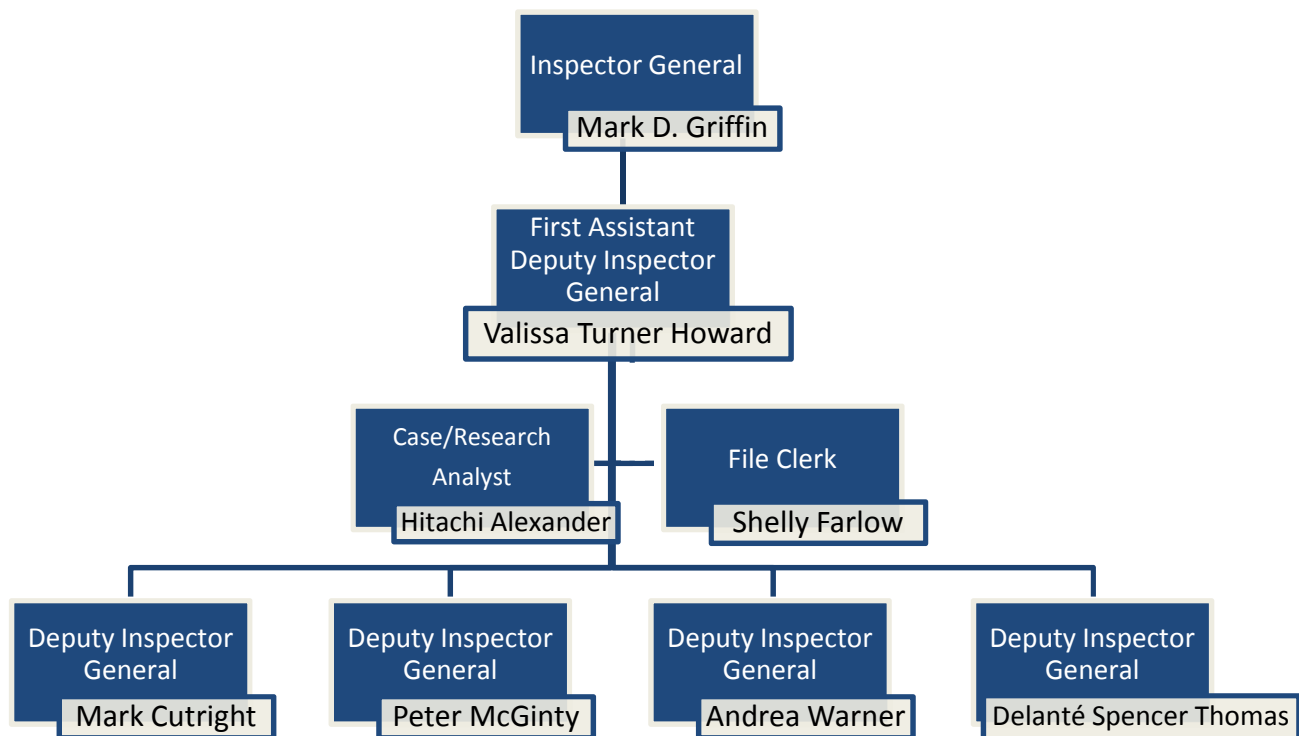
2018 1st Half Actual Spending: \$379,480

*"The AIG anticipates closing 2018 with a budget **surplus**"*

¹ For additional information regarding the background and jurisdiction of the Agency of Inspector General, please see Appendix 1.

Section 1.1 – Agency of Inspector General Structure

During the first half of 2018, the AIG operated under the following organizational structure:²



² The AIG has recently hired an IT Auditor which will be shared with the Department of Internal Audit. Additionally, the AIG expects to hire an employee to fill a data analyst role within the next 60 days.

Agency of Inspector General Staff Qualifications

The AIG hires highly qualified individuals who not only reflect the diversity of the community, but also have the necessary level of skills, abilities and experience for their respective roles. Staff members bring an array of experiences from state, county and federal government.



Staff members have backgrounds in and/or academic degrees in:

- Accounting
- Auditing
- Ethics & Compliance
- Fraud Examinations
- Labor Relations & Human Resources
- Crisis Communications Management
- Investigations
- Law
- Law Enforcement
- Public Policy Management
- Public Relations
- Diversity & Inclusion

The various certifications and licensures held by staff members include:

- Certified Inspector General
- Certified Inspector General Investigator
- Two (2) Members Certified Leading Professionals in Ethics & Compliance
- Certified Inspector General Auditor
- Two (2) Certified Fraud Examiners
- Two (2) Members of the Ohio Bar
- One (1) Member of the California Bar

Office Development: 2018 Training Focused on Fraud Deterrence, Detection and Prevention



As part of its mission to target financial waste, fraud and abuse, AIG staff members focused on enhancing their fraud detection skills. For instance, in this reporting period, the Inspector General, First Assistant Deputy Inspector General, along with four Deputy Inspectors General attended and participated in multiple webinars and training seminars regarding strategies used to identify fraudulent activity. These course topics included:

- Investigation Interviews
- Policy & Procedure Management
- Audit and Internal Controls
- Investigation Skills
- Fraud Detection
- Investigating Harassment Claims
- Expense Report Fraud
- Combating Procurement Fraud
- Ethics and Good Government
- Data Analysis
- Changing a Culture of Corruption

Additionally, in this reporting period, a Deputy Inspector General with the Agency successfully completed the training and examination to earn the designation of Certified Inspector General Auditor.

To deliver on its responsibilities, the AIG continued its focus on building a team that has the collective capacity to perform across various skill sets including investigation, compliance evaluation, and technical support. Incorporating additional disciplines provides the Agency the capability to fully address the intended duties and responsibilities outlined in the County Code.

The AIG placed special emphasis on maintaining the highest level of professionalism. The AIG invested and will continue to invest in its most valued asset: its staff. The Agency continues to provide in-house training to all staff members on topics including the mission, function and authority of the AIG, the County Code, and proper investigative techniques and protocols. Additionally, the AIG provides resources for continuing education to further develop, cross-train, and add new skills to its staff of professionals.

The AIG maintained its membership in the Association of Inspectors General, a national organization of state, local and federal inspectors general and their staff during this reporting period. The Association of Inspectors General offers training seminars and certification institutes for members as well as networking opportunities. The AIG also maintains its membership in the Council on Government Ethics Law, the preeminent organization of government ethics administrators.

Section 1.2 – Agency of Inspector General Budget

The County Executive and County Council granted the AIG a total budget of \$954,632 for 2018.³ The following is a summary of the AIG's actual budget performance through June 30, 2018:

<u>Item</u>	<u>2018 Budgeted Amount⁴</u>	<u>2018 Actual⁵</u>	<u>Difference</u>
Personal Services (Salaries)	\$656,270	\$232,522	\$423,748
Personal Benefits	\$200,823	\$102,468	\$98,355
Contracts & Professional Services (Case Management Software)	\$24,758	\$14,656	\$10,102
Other Operating (Print Shop, Postage, Supplies, Training, Travel, Mileage, Telephone, Copier)	\$44,728	\$15,806	\$28,922
Controlled Services	\$28,053	\$14,028	\$14,025
Capital Outlays	\$0	\$0	\$0
Total:	\$954,632	\$379,480	\$575,152

As part of its mandate to create and maintain contractor and lobbyist registries, the AIG is required to collect a one hundred-dollar (\$100.00) registration fee from all non-exempt contractors and lobbyists. All fees collected from contractors are kept in the AIG vendor

³ Council approved a split position in the 2018-2019 biennial budget, between the Department of Internal Audit and the AIG. Subsequently, the appropriation for the position was split between the two departments. In an effort to simplify reporting, this expense will be entirely within the Inspector General's budget going forward. Subsequently, County Council approved the transfer of \$24,802 from the Internal Audit budget to the AIG's budget to consolidate the 2018 appropriation into the AIG budget. This increased the 2018 AIG budget to from \$929,830 to \$954,632.

⁴ These figures do not include encumbered or carryover amounts.

⁵ Totals as of June 30, 2018.

registration account. In the last biennial budget, this fund was allocated to offset reductions from the General Fund. The AIG supports the salary of a part-time staff member from the vendor registration account, as well as the current salaries of other staff to the extent that they perform services related to contractor registrations, background checks and investigations. Finally, all bank fees associated with the online vendor registration process are likewise paid from the vendor registration account. The AIG expects to utilize funds from the vendor registration account to continue support staff costs as well as its current case management tracking system.

Based on the County's population of 1,280,122, the cost to operate the AIG in 2018 will amount to \$.75 per citizen per year. This does not take into account the value added by our services, which includes issuing ethical guidance to employees and elected officials, completing contractor registrations, investigating allegations of ethical misconduct or County costs/expenditures challenged by the AIG.⁶

75¢⁷

The average person spends almost 4x that amount on just one gallon of gasoline.



⁶ The AIG challenges costs/expenditures which are determined to be improper, unnecessary, unreasonable or lacking proper documentation.

⁷ According to the U.S. Energy Information Administration, the average cost of a gallon of regular gasoline in Ohio is \$2.69. https://www.eia.gov/dnav/pet/pet_pri_gnd_dcus_soh_w.htm

SECTION 2: INVESTIGATIONS⁸

2.1 INVESTIGATION STATISTICS

2.2 CLOSED INVESTIGATIONS



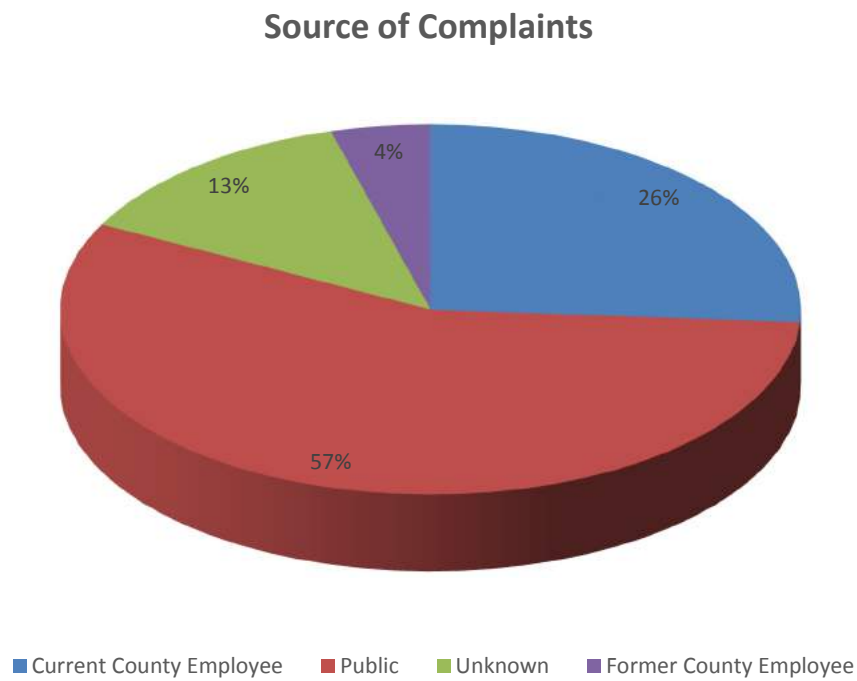
"The AIG identified \$1.4 million in funds that were decertified and an additional \$4.1 million has been identified for further evaluation"

⁸ For information regarding the AIG's process of investigation, please see Appendix 2.

Section 2.1 – Investigation Statistics

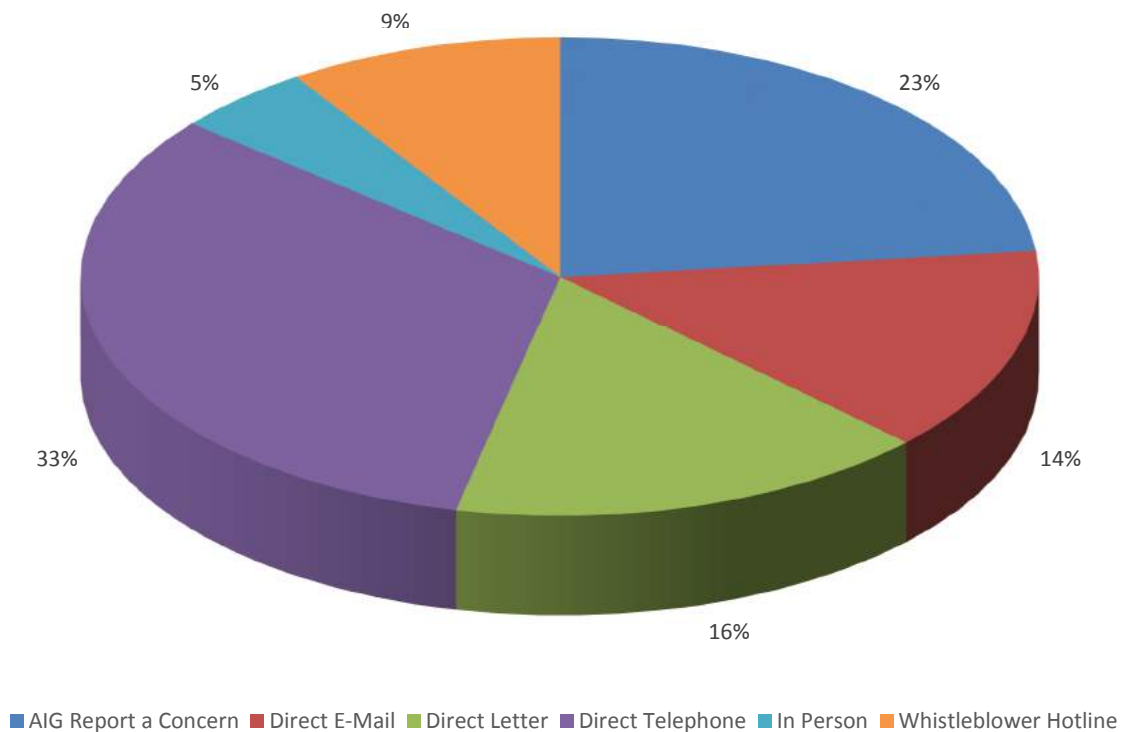
A. *Whistleblower Complaints/Referrals*

The AIG received forty-four (44) unique whistleblower complaints or referrals from January 1, 2018 through June 30, 2018. The following is a summary of the source of the complaints or referrals:

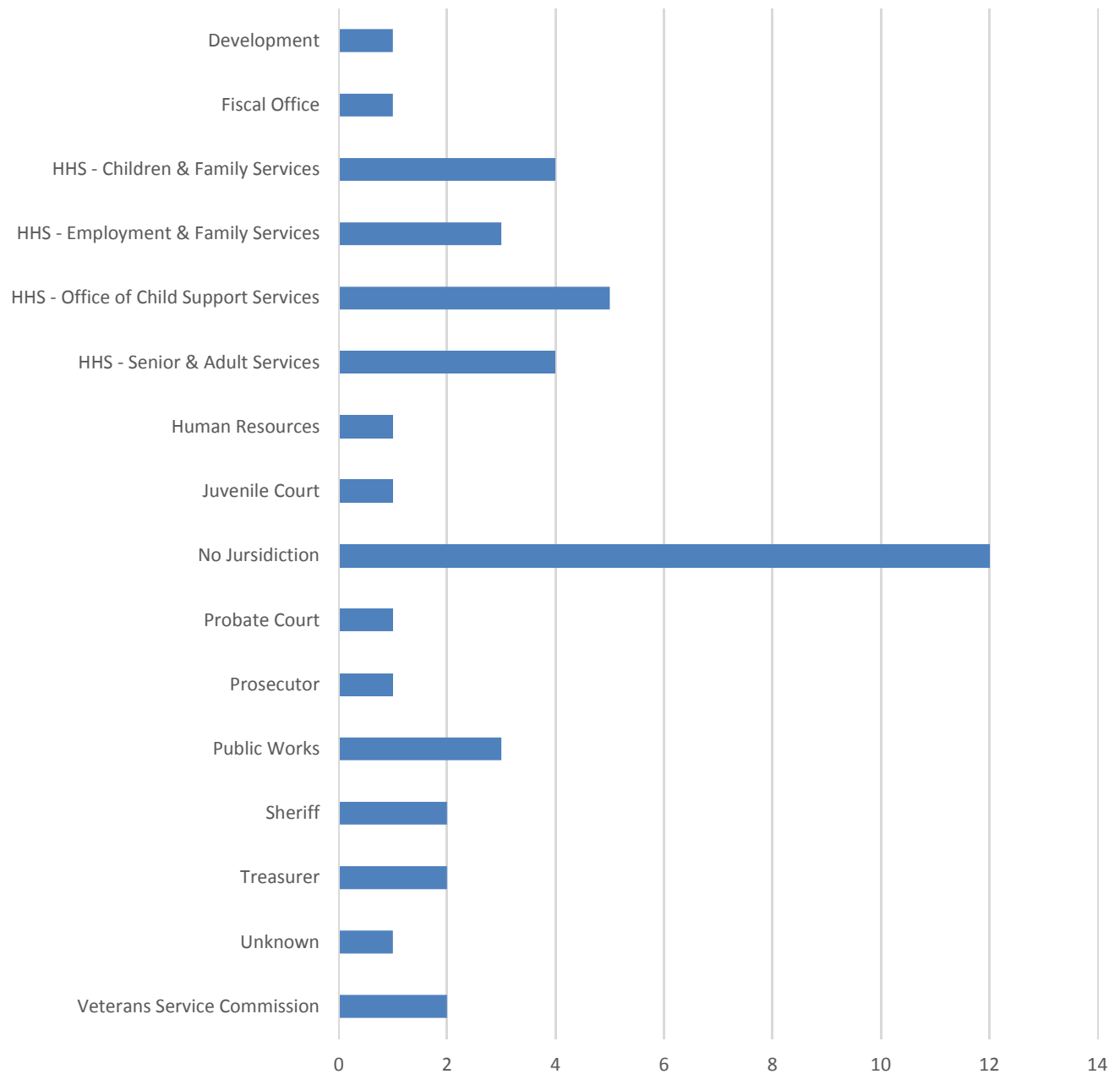


During this reporting cycle, the greatest number of complaints were submitted by the general public, followed by complaints submitted by current County employees.

Method of Receipt of Complaints

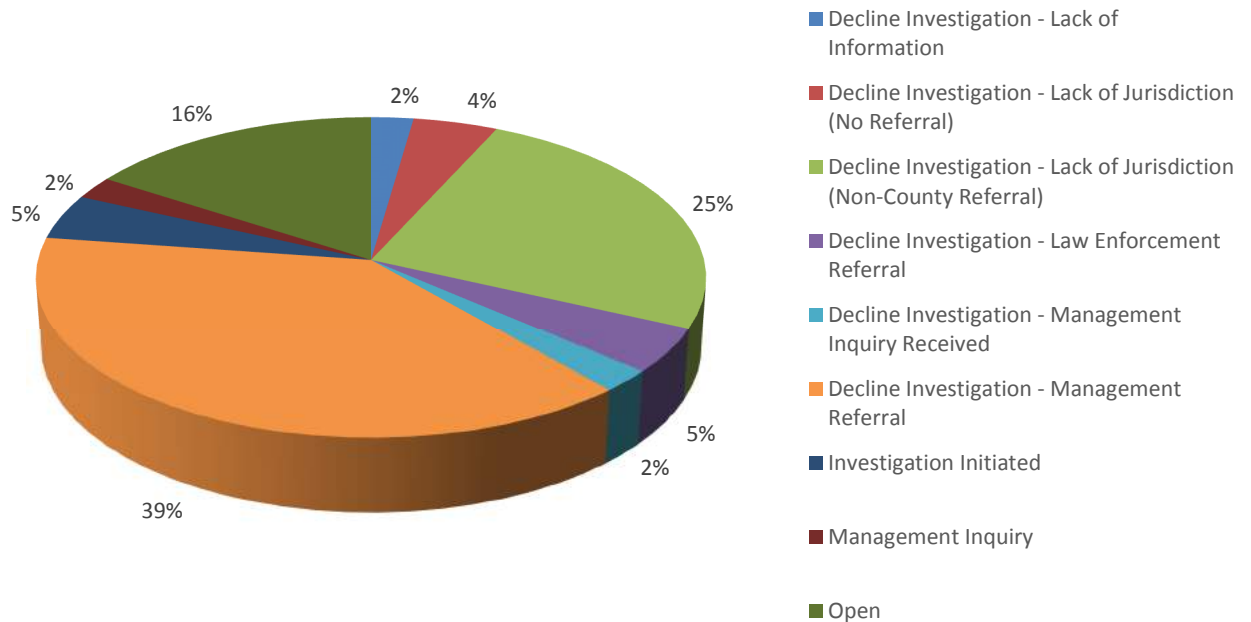


The AIG's ability to be effective is directly linked to its accessibility. During this reporting period, the most utilized method for submitting complaints to the AIG was via Direct Telephone. The second most utilized method for submitting complaints was by using the Report a Concern link on the AIG website. Finally, Direct Letter was the third most utilized method for submitting complaints during this reporting period.

Complaints by Department

The greatest number of complaints were “No Jurisdiction”. The second highest volume of complaints were Health and Human Services (“HHS”) Office of Child Support Services (“OCSS”), with HHS Department of Children and Family Services (“DCFS”) and HHS Department of Senior and Adult Services (“DSAS”) each having the third highest number of complaints.

Complaint Disposition

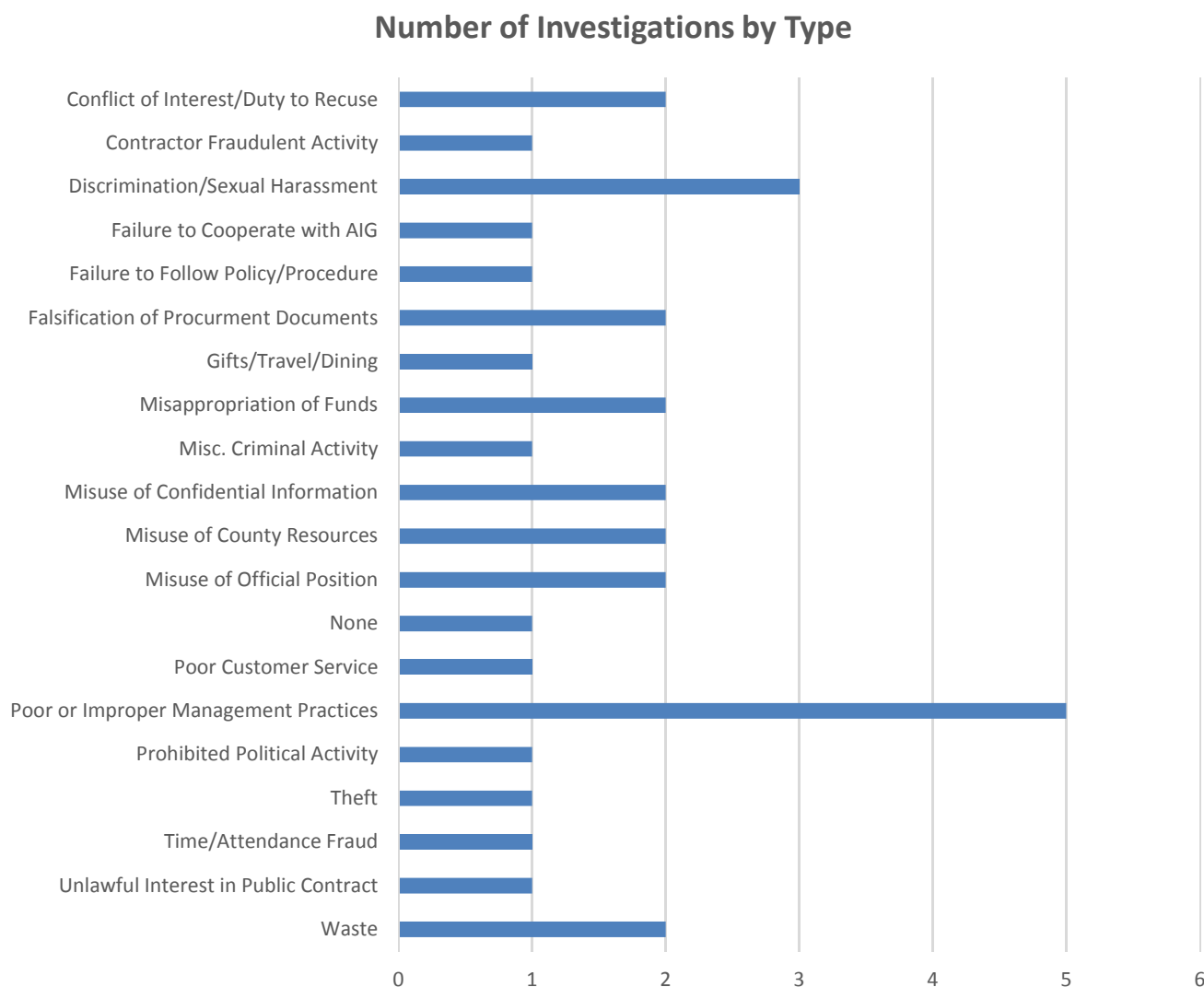


The AIG's policy is that most human resource complaints should be addressed by line-management and the County Department of Human Resources. The AIG is committed to supporting – rather than reducing – the authority of line-supervisors to manage their departments. Thus, the most frequent disposition of complaints is a management referral.

B. Investigations

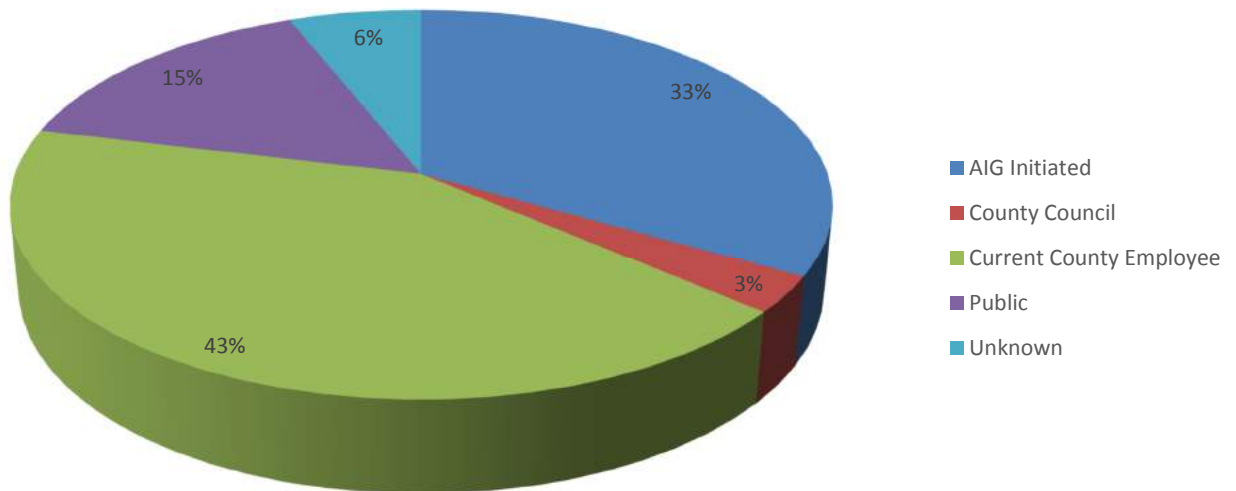
The AIG initiated thirty-three (33) investigations and reviews during this reporting period.

The following is a summary of the nature of the thirty-three (33) newly initiated investigations during this reporting period:



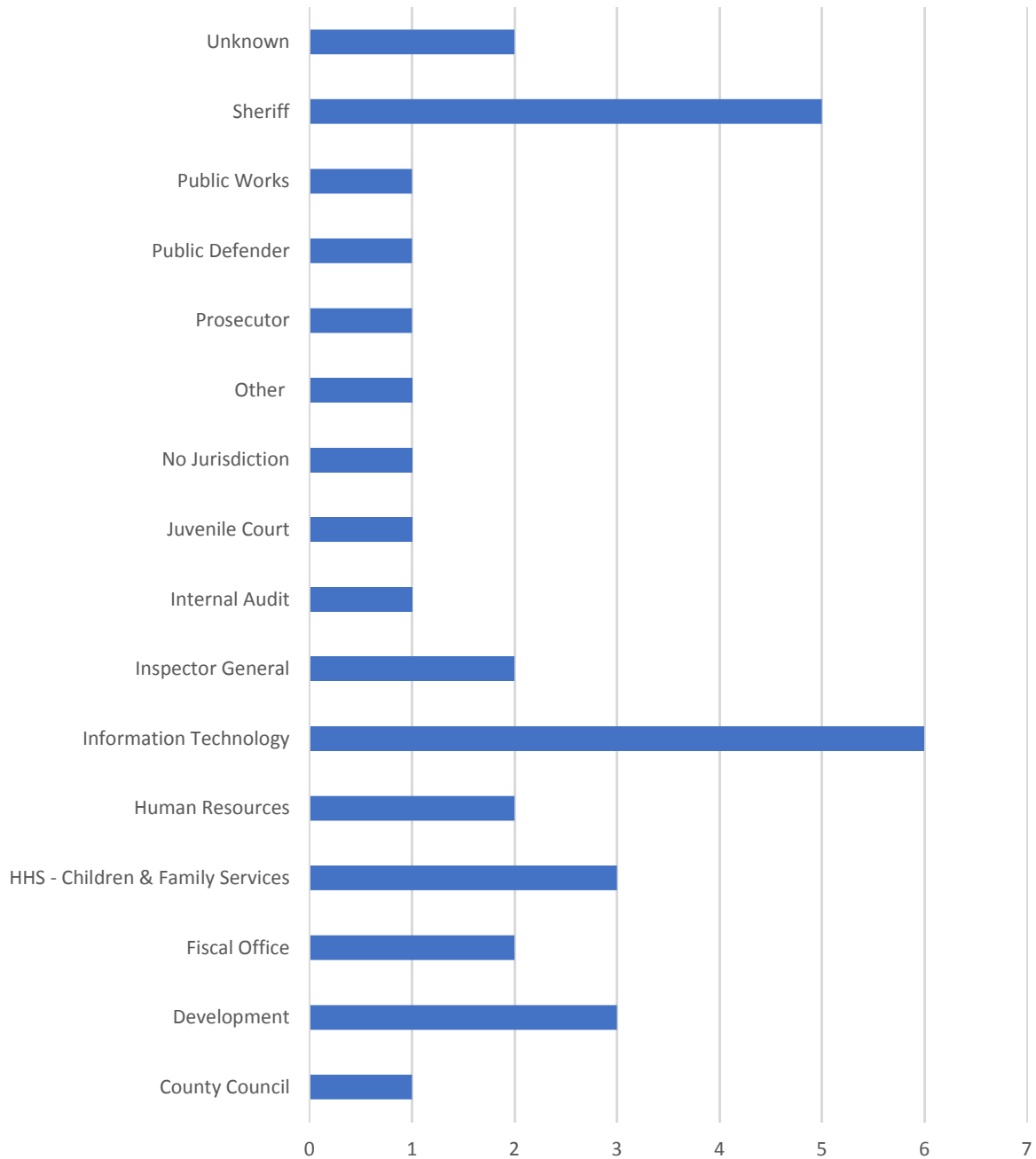
The AIG investigated a wide range of complaints during this reporting period, with Poor or Improper Management Practices and Discrimination/Sexual Harassment accounting for the highest number of complaints investigated.

Source of Investigations



Consistent with prior reports, investigations generated through current County employees accounted for the largest source of newly initiated investigations during the reporting period. AIG initiated investigations and the public accounted for the next largest sources.

Investigations Initiated by Department

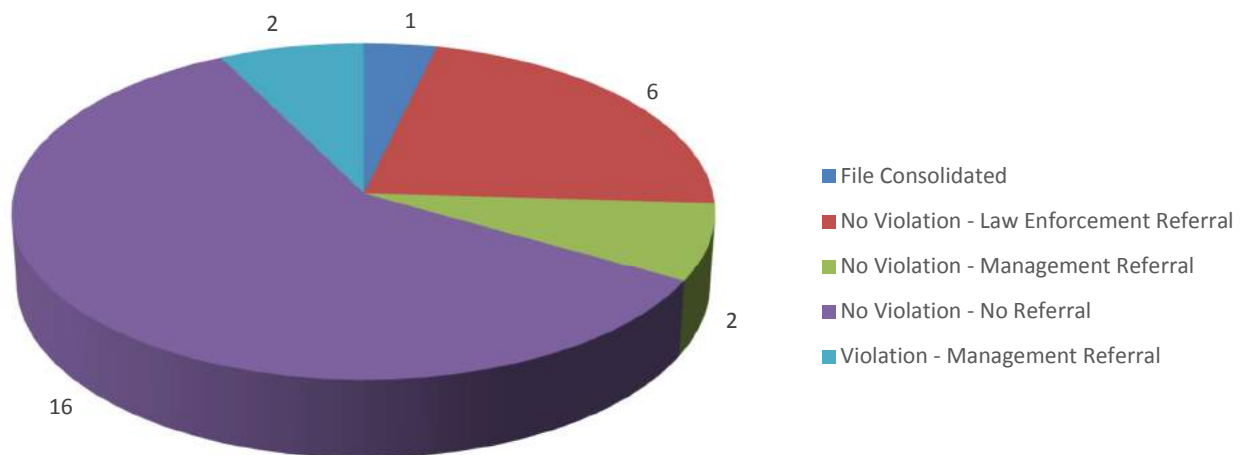


During this reporting period, Information Technology had the highest number of newly initiated investigations, followed by the Sheriff's Department. HHS Children & Family Services ("DCFS") and the Department of Development each had the third highest number of newly initiated investigations.

Section 2.2 – Closed Investigations

During this reporting period, the AIG issued findings on and closed twenty-seven (27) investigations.

Disposition of Closed Investigations



During the first six months of 2018, the AIG made 6 law enforcement referrals. This is a slight decrease in referrals as compared to our last reporting cycle. Since 2015, the AIG has made the following investigation referrals:

AIG Law Enforcement Referrals						
2015		2016		2017		2018
1st Half	2nd Half	1st Half	2nd Half	1st Half	2nd Half	1 st Half
1	0	1	0	2	7	6

Law Enforcement Referrals

Since its inception in 2011, the AIG has referred various matters at different times to the U.S. Attorneys' Office, the Ohio Attorney General's Office, the Ohio Ethics Commission, the Cuyahoga County Prosecutor's Office and other law enforcement entities. Thus, it is not possible to assume from this data that the AIG has referred any specific investigation to a particular government agency. Similarly, the fact that six (6) investigations were referred out does not necessarily indicate that there are more – or less – than six individuals involved. These investigations may relate to a single individual – or to more than six individuals.

Furthermore, a referral by the AIG is not a determination of guilt or innocence as to any person. The AIG has a relatively low bar for the mandatory referral of investigations. County Code §204.01(B)(3)(c) requires that if the AIG determines that there are “reasonable grounds to believe that a violation of any state, federal, or local” law has been violated, the AIG must refer the matter to the appropriate law enforcement entity. Under this “reasonable grounds” standard, the AIG may be required to refer out an investigation at a very early stage. This is intended, in part, to protect the integrity and effectiveness of the subsequent investigations. For example, by proceeding to interview potential witnesses or request documents, a preliminary inquiry could potentially reveal the target of an investigation or provide clues as to the legal theory being pursued.

Additionally, once a matter is referred out, the AIG “shall not” interfere with any investigation, and if necessary, “the Inspector General shall suspend all investigative activities to ensure that the Agency’s actions do not interfere with any such investigations.” Code §204.01(B)(4). Thus, as a practical matter, once a matter is referred out, the AIG suspends its own investigation until the AIG is asked to assist or it communicates and coordinates with the other government entity.

Finally, the AIG has identified \$5,471,281 in challenged costs/expenditures since its inception and more recently identified \$5,272,604 challenged costs/expenditures since 2015. Most recently, as discussed in more detail below, as the result of an AIG review, \$1.4 million in funds were decertified and an additional \$4.1 million has been identified for further evaluation and potential decertification.

Representative Examples of Recent Investigations & Reviews

Decertification of Encumbrances Review

During the first six months of 2018, The Agency of Inspector General ("AIG") identified \$1.4 million in funds that have recently been decertified following the AIG's review, and has identified an additional \$4.1 million that should be further evaluated for decertification.

As noted previously, after receiving an anonymous complaint, the AIG initiated a review of Cuyahoga County ("County") records to determine if there were encumbered fund balances that could – or should – be decertified. County Code §701.08 permits the Office of Budget and Management ("OBM") to decertify funds that have been encumbered, but not used, on contracts that have been inactive and expired for over twelve (12) months. In prior years, the Ohio Auditor of State has criticized this failure in its management letters to the County in 2014, 2015 and 2016. The AIG cross-matched financial data in order to identify contracts with encumbered balances that had not been accessed during the twelve months of calendar year 2017. Then, the AIG requested that County departments with such balances either decertify these encumbrances or explain why they should not be decertified.

The AIG found:

Encumbrances Decertified After Receipt of the May 25, 2018 AIG Email	\$634,152
No Objections to Decertifying Encumbrances After Receipt of the <u>May 25, 2018 AIG Email</u>	<u>\$787,000</u>
Total Decertified	\$1,421,152
Additional Questioned Encumbrances	\$4,151,038

These decertified funds are not "found" or "newly discovered" because they were never "lost" -- the County Fiscal Office was at all times aware of these encumbrances and projected as part of the County's budget plan that such funds would be decertified on a timely basis. Thanks to the cooperation of the Fiscal Office and the Departments,

these taxpayer dollars are now available to be repurposed to accomplish the important tasks of the County.

The AIG initiated this review to protect taxpayer dollars and ensure County funds are being used in an efficient manner. To avoid non-compliance with the County Code and ORC in the future, the AIG suggests the following recommendations be adopted:

1. OBM review the inactive encumbrances which were questioned by the AIG due to the department's responses, inactivity, or length of time remaining open. OBM's review should be if the inactive encumbrances should be decertified.
2. During budget hearings OBM should require each County department to explain to County Council (1) why the department has inactive encumbrances and (2) why these inactive encumbrances exceed a fiscal year.
3. Each County department should review inactive encumbrances and contact OBM twice a year (in January and July) regarding updates on inactive encumbrances to be decertified.
4. If the County departments determines that it is necessary to maintain an inactive encumbrance beyond the end of the fiscal year, the department should be required to provide a justification to OBM in writing.
5. Before the implementation of the ERP system in the Fiscal Department, all inactive encumbrances should be liquidated to minimize the transfer of data from FAMIS to the new ERP system.
6. Pursuant to ORC 5705.41(D)(1), County departments should only encumber the amount of money needed to meet the obligation for the current fiscal year.

Representative Examples of Recent Investigations & Reviews

Department of Development Loans Status

In June 2018, the AIG continued its monitoring of the Department of Development ("DoD") and reported that, most importantly, the DoD is making good faith efforts to address and correct the continuing inaccuracies in the County's economic

development loan records. The County has also implemented changes to its rules and practices to collect delinquent loans and to protect taxpayers' hard-earned dollars. Director Carter, Greg Huth and Bryan Edwards deserve credit for the important improvements and substantial progress achieved by DoD.

Nonetheless, the AIG acknowledges its own desire to have all of the work finished "yesterday, if not sooner." During the last reporting period, DoD succeeded in identifying the universe of DoD economic development loans (with important exceptions that were identified and are discussed below). More recently, with the universe of loans mostly identified, DoD has worked to "true-up" the universe of loans. Since the assignment of Edwards in November 2017, the County has reviewed, reconciled and (if necessary) corrected the records for 187 of the 295 loans recorded in DoD's Portfol database. Considering the effort required to review many years of data for each loan, DoD's reconciliation of 187 loans is important. And yet, we still have nearly one-third of the loan portfolio that needs reconciliation. DoD anticipates that this process will be completed by the end of 2018.

DoD also worked with OBM to review the County's bond funds. This review determined that there were additional brownfields loans and commercial redevelopment loans that should be included and/or tracked in Portfol. These loans had not previously been included in the universe of DoD loans. The County also determined that some loans were mis-categorized under the titles of "funds" that were inconsistent with labels used in the relevant bond covenants or authorizing legislation. DoD and OBM also determined that some loan-related repayments were misapplied to incorrect funds. As a result, the County transferred \$350,795.39 between funds to correct these accounting errors.

With regard to evaluating whether DoD loans have created new jobs in our community, the County continues to rely on self-reporting by borrowers – a practice that is admittedly standard in numerous other government entities. Nonetheless, AIG believes that a better practice is to review employment data as reported to tax collecting agencies or other government entities.

Overall, DoD should be commended for its continuing and significant progress. However, there is work yet to be done. DoD has indicated that all loans will be reconciled by the end of 2018. At that time, the AIG will again review the progress to

date and report its findings to the County Executive, County Council and the citizens of Cuyahoga County.

SECTION 3: ETHICS COMPLIANCE⁹

3.1 Ethics Advisory Opinions

3.2 Ethics Disclosures



66 Ethics Advisory Opinions

208 Secondary Employment Disclosures

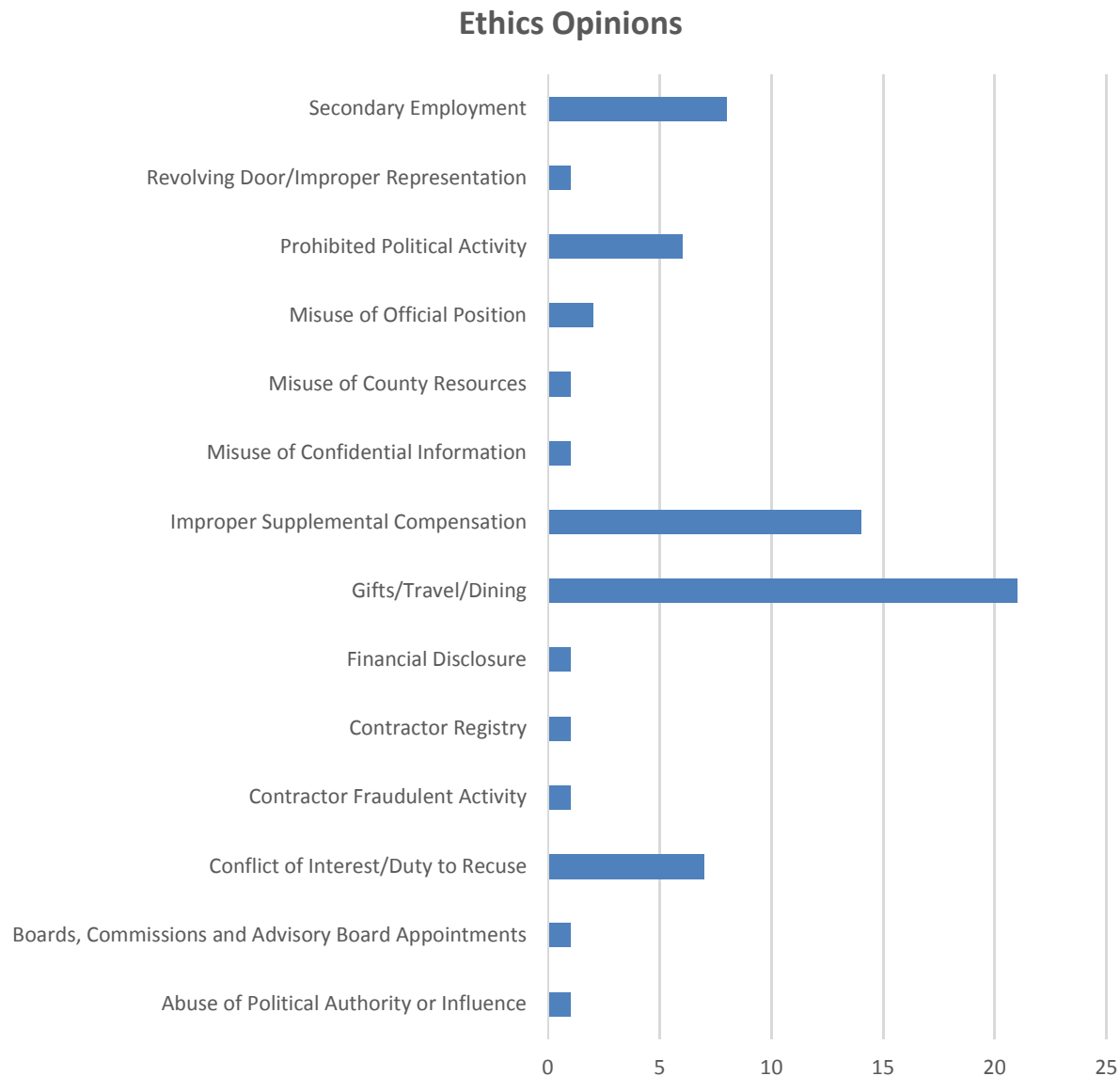
137 Conflicts of Interest

"The AIG addressed 205 potential conflicts of interest."

⁹ For additional discussion regarding Ethics and Compliance please see Appendix 3.

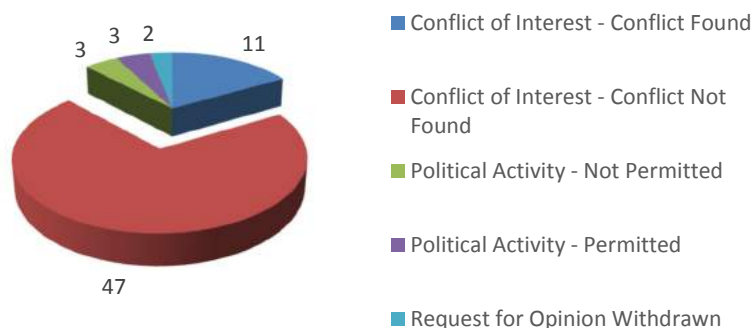
Section 3.1 – Ethics Advisory Opinions

The AIG reviewed sixty-six (66) requests for ethics advisory opinions during this reporting period and issued Ethics Advisory Opinions regarding the following topics:



During the first half of 2018, ethics advisory opinion topics included, but were not limited to: (1) Gifts/Travel/Dining; (2) Conflicts of Interest; (3) Secondary Employment; and (4) Improper Supplemental Compensation.

Ethics Advisory Opinion Dispositions



Of the 66 ethics opinions requested during the last six months, the AIG determined in fourteen cases that either there was a conflict of interest or that the proposed political activity was not permitted. In two other matters, the request was withdrawn.

Representative Examples of Recent Ethics Advisory Opinions

Conflict of Interest/Duty to Recuse

(18-0052-EI) Inquiry from an employee regarding whether a conflict of interest exists when the employee's spouse is employed by a potential County contractor. The employee was advised that this does create a conflict of interest and the AIG recommended the employee's recusal from any participation in the RFP process. This includes discussing, voting, or any other act of discretion regarding any of the potential contractors.

Misuse of Authority or Influence

(18-0057-EI) Inquiry from an Employee regarding securing a donation from the County for a private event. The employee is a member of an organization that hosted an event and was in need of tote bags. The employee, through her County position, knew her department had leftover tote bags from a previous County event and sought to obtain them. The employee was prohibited from using the County bags for her personal use, because if not for her County position, she would not have known about the bags existence. Thus, using the bags would have been a misuse of her position.

Prohibited Political Activity

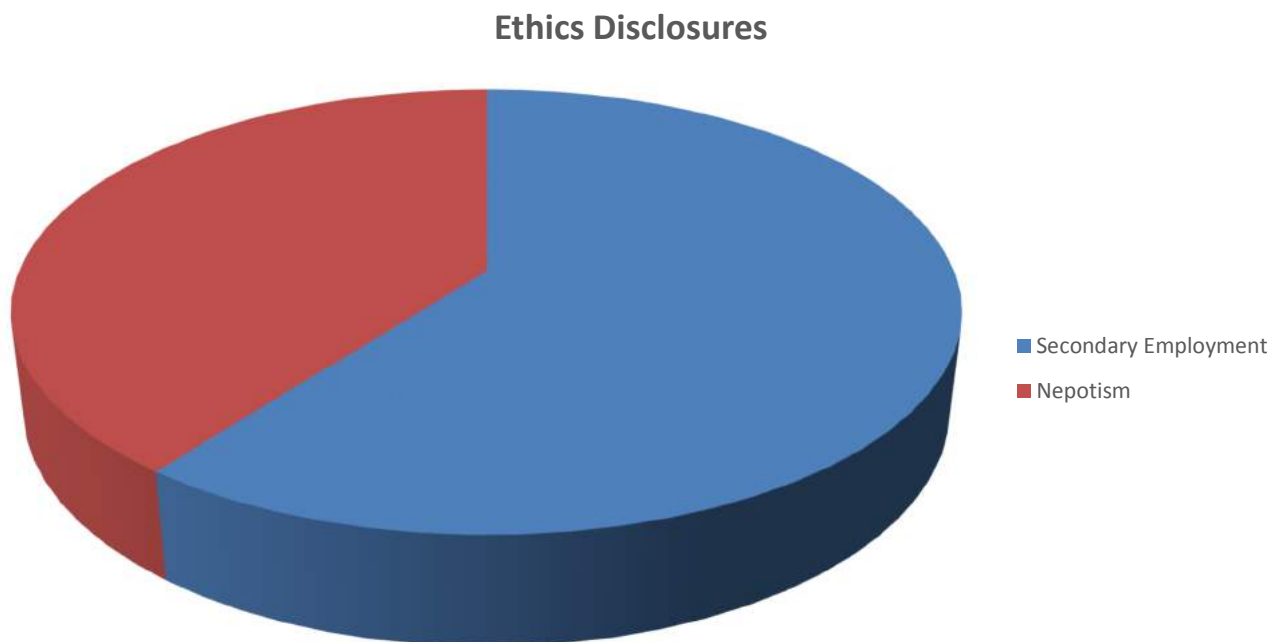
(18-0007-EI) Inquiry regarding whether a Classified employee is permitted to run for election to a ward precinct committee. The employee was not permitted to run for precinct committee seat because it is a partisan election. Classified employees are prohibited from engaging in partisan political activity.

Improper Supplemental Compensation

(18-0056-EI) Inquiry regarding an employee who attended and presented at a conference in the course of County business. The employee won the “best presentation” honor and was awarded \$1,000 to cover the expenses of the trip. The employee was not able to accept the award. Prizes won by employees in the course of County business belong to the County, not the employee. The County may, however, accept the prize and reimburse the employee for the expenses incurred on County time.

Section 3.2 – Ethics Disclosures

The AIG reviewed two hundred and eight (208) inquiries regarding secondary employment and one hundred thirty-seven (137) Nepotism/Conflict of Interest disclosures during this reporting cycle.



Nepotism & Conflict of Interest Disclosures

The County Code prohibits elected officials, employees, and board members from participating in decisions specifically to appoint, hire, promote, discipline, or discharge a relative for any position of the County. Elected officials, employees, and board members are not permitted to supervise a relative in the performance of the relative's official power and duties. In addition, no public official, employee, or board member shall secure any public contract in which the individual, a member of the individual's family, or any of the individual's business associates has an interest in violation of RC 2921.42.

All employees are required to disclose relatives, all private business interests and associates involved with any matter before the County to the AIG. The AIG reviewed one hundred thirty-nine (139) Nepotism/Conflict of Interest disclosures this reporting cycle for potential conflicts.

Secondary Employment & Private Business Activity Disclosures

The County Code requires that all elected officials and employees disclose certain secondary employment in writing, on an official form approved by the Inspector General, to the County Department of Human Resources and that department must transmit the forms to the AIG. The AIG processed two hundred nineteen (219) Secondary Employment & Private Business Activity Disclosures this reporting cycle.

The AIG responds to each secondary employment disclosure by providing a response as to whether any provision of Title 4 of the County Code would prohibit the employee from engaging in the secondary employment. Secondary employment is generally permissible so long as the following conditions are met:

- Cannot use County time, resources, personnel or facilities;
- Cannot use an official title or identification in soliciting private outside employment or conducting private business activity;
- Cannot use the authority or influence of a County position to secure a public contract that benefits themselves, a family member or a business associate;
- Cannot have an interest in the profits or benefits of a public contract entered into by or for the use of the political subdivision or governmental agency or instrumentality with which the employee is connected;
- Cannot use relationships with other elected officials and employees established while performing official County duties to secure a favorable decision or action by that official or employee regarding the employee's private interests;
- Cannot participate in any official County capacity in a matter upon which the employee's private interests are dependent or contingent;
- Cannot receive fees for providing services rendered on projects that the employee has recommended in the employee's official capacity;
- Cannot participate in decisions or make recommendations regarding competitors to the employee's private business interest; and
- Cannot disclose or use confidential information obtained in the course of performing County duties.

SECTION 4: CONTRACTORS & LOBBYISTS¹⁰

- 4.1 Registration for Contractors and Lobbyists
- 4.2 Contractor Background Checks Increased Tax Collections
- 4.3 Debarment Procedures



The AIG identified \$701,925.43 in unpaid taxes by Contractors

¹⁰ For further information regarding ethics training and registration, please see Appendix 4.

Section 4.1 – Registration and Background Checks for Contractors and Lobbyists

As of June 30, 2018, there were two thousand three hundred thirty-nine (2,339) contractors and nineteen (19) lobbyists registered with the AIG.

The contractor and lobbyist registration program continue to be the largest disclosure project undertaken by the AIG.

After recent updates to the Ethics Ordinance, which changed the registration requirements, many County Contractors who were previously registered with the AIG were not required to renew their expiring registrations.

Approximately three hundred fifty-four (354) registrations will expire on December 31, 2018. The online process was – and will continue to be -- instrumental in handling contractor registrations.

Section 4.2 – Contractor Background Checks Increased Tax Collections

At the request of County Executive Budish, the AIG also reviews whether contractors seeking to do business with the County – and receive payments from the County – have in fact paid any taxes owed. As a result of the contractor background screening, several contractors are now on payment plans to address delinquent County property taxes and court costs or have fully paid such costs.

During this reporting cycle, the AIG has identified an additional seven hundred one thousand nine hundred twenty-five dollars and forty-three cents **(\$701,925.43)** in uncollected delinquent property taxes and tax liens owed by contractors. To date, the AIG has been able to identify two million four hundred sixty-nine thousand eight hundred fifty-seven dollars and forty-two cents **(\$2,469,857.42)** in unpaid taxes by County contractors.

Section 4.3 – Debarment Procedures

During this reporting period, the AIG initiated one (1) debarment matter. The AIG did not debar any contractors. As of June 30, 2018, one (1) active debarment matter is open.

SECTION 5: OTHER AGENCY ACTIVITY

- 5.1 DRIVER'S LICENSE ABSTRACT REVIEW
- 5.2 PUBLIC RECORDS REQUESTS
- 5.3 EDUCATION AND OUTREACH
- 5.4 PLAIN LANGUAGE GUIDE & ETHICS UPDATES



"The AIG now conducts quarterly driver's license reviews"

Section 5.1 – Driver's License Abstract Review

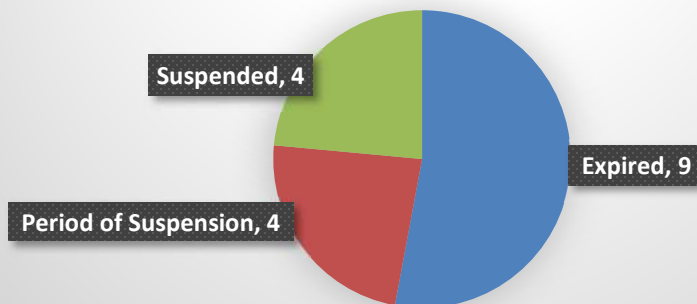
Twice a year, the Agency of Inspector General ("AIG") is required to review the state driving records of employees who are authorized to operate County owned vehicles or who drive their own vehicles in the course of County employment. The goal is to make sure that the County is not placed at risk by employees driving while their licenses are under suspension. In an effort to increase compliance and reduce County liability, the AIG began reviewing employee driving records on a quarterly basis.

As required, the AIG reviewed the Ohio Bureau of Motor Vehicles' records for the 1,841 employees who reported that they operate County owned vehicles or drive their personal vehicles for County purposes. This includes employees who requested mileage reimbursements from the County for the use of their personal vehicles.

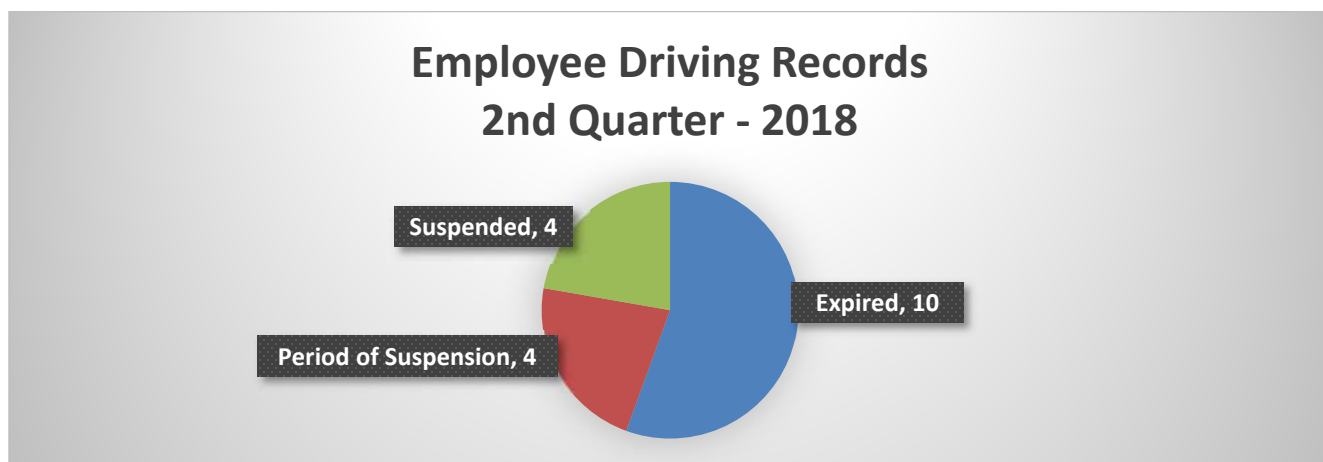
The good news is that during each of the two reviews conducted in the last six months, less than 1% had expired or suspended licenses.

As a result of 1st Quarter Driver's License Review, the AIG identified a total of seventeen (17) potential violations of County Policy. The employees in question either: 1) had an expired license (9 employee); 2) had suspended licenses (4 employees); or 3) had licenses under suspension but were reinstated before the review was conducted (4 employees).

Employee Driving Records 1st Quarter - 2018



As a result of 2nd Quarter Driver's License Review, the AIG identified a total of eighteen (18) potential violations of County Policy. The employees in question either: 1) had an expired license (10 employee); 2) had suspended licenses (4 employees); or 3) had licenses under suspension but were reinstated before the review was conducted (4 employees).

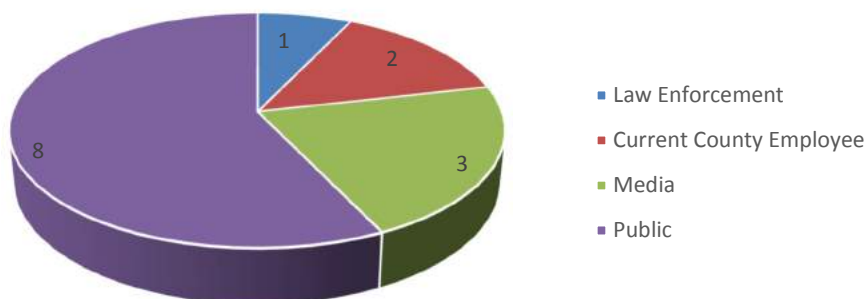


The identified employees were referred to the department directors and the Department of Human Resources for further review and, if necessary, discipline.

Section 5.2 – Public Records Requests

During this reporting period, the AIG timely responded to fourteen (14) public records requests. The AIG received eight (8) requests from the public, three (3) requests from the Media, two (2) requests from current County employees and one (1) request from a law enforcement entity.

Public Records Requests



Section 5.3 – Education and Outreach

A key ingredient for the AIG's success is public and employee awareness. The AIG has engaged in actions required to fortify its relationship with government leaders, stakeholders, and residents of the County regarding their concerns and informing them of the AIG's mission and services. Members of the AIG staff have met with County officials and employees to proactively assist with issues and provide insight into the AIG's role within County government. To date, the Inspector General and staff members have met with and fielded questions from various County department heads and employees about the AIG's responsibilities and assigned tasks as well as scheduled ethics training for department supervisors.

A. Participation in New - Employee Orientation & Training Process.

The AIG participates in the on-boarding process for new County employees by delivering a presentation at all HR new hire orientation sessions. The first such participation began in January 2017. In March of 2018, the AIG began conducting the new hire ethics training. In addition to new hire orientation, this training will be provided annually to all County employees.

B. Selection by U.S. State Department to Meet with International Delegation of Anti-Corruption Leaders.

The U.S. Department of State selected Cuyahoga County to meet with five (5) delegations of foreign leaders and journalists as part of the State Department's International Visitor Leadership Program. The State Department brought these leaders to Cuyahoga County to learn about the Agency of Inspector General, how it was created and best practices for combating local corruption. The program was coordinated by the Cleveland Council on World Affairs.

The AIG met with the following delegations during the first half of 2018:

- **Libyan Delegation** - "Leading and Managing Municipal Government"

A group of Libyan mayors attended to explore shared issues of local governance and examine how Cleveland and Cuyahoga County promotes accountable local government through cooperation and effective policy making.

- **Iraqi Delegation** - "Strengthening Local Government Financial Management"

The Iraqi officials were here to explore best practices and approaches to responsible and efficient management of public funds and budgets at the municipal level as well as examine how Cleveland and Cuyahoga County promotes accountable transparent local government through cooperation and effective policy making.

- **South and Central Asia Delegation** – “Accountability and Transparency in State and Local Governments”

The representatives from **India, Maldives, Nepal, Pakistan** and **Sri Lanka** were exploring how Cleveland and Cuyahoga County promote accountable transparent local government through cooperation and effective policy making.

- **Nigerian Delegation** - “Promoting Good Governance and Accountability in the U.S.: The Role of Journalists.”

The group is composed of 7 print, radio and TV journalists, editors, and media managers from Nigeria who will be in the U.S. to gain insight into best practices of print and broadcast media organizations. The visitors are interested in learning about the County corruption case study and how your office was formed as a result.

- **Afghanistan** - “Deputy Governor's Oversight and Advisory Capacity”

8 deputy governors and officials from Afghanistan were examining best practices in addressing the needs of citizens as well as municipal governance. The meeting covered the promotion of transparency and accountability at the county level and how the Inspector General's office functions within County government.

C. AIG Externship Program

The AIG's Externship Program is a program designed to offer college and graduate students, and recent graduates practical work experience while exposing them to the mission of the AIG. The externs actively explore concepts impacting three (3) disciplines: Contractor and Lobbyist Requirements, Interviews and Investigations, and Compliance and Ethics. In the past, extern applicants expressed an interest in employment within the following disciplines: Law, Public Policy, and Business Administration.

Section 5.4 – Revised Plain Language Guide

During the first half of 2018, the AIG continued to revise and improve the Plain Language Guide to the Cuyahoga County Ethics Code to assist County employees, elected officials, board members, contractors and lobbyists to better understand and comply with the County Ethics Code. This Guide was provided as an enhancement for a better understanding of the Code. The revised guide contained explanations, examples and graphics illustrating the County Ethics Code, as well as links to previous AIG Advisory Opinions.¹¹

¹¹ <http://inspectorgeneral.cuyahogacounty.us/en-US/ethicslaw.aspx>

Ethics Updates

As a part of the AIG's culture of compliance initiative, the AIG initiated regular email blasts to County officials and employees. These updates address frequently asked questions as well as matters considered to be of timely importance for County officials and employees. Ethics updates come in the form of a newsletter and include an array of topics. In the first half of 2018, the AIG released five (5) ethics updates in the following areas:

Sexual Harassment

ETHICS UPDATE

Sexual
Harassment

•

Update No. 2018-1

In this Advisory:

- State & County law on Sexual Harassment
- Zero Tolerance Policy
- Whistleblower Protection
- Reporting Harassment



Raffles & Betting Pools

ETHICS UPDATE

Raffles
Betting Pools

•

Update No. 2018-2

In this Advisory:

- State Law on Raffles
- Exceptions
- Betting Pools
- For Profit v Not-For-Profit
- Examples



Use of County Vehicles

ETHICS UPDATE

Use of Personal Vehicle
For County Business

•

Update No. 2018-5

In this Advisory:

- Disclosure and Registration
- Supervisor Liability
- Examples



Interest in Contracts

ETHICS UPDATE

Unlawful Interest in
Public Contracts

•

Update No. 2018-3

In this Advisory:

- Family/Friends Restriction
- Profit from Public Contracts
- Interest in Public Contracts
- Exceptions



Sponsored Travel

ETHICS UPDATE

Public Official &
Employee Travel

•

Update No. 2018-4

In this Advisory:

- State Law Restrictions
- Exceptions
- Travel to Conferences, Seminars & Similar Events
- Examples
- County Travel Policy



SECTION 6: GOALS

6.1 Review of 2018 Goals

6.2 Goals for Second Half 2018



Section 6.1 – Review of 2018 First Half Goals

In its prior semi-annual report, the AIG set forth four (4) specific goals relating to the mission of the agency as discussed below:

- 1) **Hire Full Time IT Auditor & “Big Data” Analyst.** The AIG made two employment offers for a full-time IT Auditor. However, the candidates declined these offers for varying reasons. The first candidate indicated that the County's policy regarding advanced exchange time and limited vacation during the first twelve months would prevent him as a non-custodial parent from spending time with his son. However, in July, a third candidate accepted the offer and expects to join the County as soon as possible. This position will be shared with Internal Audit. The IT Auditor is expected to have direct access to County data in order to accelerate the confidential provision of information. With regard to hiring a “big data” analyst to review County information in order to prioritize and target waste, fraud and abuse, the AIG has been aggressively interviewing candidates. We hope to be able to fill this position in the next 60 days.
- 2) **Review Contract Compliance.** The AIG has continued to review identified contracts to determine whether the County has received full value for taxpayers' dollars.
- 3) **Expand the AIG's Proactive Education Programs.** The AIG has been extremely busy in promoting a County Culture of Compliance and has initiated regular “roadshow” presentations to County departments on the County's ethics law. The AIG expects to eventually provide this training to every substantive department.
- 4) **Research and explore** how AIG can provide ethics compliance services to other communities within the County. Although the AIG continues to explore this option, it has not yet identified appropriate opportunities.

Section 6.2 – Goals for Second Half 2018

For the second half of 2018, the AIG intends to achieve the following goals:

- 1) **Assist and Cooperate with Law Enforcement Authorities** regarding related investigations.
- 2) **Hire Full Time IT Auditor & “Big Data” Analyst.** The AIG intends to complete the hiring process for a full-time IT Auditor and a “big data” analyst.
- 3) **Expand the AIG's Proactive Education Programs** by reaching out to other municipal or government officials in Cuyahoga County as well as contractors and lobbyists with emailed ethics updates.



A copy of this report (Cuyahoga County AIG Semi-annual Report – 1st Half 2017) has been made available for public inspection at the AIG offices and is posted on the AIG website at <http://inspectorgeneral.cuyahogacounty.us>. If you need assistance relative to this report, please contact our agency at 216-698-2101.

REPORT FRAUD, WASTE, OR ABUSE

To report alleged fraud, waste, abuse, corruption, misconduct, misfeasance, malfeasance, or nonfeasance relative to County government, use one of the following methods:

- Submit a Report a Concern complaint on the website at <http://inspectorgeneral.cuyahogacounty.us>
- Write to the Agency of Inspector General, 2079 E. 9th Street, Sixth Floor, Cleveland, Ohio 44115
- Call the Agency of Inspector General Whistleblower Hotline at 216-698-2999

APPENDIX 1: BACKGROUND AND JURISDICTION

Section 1.1 – Introduction

The County ("County") Agency of Inspector General ("AIG") was established by the Cuyahoga County Executive ("County Executive") and Cuyahoga County Council ("County Council") to protect taxpayers' interests by promoting honesty and accountability in County government. In furtherance of this mission, the AIG is granted broad authority to conduct investigations, examinations, inspections and reviews relating to fraud, corruption, waste, abuse, misfeasance, malfeasance and nonfeasance in the operations of County government. In addition, the AIG is designated as the ethics investigative officer for all issues arising under the County Code.¹² In this capacity, the AIG is entrusted with the responsibility of ensuring that County elected officials, employees, contractors and lobbyists who do business with the County meet the highest ethical standards.

Section 1.2 – Cuyahoga County Ethics Ordinance

The County Council enacted the permanent Ethics Ordinance in Ordinance No. O2011-0008, which was signed by the County Executive and became effective on April 8, 2011.¹³ On July 12, 2013, the County Council compiled and codified the County's general and permanent laws as enacted by ordinances of the County Council as the County Code. The provisions of the Ethics Ordinance were codified in Title 4 of the County Code. On April 26, 2016, the County Council revised the County Ethics Code with an effective date of May 27, 2016. Chapter 407 of the County Code officially designates the Inspector General as the ethics investigative officer for the County and requires the Inspector General to conduct all investigations pertaining to Title 4 of the County Code. Accordingly, Section 407.01 (D) of the County Code grants the Inspector General the following enforcement authority when a violation of Title 4 of the County Code is uncovered:

- *Letter of Notification.* A Letter of Notification informs a public official or employee of his or her violation of a provision of Title 4 of the County Code. The Inspector General may issue a letter of notification when it finds that a violation of Title 4 of

¹² On July 13, 2013, the County Ethics Ordinance was codified into Title 4 of the County Code.

¹³ The Ethics Ordinance was subsequently amended on April 26, 2011 (O2011-0023), July 26, 2011 (O2011-0035), October 25, 2011 (O2011-0052), January 10, 2012 (O2012-0002), May 22, 2012 (O2012-0004), and November 13, 2012 (O2012-0032).

the County Code was clearly unintentional or inadvertent. The letter may advise the respondent of any steps to be taken to avoid future violations.

- *Letter of Admonition.* A Letter of Admonition expresses disapproval of a public official's or employee's violation of a provision of Title 4 of the County Code. The Inspector General may issue a letter of admonition when it finds that the violation of Title 4 of the County Code was knowingly committed, but is nevertheless a minor offense.
- *Letter of Censure.* A Letter of Censure condemns an employee for his or her violation of a provision of Title 4 of the County Code. The Inspector General may issue a letter of censure when the respondent intentionally or knowingly committed major violations or has committed repeated minor violations.
- *Recommendations to the County Executive, Prosecutor, and Council.* When the Inspector General finds a violation of Title 4 of the County Code was intentional or done knowingly, the Inspector General may make a recommendation to the County Executive, Prosecutor, or County Council (depending on the appointing authority), including but not limited to a recommendation for suspension, forfeiture of office or removal from office, and/or banning or temporarily suspending the respondent's (or respondent's Associated Businesses or organizations') right to solicit, bid on or obtain a contract with or from the County, as allowed by applicable law.
- *Notice to the Ohio Ethics Commission.* When the Inspector General finds that a public official or employee has recklessly or knowingly violated Ohio Provisions of Title 4 of the County Code, the Inspector General shall consult with the Ohio Ethics Commission ("OEC") to determine whether the matter should be referred to the OEC.
- *Referral to Additional Ethics Training.* Upon finding a violation of Title 4 of the County Code, the Inspector General may require the respondent undergo ethics training in addition to or in lieu of any other penalties imposed upon the respondent.
- *Referral to External Enforcement.* The Inspector General shall refer possible violation(s) of any state, federal, or local law, or rule, regulation or policy to the appropriate civil, criminal or administrative agencies charged with enforcement of said violation.

In addition to these investigatory and enforcement functions, Title 4 of the County Code requires the Inspector General perform the following disclosure/prevention functions:

- The Inspector General shall advise elected officials or employees, who in the course of carrying out his or her duties, have been offered or are discussing future employment with a business that is presently dealing with the County concerning matters within the public official or employee's current official duties, to ensure that person complies with all requirements in Title 4 of the County Code and related statutes regarding future employment and disclosure of such possible future employment.¹⁴
- The Inspector General shall receive allegations of non-criminal whistleblower complaints.¹⁵
- The Inspector General shall receive allegations from county elected officials and employees who by law are required to report criminal behavior in County operations to the Inspector General within five (5) days of becoming aware of the behavior.¹⁶
- The Inspector General or the Department of Law may receive and rule on conflict of interest disclosures for employees.¹⁷
- The Inspector General must review and respond to secondary employment disclosures.¹⁸
- The Inspector General must review board/commission appointments by the County for conflicts of interest.¹⁹
- The Inspector General shall obtain financial disclosure statements from certain County officials and employees.²⁰

¹⁴ County Code, Section 403.09 (B), formerly Article 7, Section 16(D) of the Ethics Ordinance.

¹⁵ County Code, Section 406.01 (B), formerly Article 7, Section 17(B) of the Ethics Ordinance.

¹⁶ County Code, Section 406.01 (A), formerly Article 7, Section 18(A) of the Ethics Ordinance.

¹⁷ County Code, Section 403.04 (F), formerly Article 7, Section 23 of the Ethics Ordinance.

¹⁸ County Code, Section 403.08 (D), formerly Article 7, Section 26 of the Ethics Ordinance.

¹⁹ County Code, Section 403.04 (E) and 407.01 (L), formerly Article 7, Section 27 of the Ethics Ordinance.

²⁰ County Code, Sections 403.07 and 407.01 (I), formerly Article 7, Sections 29 and 31 of the Ethics Ordinance.

- The Inspector General must create and maintain a County lobbyist registry.²¹
- The Inspector General must create and maintain a County contractor registry.²²

Section 1.3 – Agency of Inspector General Ordinance

On June 14, 2011, the County Council created the AIG by enacting the Agency of Inspector General Ordinance No. O2011-0019 ("AIG Ordinance").²³ On July 12, 2013, the County Council compiled and codified the County's general and permanent laws as enacted by ordinances of the County Council as the County Code. The provisions of the AIG Ordinance have been codified in Title 2 of the County Code. Title 2 of the County Code creates an independent agency under the direction of the Inspector General, and also sets forth specific requirements and limitations designed to ensure that the AIG remains accountable to the public.

The AIG is authorized to conduct all examinations under Section 2.05 of the Cuyahoga Charter and does, therefore, have all such rights and duties to investigate fraud, corruption, waste, abuse, misfeasance, malfeasance, and nonfeasance without interference or pressure from any other public official or employee.²⁴ So long as all budgetary parameters are kept, the Inspector General is granted the ability to employ assistants and employees as shall be reasonably necessary to assist the Inspector General in carrying out the duties of the AIG.²⁵

In addition to the investigatory function, Title 2 of the County Code sets forth the following additional mandatory functions for the AIG:

- The Inspector General shall serve as the County's chief ethics officer and is charged with the responsibility of investigating and enforcing Title 4 of the County Code in accordance with the terms of said law. In so doing, the Inspector

²¹ County Code, Section 405.01 (A), formerly Article 7, Section 32 of the Ethics Ordinance.

²² County Code, Section 501.19 (B), formerly Article 7, Section 34 of the Ethics Ordinance.

²³ The AIG Ordinance was amended effective June 27, 2012 (Ordinance No. O2012-0008).

²⁴ County Code, Section 204.01 (B)(3), formerly Section 2(c) of the AIG Ordinance.

²⁵ County Code, Section 204.01 (B)(2), formerly Section 2(b) of the AIG Ordinance.

General shall cooperate with the County's Personnel Review Commission.²⁶ The Inspector General shall not interfere with the authority of the Personnel Review Commission to ensure "compliance with ethics resolutions or ordinances as passed by the Council" under Section 9.02(3) of the Cuyahoga Charter.²⁷

- The Inspector General shall establish a "hotline" and website to receive complaints from either anonymous or identified persons, and he/she shall investigate all complaints, tips, and any other filings and submittals received by the AIG regardless of the format or forum through which such information or documents are received. Without regard to how such documents are received by the AIG, all documents prepared or received by the AIG, including, without limitation, all complaints, tips, and any other filings and submittals received by it shall be considered part of the Inspector General's investigative files.²⁸
- The Inspector General shall have the powers and rights to investigate all County contracts subject to the limitations set forth in Section 204.01 (B) (4) of the County Code.²⁹
- If an investigation reveals reasonable grounds to believe that a violation of any state, federal, or local law, rule, regulation, or policy has taken place, the Inspector General shall notify the appropriate civil, criminal, or administrative agencies in charge with enforcement of said violation. If an investigation reveals reasonable grounds to believe that a violation of a rule, regulation, or policy governing a County employee has taken place, the Inspector General shall notify the employee's appointing authority and if applicable the Department of Human Resources.³⁰
- The Inspector General shall cooperate with other governmental agencies to recover such costs from other entities involved in willful misconduct in regard to County funds and return said funds to the County's General Fund.³¹

²⁶ The name Human Resource Commission was changed to Personnel Review Commission via a Charter change and approved by County voters in 2013, <http://hrc.cuyahogacounty.us/en-US/home.aspx>.

²⁷ County Code, Section 204.01 (B) (3) (a), formerly Section 2(c) (i) of the AIG Ordinance.

²⁸ County Code, Section 204.01 (B) (3) (b), formerly Section 2(c) (ii) of the AIG Ordinance.

²⁹ County Code, Section 204.01 (B) (3) (c), formerly Section 2(c) (iii) of the AIG Ordinance.

³⁰ County Code, Section 204.01 (B) (3) (d), formerly Section 2(c) (iv) of the AIG Ordinance.

³¹ County Code, Section 204.01 (B) (3) (e), formerly Section 2(c) (v) of the AIG Ordinance.

- The Inspector General shall prepare and publish on its website semi-annual reports (the first of which will cover the period January 1st – June 30th and will be due in July and the second of which will cover the period July 1st – December 31st and will be due in February) concerning the work and activities of the AIG pertaining to closed investigations, including statistical information regarding the disposition of closed investigations, audits, and other reviews. The reports shall include the total number of complaints received during each reporting period, the number that required active investigation, the number that resulted in prosecution or other disciplinary actions, and the number of investigations closed, along with the cost incurred over and above the cost of salaries of AIG employees.³²
- The Inspector General shall cooperate with the Department of Internal Auditing to avoid duplication of effort and to share information, so long as such sharing does not compromise an ongoing investigation. At the request of the Inspector General and with the approval of the Internal Auditor, the Department of Internal Auditing may provide services to the Inspector General for a specific investigation. The Inspector General shall not interfere with the authority of the Department of Internal Auditing to conduct audits pursuant to the Cuyahoga County Charter, any applicable ordinances, and any rules established by the Internal Audit Committee.³³

In conducting its duties, the AIG is required to avoid interfering in any ongoing outside criminal, civil or administrative investigation/prosecution.³⁴ The AIG is also required to develop internal policies and procedures that ensure an investigation subject's constitutional rights are protected.³⁵

The AIG can only be abolished upon the affirmative vote of at least eight (8) members of County Council and executed by the County Executive.³⁶

³² County Code, Section 204.01 (B)(3)(f), formerly Section 2(c)(vi) of the AIG Ordinance.

³³ County Code, Section 204.01 (B)(4)(d), formerly Section 2(d)(iv) of the AIG Ordinance.

³⁴ County Code, Section 204.01 (B)(4)(a), formerly Section 2(d)(i) of the AIG Ordinance.

³⁵ County Code, Section 204.01 (B)(4)(b), formerly Section 2(d)(ii) of the AIG Ordinance.

³⁶ County Code, Section 204.01 (E), formerly Section 3(e) of the AIG Ordinance.

Section 1.4 – The Cuyahoga County Debarment Law, Procedures and Review Board Ordinance

On December 11, 2012, the County Council established the County Debarment Law, Procedures and Review Board Ordinance by enacting Ordinance No. O2012-0026 ("the Debarment Law"). On July 12, 2013, the County Council compiled and codified the County's general and permanent laws as enacted by ordinances of the County Council as the County Code. The provisions of the Debarment Law were codified in Chapter 505 of the County Code. Chapter 505 of the County Code was established to protect the County and its taxpayers and to ensure the County only engages in business with contractors³⁷ who demonstrate quality business practices and maintain the highest ethical standards. Accordingly, Chapter 505 of the County Code establishes a procedure for the AIG to debar contractors who meet certain criteria related to poor business practices or unethical behavior.³⁸ Contractors who are debarred may not submit bids, proposals, statements of qualifications or any other offers to contract with the County, and may not enter into any contract or agreement with the County during the duration of the applicable debarment period.³⁹

The AIG is responsible for debarring contractors who demonstrate poor business practices and/or unethical behavior.⁴⁰ The AIG may debar a contractor for 5 years for certain criminal convictions or civil judgments within the preceding 5 years anywhere in the United States. Based on certain prohibited activity, the AIG may also debar contractors for 3 years or 18 months. The AIG may also suspend contractors who are currently suspended or debarred by certain enumerated entities.⁴¹

As a practical matter, during the debarment/suspension period, debarred/suspended contractors may not:

³⁷ Section 402.01 of the County Code defines a contractor as any person or entity that is a party to an Agreement with the County, as defined in Section 102.01 (A) of the Code.

³⁸ See County Code, Sections 505.03 (A), (B), and (C).

³⁹ See County Code, Section 505.02(A).

⁴⁰ Codified as Chapter 505 of the County Code.

⁴¹ County Code, Section 505.07, formerly Section 7(B) of the Debarment Law.

- 1) Submit bids, proposals, statements of qualifications or any other offers to contract with the County; or
- 2) Enter into any contract or agreement with the County; or
- 3) Serve as a subcontractor on any County contract or agreement.⁴²

On April 28, 2015, §, County Council enacted new Debarment Rules which became effective on April 29, 2015.⁴³ The new rule states the commencement date for the debarment period under the County law commences from the date of issuance of the debarment.

Debarment Review Board

Pursuant to Chapter 505 of the County Code, a contractor may appeal the AIG's decision to debar the contractor to the Cuyahoga County Debarment Review Board. Effective June 16, 2014, County Ordinance No. O2014-0010 changed the composition of the Debarment Review Board. The County Fiscal Officer was replaced with a judge appointed by the Presiding Judge of the County Common Pleas Court.⁴⁴ All members of the Debarment Review Board shall serve without compensation. Currently the Debarment Review Board consists of:

- 1) Common Pleas Court Presiding Judge appointment (Vacant)
- 2) County Councilwoman Sunny Simon (term has no expiration);
- 3) Brandon Cox (term expiring 01/31/2018);
- 4) Roland Demonte (term expiring 01/31/2017); and,
- 5) Evan Byron, Interim Chair (term expiring 01/31/2021).

Section 1.5 – The Inspector General's Jurisdiction

Responsibilities: Enforce The Ethics Code; Investigate Waste, Fraud and Abuse

⁴² County Code, Section 505.02(A), formerly Section 2(A) of the Debarment Law.

⁴³ County Ordinance 02014-0031.

⁴⁴ On August 8, 2014 Judge Timothy McMonagle agreed to serve as the Chair of the Debarment Review Board. On June 29, 2016, County Council amended the Debarment Review Board Ordinance to permit the County Executive to appoint and Council to confirm the chair of the Board. The chair shall be an attorney at law in good standing in the state of Ohio and shall have at least five years cumulative experience in litigation or appellate practice.

The jurisdiction of the AIG is limited to the executive and legislative branches of County government. The Inspector General is authorized, pursuant to the County Code, to investigate alleged wrongful acts or omissions committed by County elected officials and employees under the auspices of the County Executive and County Council.

However, this jurisdiction is limited. Cuyahoga County Courts, Cuyahoga Land Bank, Cuyahoga County Board of Elections, MetroHealth Hospital, Cuyahoga County Board of Health, Cuyahoga County Planning Commission, Cuyahoga County Veterans Service Commission, ADAMHS Board, and the Cuyahoga County Board of Developmental Disabilities and their respective employees and staff are excluded from the jurisdiction of the AIG. Likewise, the Agency has no authority to investigate allegations concerning any federal, municipal or local officials, agencies, or governing bodies.

Pursuant to County Code Section 204.01, the Inspector General's authority extends to:

- Investigate and enforce the County Ethics Ordinance in accordance with the terms of said ordinance.
- Investigate fraud, corruption, waste, abuse, misfeasance, malfeasance, and nonfeasance by a Public Official or employee without interference;

Those individuals who contract with County agencies or otherwise do business with the County may also fall under the purview of this agency. The AIG does not become involved in private disputes, labor/management issues, or litigation. The Agency does not review or override the decision of a court or the findings of any administrative body.

The AIG is not an advocate for either the county agency or the complainant in any particular case. The Agency's obligation is to ensure that the investigative process is conducted fully, fairly, and impartially.

Agency of Inspector General Requirements

The Inspector General is appointed by the County Executive subject to confirmation of County Council.⁴⁵ The Inspector General is appointed to a term of 5 years.⁴⁶ The selected Inspector General must have the following minimum qualifications:

- A *juris doctorate* degree from an accredited institution of higher learning; and

⁴⁵ County Code, Section 204.01 (C)(2), formerly Section 3(b) of the AIG Ordinance.

⁴⁶ County Code, Section 204.01 (C)(3), formerly Section 3(c) of the AIG Ordinance.

- At least ten (10) years' experience in any one (1) or a combination of the following fields:
 - As a federal, state, or local law enforcement agent/official;
 - As a licensed attorney;
 - As an inspector general, certified public accountant, or internal auditor; or
 - As a person with escalating supervisory and managerial experience in an investigative public agency similar to an inspector general's agency.⁴⁷

Section 1.6 – Transparency – Agency of Inspector General Website

The AIG is dedicated to increasing transparency in County government. In furtherance of this goal, the AIG website, www.inspectorgeneral.cuyahogacounty.us, was created and is continuously updated to provide the following information pertaining to AIG activity:

- A link where individuals can confidentially report fraud, waste and abuse to the AIG;
- Links to all enabling legislation and an AIG organizational chart;
- Copies of certain investigation and examination reports;⁴⁸
- The current County contractor and lobbyist registration lists;
- Debarment and Suspension details;
- Ethics compliance guidance issued by the AIG;
- Copies of all semi-annual reports issued by the AIG;

⁴⁷ *Id.*

⁴⁸ The AIG posts investigation/examination reports where violations of County policy or other laws have been established and the release of the report will not compromise any subsequent criminal investigation. All other reports not deemed confidential by law can be obtained by submitting a public records request to the AIG.

- Detailed instructions on how to complete contractor/lobbyist registration and ethics training; and
- Ethics training for contractors, lobbyist, and County employees.

APPENDIX 2: INVESTIGATIONS

Investigation Procedures

Intake: How Do We Get Cases?

Tips and complaints from concerned employees and citizens provide the lifeblood of a successful inspector general agency. Accordingly, the AIG established the following mechanisms that allow potential whistleblowers to easily and discreetly file complaints:

- *AIG Whistleblower Hotline (216-698-2999)* – This number is prominently displayed on the Inspector General's website, on post cards and business cards distributed to employees and members of the public, and on posters displayed throughout all County buildings.
- *Report a Concern Messages* – An individual may report a concern by accessing the Inspector General's website at <http://inspectorgeneral.cuyahogacounty.us>. Individuals who click the "Report a Concern" link on the AIG and County Executive websites are directed to an online complaint form. Submitted forms are confidentially e-mailed directly to AIG staff.
- *Direct Phone/Mail/Walk-In* – Individuals are always permitted to directly contact AIG staff with complaints or concerns.
- *Ask Armond* – Questions or comments alleging fraud, waste or abuse submitted to the County Executive are forwarded to the AIG for review.⁴⁹
- *Referral From County Officials* – County officials are encouraged to forward any complaints regarding fraud, waste or abuse to the AIG.

Triage: What Happens To Tips and Complaints?

Matters alleging fraud, waste, abuse, and corruption within or impacting the County are considered tips or leads. Incoming tips or leads, regardless of the source, are logged into our electronic database and assigned a complaint number. Our goal is to review each tip or lead within ten (10) business days. During this review the following elements are assessed:

- *Jurisdiction* – Does the AIG have jurisdiction over the subject of the complaint?

⁴⁹ Any person wishing to submit a concern to County Executive Budish may email the County Executive by accessing the Cuyahoga County Office of the County Executive webpage at <http://executive.cuyahogacounty.us/>.

- *Sufficiency of Information* – Does the complaint present sufficient information to warrant further inquiry?
- *Source of information* – How reliable is the source of the information?
- *Nature of the alleged wrongdoing* – What is the actual negative impact of the alleged wrongdoing, if it is in fact occurring?
- *Potential for exposing systemic issues* – Does the complaint raise larger systemic issues that may need to be addressed?

Anyone may file a complaint with the AIG. At times, complaints are forwarded by other agencies or officials. Complaints may be made anonymously; however, it may be difficult to verify the information provided or ask additional questions. Therefore, we encourage complainants to provide detailed information supporting an allegation when leaving an anonymous complaint.

The AIG does not offer legal advice or opinions to complainants. In instances where it appears a complainant seeks legal assistance, or where it appears another agency is better suited to address a complainant's issue, the Agency will advise the complainant that he or she may want to consult with private legal counsel or, when possible, will direct the complainant to a more appropriate agency, organization, or resource.

After weighing each of these factors, the Agency of Inspector General issues one (1) of the following preliminary decisions on each complaint:

- *Decline Investigation for Lack of Jurisdiction* – The AIG will not investigate the allegations in the complaint because they fall outside of the jurisdiction of the AIG. When appropriate, however, the AIG will refer the complainant to the proper entity with jurisdiction to address the complaint.
- *Decline Investigation for Lack of Information* – The AIG will not initiate investigation where a complaint lacks sufficient detailed allegations of wrongdoing.
- *Decline Investigation Other* – The AIG may conduct a brief preliminary review (e.g. reviewing records, meeting with management) to evaluate the merits of a complaint. If the information obtained during this preliminary review indicates a strong likelihood that the complaint will not be substantiated, the AIG may decline to initiate a full investigation into the complaint.
- *Management Inquiry* – A management inquiry is a complaint that is forwarded to department management with a response requirement. The AIG will review the response to determine if further investigation is warranted. The management

inquiry will generally require the department to respond to the veracity of the specific allegation and to cite to any corrective action taken. A management inquiry is typically used when the allegations are specific, but minor if true.

- *Management Referrals* – A management referral is a complaint that is forwarded to department management with no response requirement. Management referrals are used when the complaint alleges behavior that is best addressed by the applicable Department or by Human Resources.
- *Initiate Investigation⁵⁰, Examinations, or Reviews* – Complaints that are assigned for investigation, examination, or review.

Investigation Determination and Dispositions

Upon completion of a full investigation, the AIG Investigator prepares a Report of Investigation which may include recommended policy or program enhancements resulting from the investigation. Final investigation reports and recommendations are submitted to the Inspector General for review and approval. The Inspector General will issue one (1) or more of the following responses on each completed investigation:

No Violation – No Referral

The investigation failed to reveal reasonable grounds to believe an individual violated any state, federal, or local law, or any policy, rule or regulation governing a County employee. In addition, the investigation failed to reveal any other systemic issue warranting intervention by County management. The resulting investigation report and/or findings are not published or referred out with the exception that an individual considered a subject of the investigation is notified in writing of the findings.

No Violation – Management Referral

The investigation failed to reveal reasonable grounds to believe an individual violated any state, federal, or local law, or any policy, rule or regulation governing a County employee. The investigation, however, revealed a systemic issue warranting intervention or consideration by County management. The resulting investigation report and/or findings are referred to the County Executive and the appropriate County

⁵⁰ For purposes of this report, the term investigation includes examinations and/or reviews.

Department Director but are not published. The AIG may request a written response from the County Executive or the applicable Department Director addressing the issue and identifying any remedial action. An individual considered a subject of the investigation is notified in writing of the findings.

***Violation –
Management Referral***

The investigation revealed reasonable grounds to believe an individual violated a policy, rule or regulation governing a County employee. The resulting investigation report and/or findings are referred to the County Executive and the Director of Human Resources for consideration of corrective and/or disciplinary action for the individual. The resulting investigation report and/or findings are published. If the investigation revealed systemic issues warranting intervention or consideration by County management, the report and/or findings may be referred to the applicable Department Director. The AIG may request a written response from the County Executive or the applicable Department Director addressing the issue and identifying any remedial action. An individual considered a subject of the investigation is notified in writing of the findings.

***Violation –
Management and Law
Enforcement Referral***

The investigation revealed reasonable grounds to believe an individual violated a policy, rule or regulation governing a County employee and a state, federal, or local law. The resulting investigation report and/or findings are referred to the County Executive and the Director of Human Resources for consideration of corrective and/or disciplinary action for the individual. In addition, the report and/or findings are referred to the appropriate law enforcement agency. The investigation report and/or findings are published unless the matter has been referred to the County Prosecutor. If the investigation revealed systemic issues warranting intervention or consideration by County management, the report and/or findings may be referred to the applicable Department Director. The

ALG may request a written response from the County Executive or the applicable Department Director addressing the issue and identifying any remedial action. An individual considered a subject of the investigation is notified in writing of the findings.

***Violation – Letters of
Notification,
Admonition or Censure***

The investigation revealed reasonable grounds to believe an individual violated a provision of Title 4 of the County Code. Previously-discussed sections of this report describe the circumstances justifying issuance of each type of letter.

***Consolidated With
Ongoing Investigation***

The subject matter of the investigation is sufficiently related to an ongoing investigation such that consolidation of the investigations is warranted.

Referred for Debarment

The investigation revealed reasonable grounds to believe the contractor violated a provision of Chapter 505 of the County Code. The investigation report and/or findings are published.

Confidentiality Agreement with HHS

Since 2013, the ALG and the County Department of Health and Human Services – Division of Employment and Family Services have cooperated via a Memorandum of Understanding whereby the ALG has undertaken the responsibility of conducting investigations on behalf of this department. Consistent with the terms of the Memorandum, any employee misconduct discovered in the course of the investigation will be reported solely to the covered department. Only the HHS Administrator and/or Director may report any misconduct to the County Department of Human Resources and the County Executive. The ALG is prohibited from disclosing the findings or results of such investigations in the semi-annual reports as such information is exempted from disclosure by RC Section 5101.27. Nonetheless, for statistical purposes only, the ALG will include a general reference to any investigation conducted pursuant to the Memorandum of Understanding.

APPENDIX 3: ETHICS COMPLIANCE

Ethics Compliance Requirements

Introduction

Chapter 407 of the County Code officially designates the Inspector General as the ethics investigative officer for the County and requires the Inspector General to conduct all investigations pertaining to Title 4 of the County Code.

As a practical matter, the ethics-related functions performed by the AIG can be divided into four (4) broad categories:

- 1) Investigation and Enforcement;
- 2) Review and Advise;
- 3) Disclosure; and
- 4) Training.

Investigation and Enforcement

Ethics complaints undergo the same triage and investigation process as general fraud, waste, or abuse complaints. The AIG's jurisdiction to investigate ethics complaints, however, is larger than its general investigative jurisdiction.

Ethics investigations that result in a finding that Title 4 of the County Code was violated are remedied in accordance with the enforcement powers granted to the AIG by the County Code. These enforcement powers are specifically described in Section 1.3 of this report.

Review and Advise

An essential element in creating a culture of ethical behavior is to provide a mechanism for officials and employees to seek advice prior to taking a potentially unethical action. Accordingly, Title 4 of the County Code mandates certain County officials and employees seek a ruling from the AIG prior to engaging in any of the following activities:

- 1) Any activity that may constitute a conflict of interest;
- 2) Secondary employment; or
- 3) Accepting a County appointment to a board or commission.

In addition, the AIG offers specific and/or general guidance upon request on other ethics-related issues, including, but not limited to, the following:

- 1) Political activity for Classified employees;
- 2) Acceptance of gifts from contractors; or
- 3) Disclosure requirements.

Disclosure

Transparency is widely encouraged as one of the most effective means to prevent corruption in government. Accordingly, Title 4 of the County Code requires the AIG manage the following public disclosure programs:

- 1) *County Contractor Registry* – All contractors doing business with the County are required to register with the AIG. Posting of this registry is required on the AIG website.
- 2) *County Lobbyist Registry* – All individuals/entities seeking to lobby County officials or employees must register with the AIG. Posting of this registry is required on the AIG website.
- 3) *Financial Disclosure Reports* – Certain County officials and employees are required to file financial disclosure statements with the AIG. These reports are maintained by the AIG and are available for review.
- 4) *Campaign Finance Reports* – The AIG is required to obtain all campaign finance reports and financial disclosure statements for all candidates for County elected office. These reports are maintained by the AIG and are available for review.

APPENDIX 4: CONTRACTORS AND LOBBYISTS REGISTRATION

Ethics Training and Registration

Introduction

Title 4 of the County Code sets forth requirements for contractors and lobbyists doing business with the County. A contractor shall mean any person or entity that is a party to an Agreement with the County, as defined in Section 102.01 (A) of the Code. Therefore, unless exempt, any person or entity that is a party to an Agreement with the County, are required to adhere to the provisions of Title 4 of the County Code.

Ethics Requirements

Although not specifically required to do so, the AIG established an online ethics training program for all County contractors and lobbyists. The training program provides attendees with specific guidance on ethical business practices and the avoidance of improper methods of soliciting business from County officials and employees. Unless exempt or conducting less than \$10,000.00 in business with the County annually, all County contractors and lobbyists are required to complete this training program as a prerequisite to conducting business with the County.

The vendor background screening system was designed to provide a timely and extensive background screening of contractors and vendors in an effort to ensure that only responsible parties and businesses are given the opportunity to provide goods and services to the County.

The AIG is responsible for debarring contractors who demonstrate poor business practices and/or unethical behavior.⁵¹ The AIG may debar a contractor for five (5) years for certain criminal convictions or civil judgments within the preceding five (5) years anywhere in the United States. Based on certain prohibited activity, the AIG may also debar contractors for three (3) years or eighteen (18) months. The AIG may also suspend contractors who are currently suspended or debarred by certain enumerated entities.⁵²

As a practical matter, during the debarment/suspension period, debarred/suspended contractors may not:

⁵¹ Codified as Chapter 505 of the County Code.

⁵² County Code, Section 505.07, formerly Section 7(B) of the Debarment Law.

- 1) Submit bids, proposals, statements of qualifications or any other offers to contract with the County; or
- 2) Enter into any contract or agreement with the County; or
- 3) Serve as a subcontractor on any County contract or agreement.⁵³

On April 28, 2015, County Council enacted new Debarment Rules which became effective on April 29, 2015.⁵⁴ The new rule states the commencement date for the debarment period under the County law commences from the date of issuance of the debarment.

⁵³ County Code, Section 505.02(A), formerly Section 2(A) of the Debarment Law.

⁵⁴ County Ordinance 02014-0031.