



Cuyahoga County Agency of Inspector General



SEMI-ANNUAL REPORT

January 1, 2020 – June 30, 2020

Mark D. Griffin
Inspector General



**CUYAHOGA COUNTY
AGENCY OF INSPECTOR GENERAL**

July 31, 2020

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, 2020 through June 30, 2020.

During this difficult period of the COVID-19 crisis, the AIG adjusted its efforts and, among other things, the AIG:

- Increased its efforts with the County Treasurer's Office and the County Prosecutor's Office to collect unpaid taxes that precipitated payments of an additional \$2,244,230 in uncollected delinquent property taxes;
- Completed 31 investigations including, for example allegations of;
 - Misuse of Position, Whistleblower retaliation and improper use of force by the former County Warden;
 - Allegations leading to referrals to Law Enforcement Authorities;
 - Improper Use of County Funds; and
 - Whistleblower Retaliation Claims;
- Reviewed 136 Secondary Employment & Private Business Activity Disclosures;
- Issued 23 Ethics Opinions and Advisories;
- Continued to expand its preventative and proactive ethics education program;
- Reviewed 67 Nepotism/Conflict of Interest submissions;
- Registered 171 County contractors; and
- Continued to provide ethics training to every new County employee.

Since 2015, the AIG has identified **\$14,623,163** in recovered taxes, challenged costs and improper expenditures. I welcome your thoughts and comments on our past and on our future.

Respectfully,

A handwritten signature in blue ink, appearing to read "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 originally appointed on April 28, 2015 to fill an unexpired term ending June 30, 2016. 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

During the first half of 2020, the COVID-19 crisis forced every American to adapt and to change. Cuyahoga County is fortunate to have outstanding staff at every level who have changed their lives, changed their work patterns and have made sacrifices to work for their neighbors, for their communities and for our county.

The Agency of Inspector General has also changed and adapted in order to serve its public obligations. As a result of COVID-19, the AIG changed its strategies and work plans. The AIG found new ways to be successful, but also had to re-arrange its priorities and delay some of its other pre-existing goals.

In 2020, the AIG set new records for:

- **Most Completed Investigations - 31 cases.** Typically, the AIG completes 23 investigations during a six-month period. This time, we completed 31 investigations. This significant increase was the result of staff being able to work efficiently from home and to focus on closing cases without interruptions from daily events.
- **Most Recovered Taxes - \$2,224,230.** During an average six-month period, the AIG -- in cooperation with the offices of Prosecutor O'Malley and Treasurer Murray -- will help recover \$800,000 in taxes owed by commercial entities. This year's increase is partially attributable to various taxpayers delaying payments until after the close of 2019. More importantly, the increase is attributable to the outstanding work of Mike Kenney, Mike Sweeney and their staff in the Fishbowl Project with which the AIG plays a small, but useful, role.

Since 2015, the AIG has identified **\$14,623,163** in recovered taxes, challenged costs and improper expenditures. A representative sample of the AIG's activities during the first six months of 2020 includes:

Investigated Allegations of Improper Use of Force and Misuse of Position by Former County Warden.

The AIG investigated claims that the County's Warden had retaliated against whistleblowers, had misused his position by asking a subordinate to drive him for personal purposes, and had used excessive force on a handcuffed African-American female detainee. The AIG determined that there was evidence to support a finding regarding the first two issues and referred the excessive use of force issue to the County

Sheriff's Department for further review. The County Warden resigned his position after the issuance of the AIG's report.

New On-Line Ethics Education. Prevention is worth a pound of cure. The AIG strongly believes that part of its role is to be pro-active and to prevent violations of the County Ethics Code. It is not sufficient to wait until after a violation has occurred. Working with the Department of Human Resources and as part of its response to the COVID-19 crisis, the AIG created a new online and interactive ethics program which uses specific case study examples and requires users to answer questions before proceeding through the program.

The AIG also continued to monitor and follow-up on previous investigations and reviews including:

- Reviewed 136 Secondary Employment & Private Business Activity Disclosures.
- Reviewed 67 Nepotism/Conflict of Interest submissions.
- Registered 171 contractor applications.
- Issued 23 Ethics Opinions and Advisories.
- Opened 16 Debarments.
- Closed 14 Debarments.

Goals – Past and Present

Goals Past: Comparing Actual Performance to Goals Originally Set for the First Half of 2020

In its prior semi-annual report, the AIG set forth specific goals relating to the mission of the agency. Although the COVID-19 crisis required significant changes, most of these goals were achieved. As discussed below, these goals were as follows:

- 1) **Continue to Assist and Cooperate with Law Enforcement Authorities regarding related investigations.** The AIG assisted Law Enforcement authorities with their investigations. The AIG spent substantial time in responding to subpoenas, public records requests and motion-practice in litigation relating to the County.
- 2) **Review County Departments' Submission of Late Contracts.** This goal was not substantially achieved. The initiation of the new ERP system has created delays

that made it impractical to compare current and past practices regarding late contracts.

- 3) **Expand the Auditing of County Contracts.** Partially achieved. The AIG initiated additional review, however, not to the extent desired.
- 4) **Updates to AIG Case Management System.** The AIG implemented an improved case management system that has increased the searchability of new contractor information and allows for automated searches of the U.S. Government System for Award Management (SAM).
- 5) **Adopt an Emergency Business Continuity Plan.** The AIG designed and adopted a contingency plan that enabled it to continue its business operations under the current COVID-19 crisis. This plan allowed the AIG to transition to remote work while actually increasing the number of completed investigations and tax recoveries.

In light of the current situation, for the second half of 2020, the AIG intends to achieve the following goals:

- 1) **Review of Emergency No-Bid Contracts.** The AIG will review the use of no-bid emergency contracts to test whether they comply with County policy.
- 2) **Review Work from Home Policies and Procedures.** The AIG will review the policies and procedures relating to remote work.
- 3) **Continue to Assist Law Enforcement Authorities with their investigations.** The AIG will continue to work to assist local law enforcement.

SECTION 1: ADMINISTRATION¹

1.1 AGENCY OF INSPECTOR GENERAL STRUCTURE

1.2 AGENCY OF INSPECTOR GENERAL BUDGET



9 Full Time Staff; **1** Part Time Staff

2020 Annual Budget: \$1,027,618

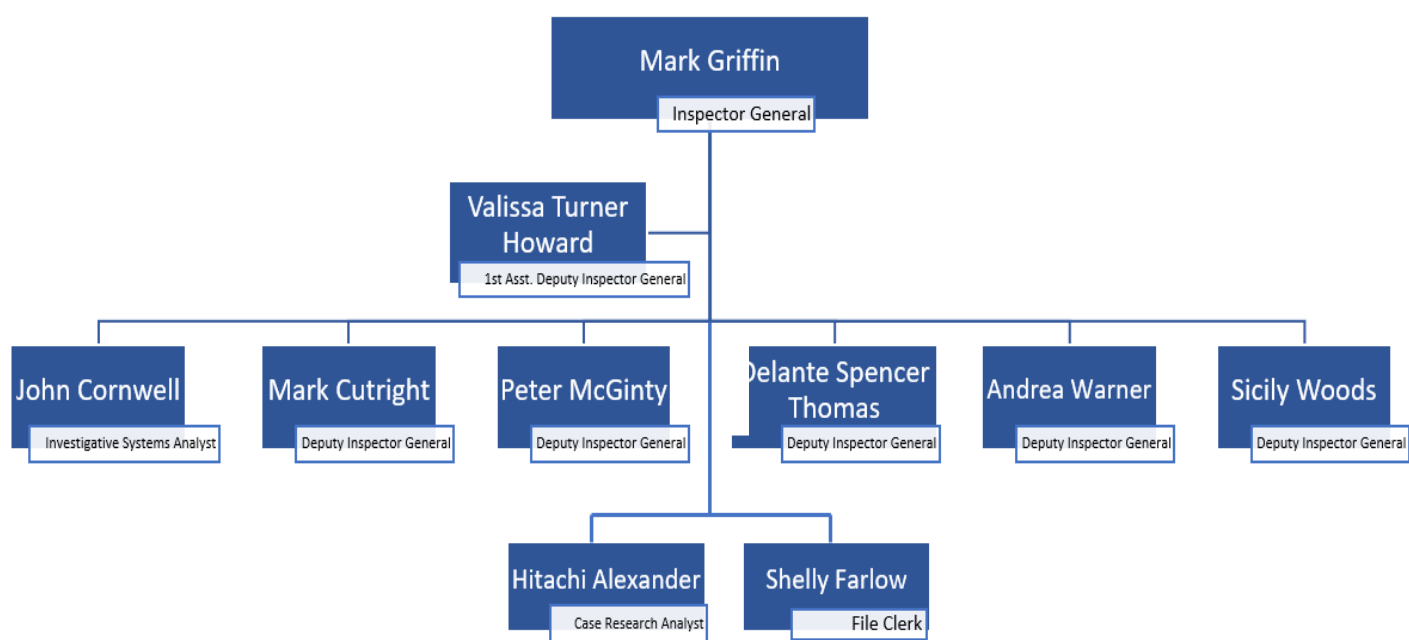
2020 Actual Spending to June 30: \$478,045

The cost to operate the AIG in 2020 amounted to less than \$.74 per citizen per year.

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 2020, the AIG operated under the following organizational structure:²



² On February 3, 2020, Delante Spencer Thomas resigned his full-time position as Deputy Inspector General. As of the date of this report, that position has not been filled. Mr. Thomas continues to serve the agency on a part-time basis in the role of Ethics & Education Counsel.

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
- Statistics and Analytics
- Investigations
- Law
- Law Enforcement
- Public Policy Management
- Public Relations
- Diversity & Inclusion
- Business Administration

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
- Certified Identity and Security Technologist
- Two (2) Certified Fraud Examiners
- Two (2) Members of the Ohio Bar
- One (1) Member of the California Bar
- Certified Ethics Associate in Information Technology

Office Development: 2020 Training Focused on Governmental Ethics and Data Privacy



As part of its mission to target financial waste, fraud, and abuse, AIG staff members attended trainings on a variety of topics to enhance their skills. For instance, in this reporting period, the Inspector General, First Assistant Deputy Inspector General, along with five Deputy Inspectors General attended and participated in webinars and trainings including the following courses:

- Procurement Fraud in Global Business
- Business Management and Organization
- Ohio Sunshine Law
- Expense Report and Credit Card Fraud
- How Plaintiffs are Weaponizing the CCPA and Data Privacy Laws
- Whistleblower Hotlines & Incident Management
- Combating the Cybersecurity Risks of Government
- Confronting the Root Causes of Misconduct
- Investigators, Examiners, and Analysts Working Remotely
- Detecting Forged Documents
- Leveraging Partnerships and Avoiding Multi-Agency Pitfalls
- Dark Web and Open Source Information
- Preventing Procurement Fraud: Moving to Continuous Monitoring
- Coronavirus-Related Fraud Schemes
- Best Practices for Conducting Remote Interviews

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 places special emphasis on maintaining the highest level of professionalism. The AIG invests 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 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 \$1,027,618 for 2020. Because of the potential financial impact of the COVID-19 emergency, the AIG has made budgetary adjustments. These adjustments will result in a \$84,660 reduction which is 8.24% below the originally approved departmental budget. The following chart reflects the AIG Forecasted Budget Reduction and actual expenditures through June 30, 2020:

<u>Item</u>	<u>2020 Approved Budget</u>	<u>2020 Forecasted Budget Reduction</u>	<u>2020 Actual Through June 30, 2020</u>	<u>Difference Remaining Through Year End</u>
Personnel Services	\$954,916	\$897,128	\$444,745	\$452,383
Supplies	\$0	\$0	\$0	\$0
Professional Services	\$51,896	\$24,374	\$22,187	\$2,187
Employee Services	\$0	\$7,228	\$4,886	\$2,342
Other Expenditures	\$20,456	\$600	\$300	\$300
Operations	\$350	\$13,628	\$5,927	\$7,701
TOTAL Expense	\$1,027,618	\$942,958	\$478,045	\$464,913

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 fund the AIG vendor 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 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 2020 amounted to less than \$.74 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.³

74¢⁴

The average person spends almost 3x that amount on just one gallon of gasoline.



³ The AIG challenges costs/expenditures that are determined to be improper, unnecessary, unreasonable or lacking proper documentation.

⁴ According to the U.S. Energy Information Administration, the average cost of a gallon of regular gasoline in Ohio is approximately \$2.19. <https://www.eia.gov/petroleum/gasdiesel/>

SECTION 2: INVESTIGATIONS⁵

2.1 INVESTIGATION STATISTICS

2.2 COMPLETED INVESTIGATIONS



62 Whistleblower Complaints

27 Investigations Initiated

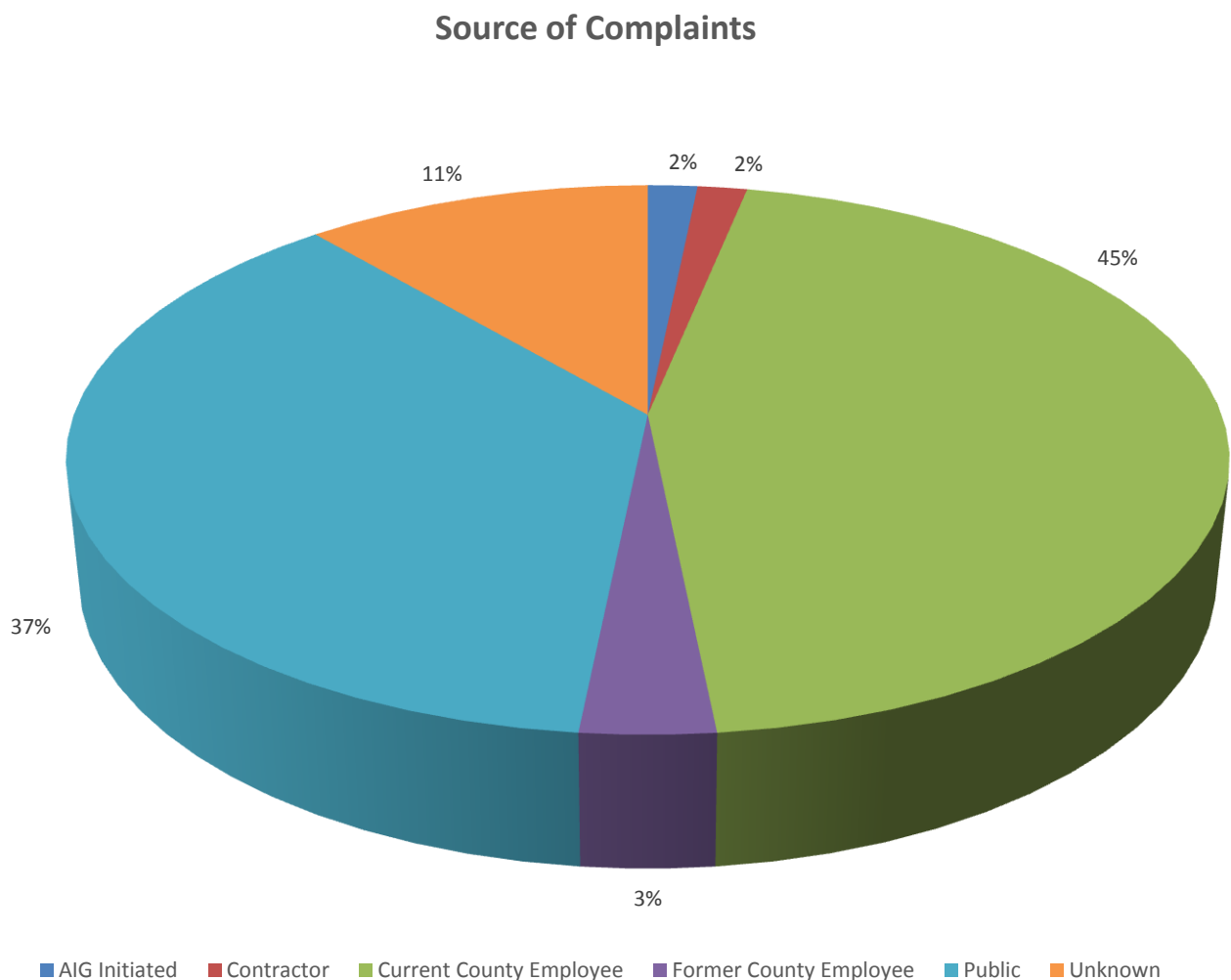
31 Investigations Completed

The AIG collaborated with Federal, State and County authorities regarding continuing public corruption investigations.

Section 2.1 – Investigation Statistics

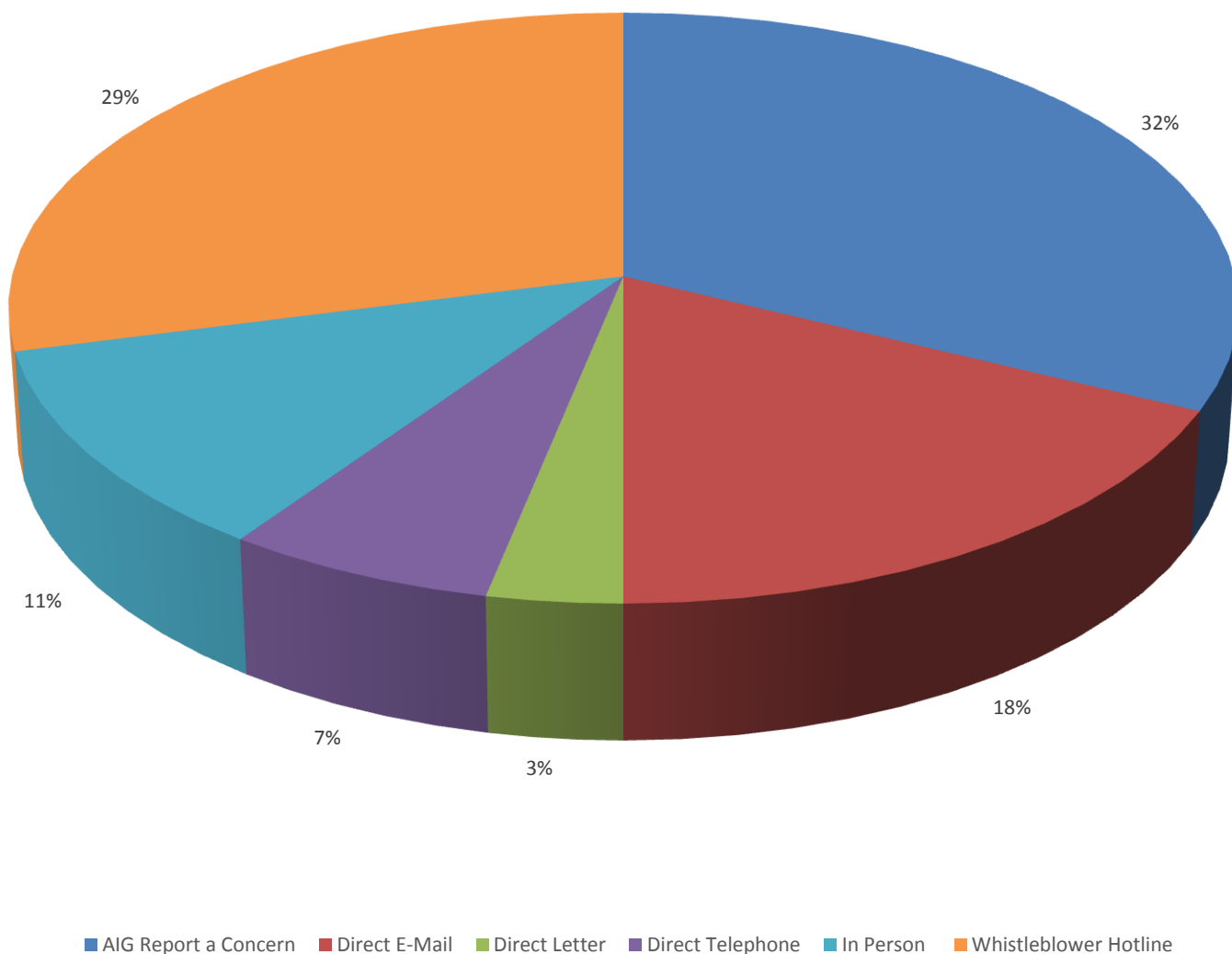
A. *Whistleblower Complaints/Referrals*

The AIG received sixty-two (62) unique whistleblower complaints or referrals from January 1, 2020 through June 30, 2020. The following is a summary of the source of the complaints or referrals:



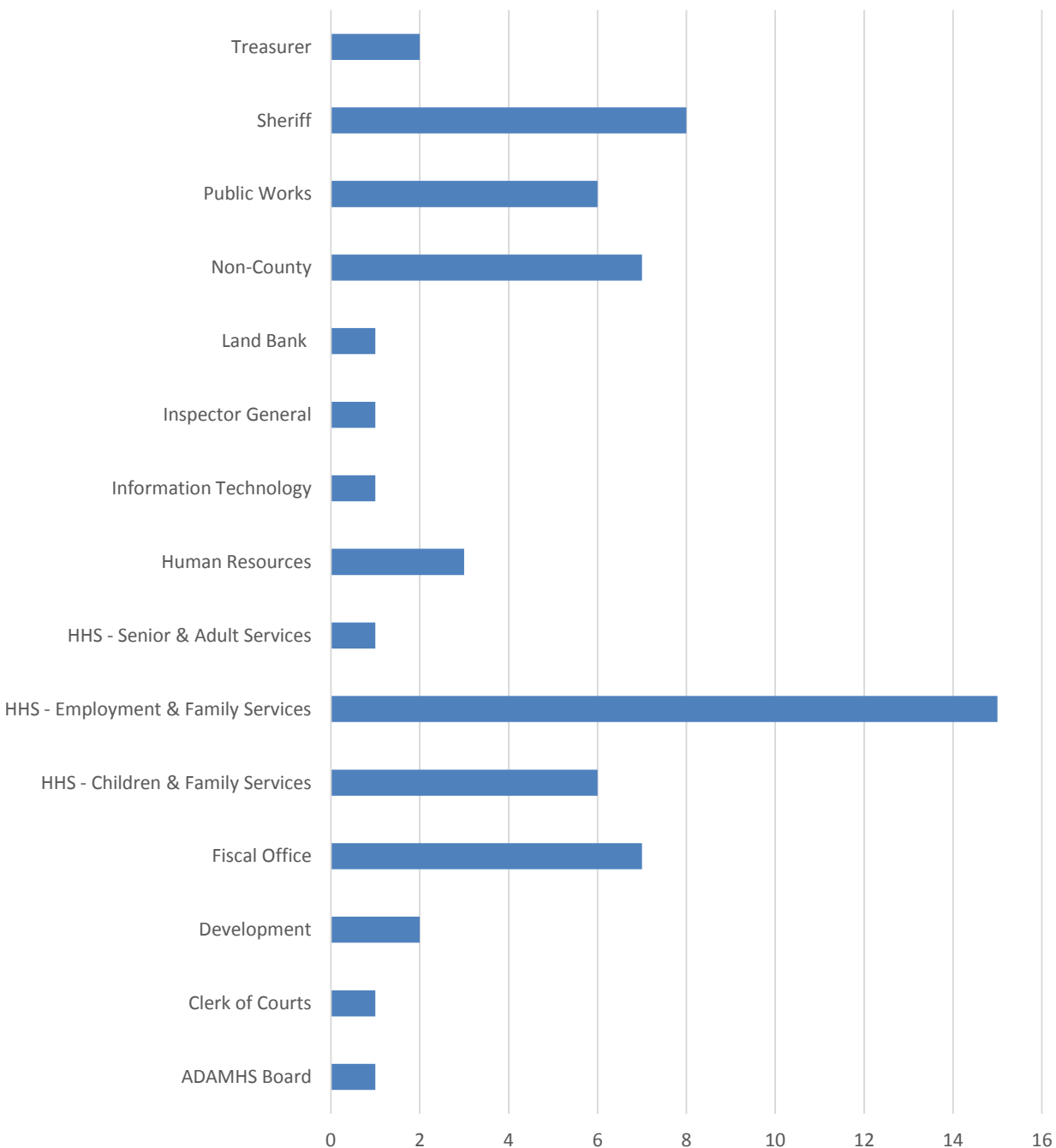
During this reporting cycle, the greatest number of complaints were submitted by current County employees, followed by complaints submitted by members of the public.

Method of Receipt of Complaints

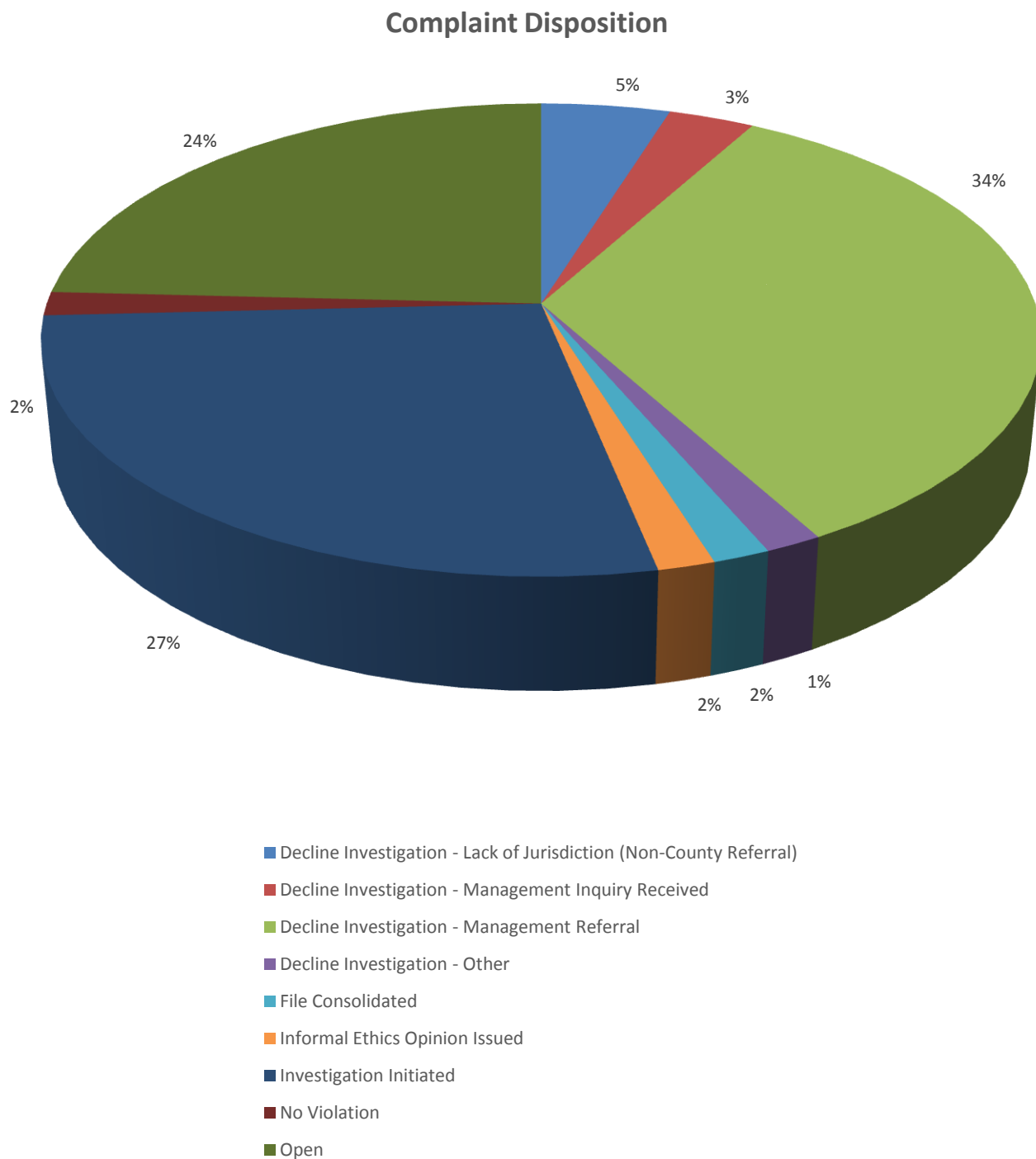


The AIG's ability to be effective is directly linked to its accessibility. During this reporting period, the most utilized method for submitting complaints to the AIG was through the AIG Report a Concern. The second most utilized method for submitting complaints was via the Whistleblower Hotline. Finally, Direct E-mail was the third most utilized method for submitting complaints during this reporting period.

Complaints by Department



The Health and Human Services (“HHS”) Department of Employment & Family Services (“EFS”) received the greatest number of complaints. The second highest volume of complaints received were regarding the Sheriff’s Department.

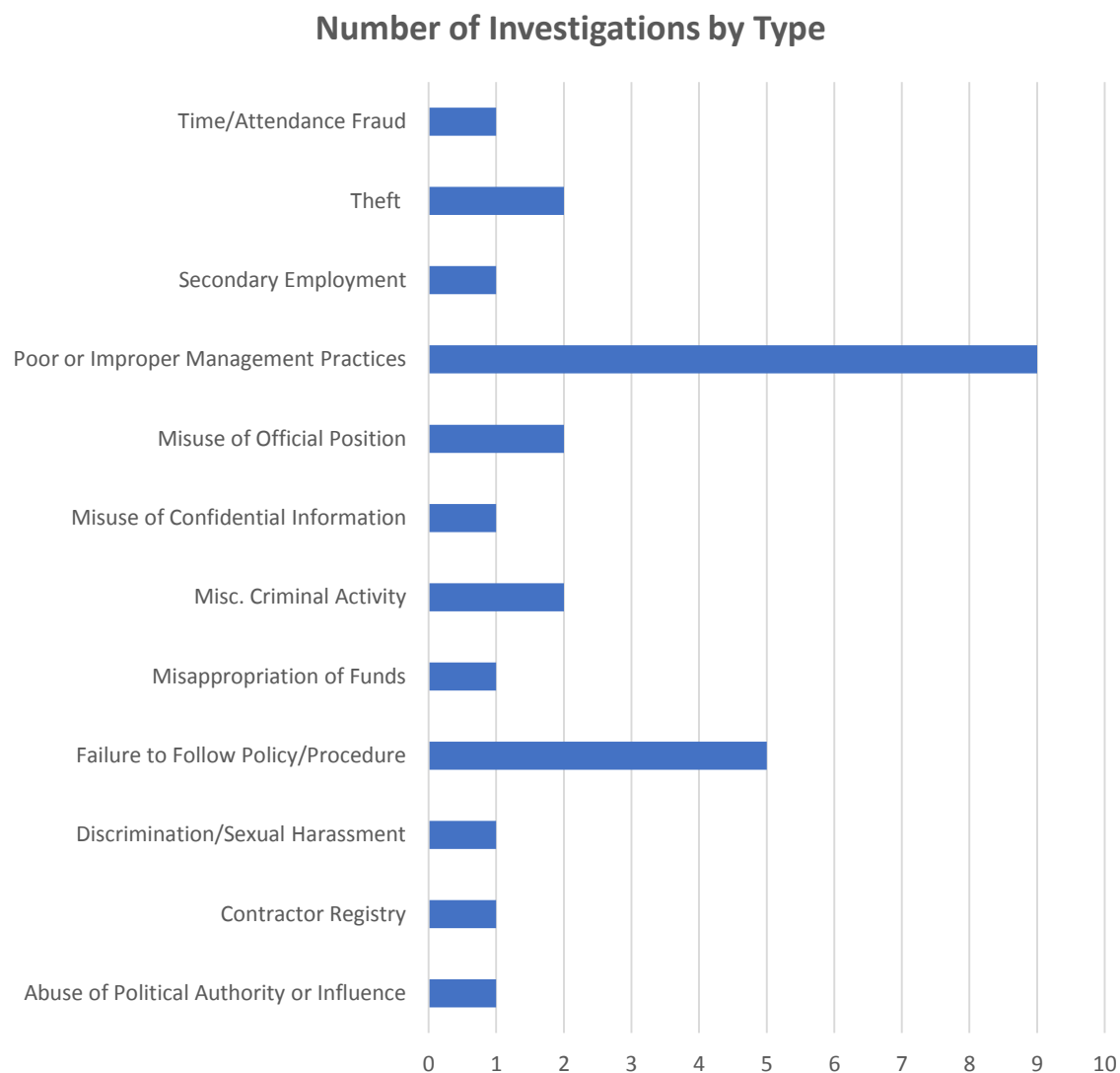


The AIG's policy is that most human resource complaints should be addressed by line-management and the County Department of Human Resources. The AIG is committed to supporting – rather than reducing – the authority of line-supervisors to manage their departments.

B. Investigations

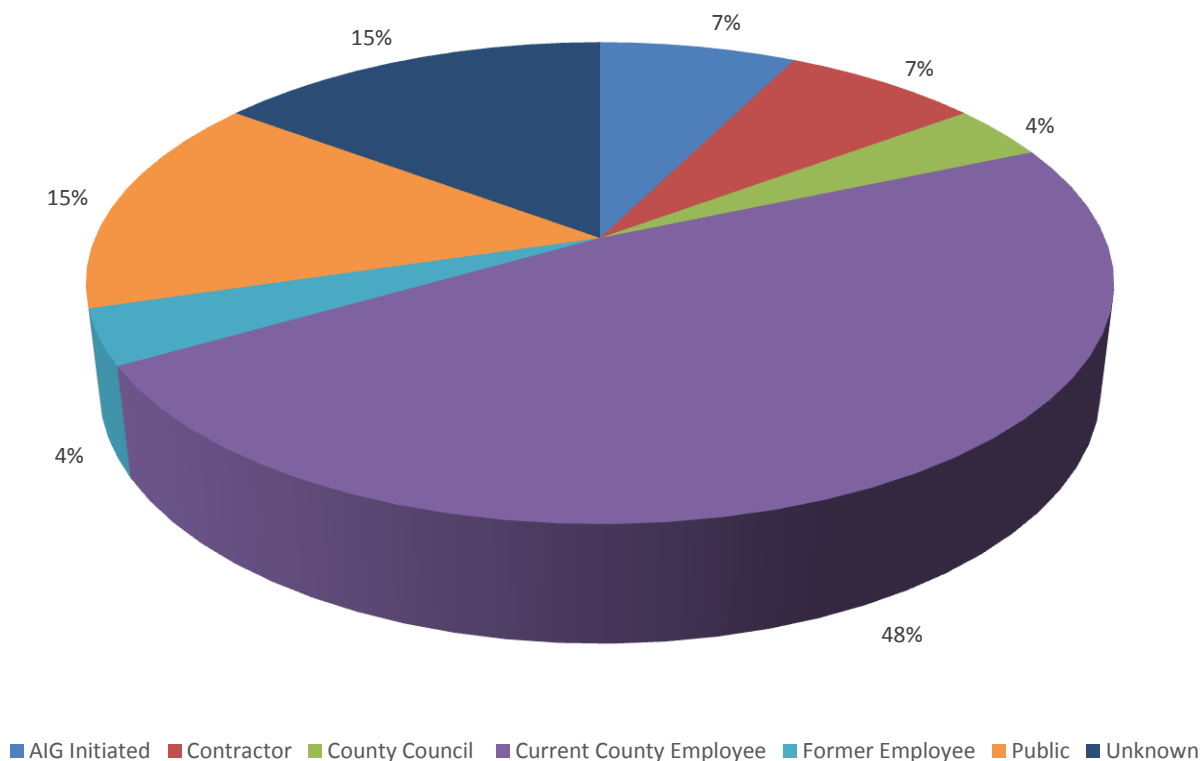
The AIG initiated twenty-seven (27) investigations and reviews during this reporting period.

The following is a summary of the nature of the twenty-seven (27) newly initiated investigations and reviews during this reporting period:



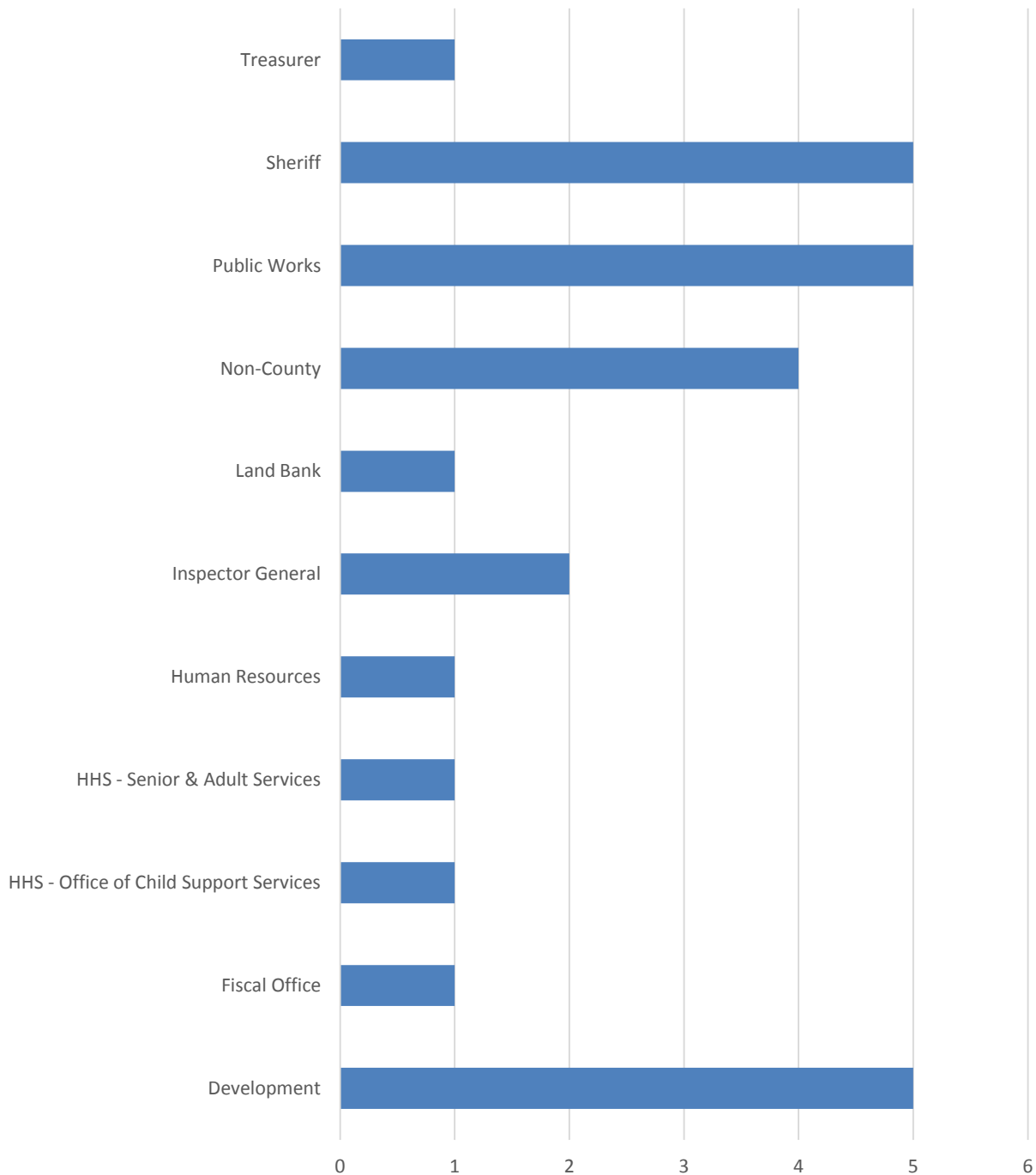
The AIG investigated a wide range of complaints during this reporting period, with Poor or Improper Management Practices accounting for the highest number of complaints investigated, followed by Failure to Follow Policy/Procedure.

Source of Investigations



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

Investigations Initiated by Department

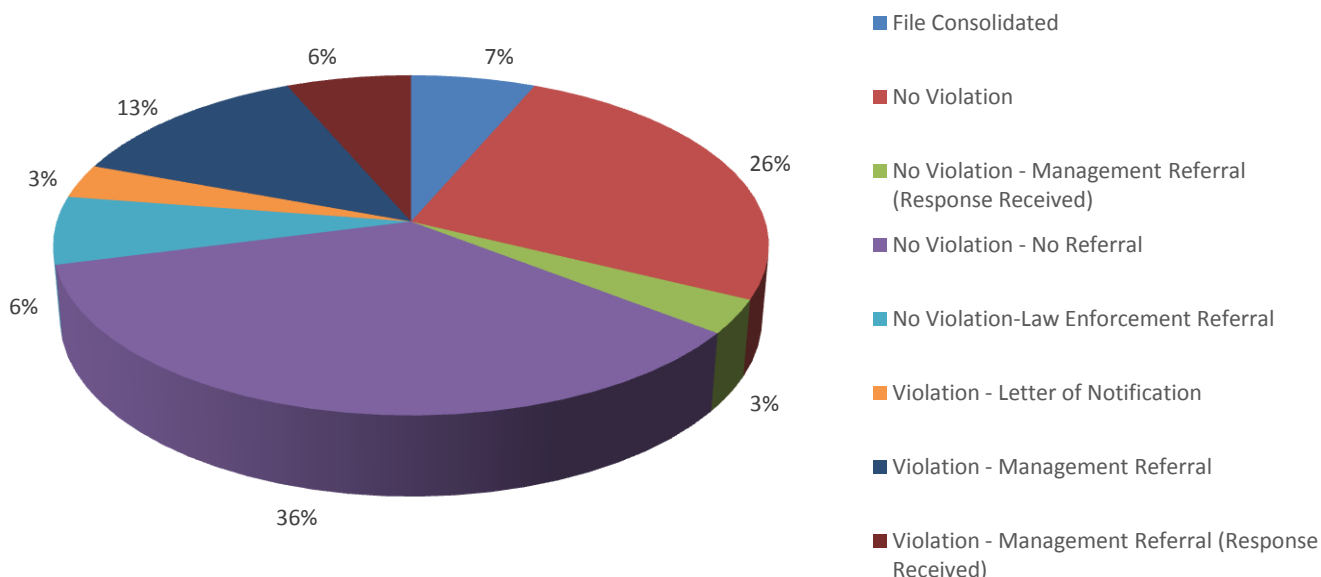


During this reporting period, the highest number of newly initiated investigations were in connection with Public Works, the Sheriff's Department and the Department of Development.

Section 2.2 – Completed Investigations

During this reporting period, the AIG issued findings on and completed thirty-one (31) investigations.

Disposition of Completed Investigations



Challenged Costs/Expenditures

Finally, the AIG has identified **\$7,334,321** in challenged costs/expenditures since its inception and more recently identified **\$7,135,644** challenged costs/expenditures since 2015.

Representative Examples of Recent Investigations & Reviews

Retaliation, Misuse of Position and Improper Use of Force

The AIG received complaints regarding former Warden Gregory Croucher between February 1, 2020 and March 4, 2020. The complaints alleged that Croucher improperly retaliated against corrections officers for voicing complaints regarding Croucher's management practices, thereby creating a hostile work environment; using an on-duty CCCC employee to transport him to the airport for a personal

purpose, and engaged in the excessive use of force against a female detainee on March 3, 2020.

AIG staff interviewed County personnel, reviewed security video and examined relevant documents. Based upon the available information, the AIG concluded that there was:

- 1) **Sufficient** evidence to indicate Warden Croucher committed malfeasance by misusing his official position and retaliating against employees who complained about Croucher's management practices and the County's camera usage practices.
- 2) **Sufficient** evidence to indicate that Warden Croucher violated the County Code by misusing county resources for personal purposes; and by requesting a subordinate employee to perform tasks outside the scope of his County employment. Specifically, Croucher violated the County Ethics Code by using an on-duty CCCC employee to transport him to the airport in the employee's personal vehicle for Croucher's personal travel.
- 3) **Insufficient** evidence, at the time, to indicate that Warden Croucher violated the County Ethics Code with regard to an improper use of force against a female detainee. The AIG's review was limited by the CCCC's inadequate camera system that has material blind spots in the Sally Port as well as the lack of conclusive body camera video. For example, Warden Croucher did not wear an operational body camera that would have been required had he been a first responder. Nonetheless, the incomplete video record does not indicate that Croucher initiated strategies to de-escalate the incident, or, that he used force only as a last resort. The AIG advised that this matter should be further reviewed by the County Sheriff's Department ("CCSD") and County Department of Human Resources ("HR").

The AIG found that camera coverage in CCCC was incomplete. The CCCC's camera system has blind spots that prevented the recording of the use-of-force incident at issue here. The AIG recommended that CCCC conduct an inventory and review of its camera system to eliminate such blind spots. The AIG also recommended that the CCCC evaluate whether to require the wearing of body cameras by all persons who are likely to engage in a use of force.

This report of investigation was referred to County Executive Armond Budish, Interim Chief Human Resource Officer Holly Woods, Sheriff David Schilling, Chief Deputy Sheriff Bryan Smith and Administrator of Corrections Ronda Gibson for consideration of further review and/or disciplinary action commensurate with the violations and for consideration of the stated recommendations.

Two days after the report was issued, Warden Croucher resigned from his County position.⁶

Harassment, Bullying, and Retaliation

On March 24, 2020, AIG received a complaint related to the revocation of the jail visitation privileges of a private investigator who assists local defense counsel in representing detainees ("Complainant").

Ohio Administrative Code Section 5120 (original emphasis) governing jail visitation provides in relevant part:

(F) (Important) Written policy and procedures shall govern contact and special visits.

* * *

(H) (Important) Visits shall be restricted only if the jail administrator or designee determines that a visit is a threat to safety, security or the best interests of the jail. The jail administrator or designee shall document restrictions in writing.

The AIG did not find evidence that the Cuyahoga County Corrections Center had written policies relating to the revocation of visitation privileges or that the required findings were made or documented in writing.

Based on a review of information obtained from interviews, a review of emails and the rules of the Ohio Administrative Code, the AIG determined that there was **sufficient** evidence to conclude that misfeasance occurred when the Complainant's jail visitation privileges were revoked without the justifications required by OAC Section 5120 or for reasons not set forth in CCCC policy. Additionally, the AIG did not find written CCCC policies that set forth reasons to revoke visitation privileges.

The AIG recommended that the County Jail reinstate Complainant's visitation privileges consistent with the current COVID-related restrictions and any other generally applicable restrictions. Further, the AIG recommended that the County Jail promulgate written policies regarding visitation specifically including (1) how to adequately document inappropriate behavior by visitors, (2) how to provide written

⁶ <https://www.cleveland.com/metro/2020/04/cuyahoga-county-jail-warden-resigned-after-investigation-found-he-retaliated-against-employees-used-on-duty-officer-for-airport-drop-off.html>

notification regarding suspension or termination of visitation access, and (3) how terminated or suspended visitors may appeal the loss of visitation privileges.

Community Development Grant Review

The AIG reviewed the distribution of a \$500,000 community development grant to a local business ("Grantee"). The purpose of the review was to verify that the grant requirements were met prior to fund distribution and to evaluate the process used to distribute the funds.

The terms of the \$500,000 grant required that the checks be delivered in three installments after the County received proof that the funds were used to purchase capital equipment. The first installment of \$250,000 was due upon execution of the grant agreement. The second installment of \$200,000 was payable after the County received proof that the first \$250,000 was spent appropriately. The final \$50,000 installment was payable after the County received proof that the second installment of \$200,000 was spent appropriately. In total, proof of expenditures totaling \$450,000 in expenditures on capital equipment should have been provided by Grantee prior to the receipt of all three installments.

After careful review of the evidence collected and reviewed in this investigation, the AIG found that Grantee had made the required expenditures to receive the grant funds from the County. Nonetheless, the terms of the grant required documentary proof of expenditures before the delivery of the funds intended for reimbursements. Here, the requested documentation was provided only after the delivery of the checks. Although there was no monetary loss to the County, the proper protocols were not followed.

In order to prevent future missteps, the AIG recommended that County Council consider allowing the Department of Development ("DoD") to manage future grant distributions, especially those distributions that require specific parameters be met in order to qualify for disbursement.

Delinquent Property Tax Initiative - \$2,244,230.77 during First Half 2020

In September 2018, the AIG met with the County Treasurer, Chris Murray, and it was agreed that the AIG would assist with the collection of delinquent property taxes.

AIG staff worked with the Treasurer's Office and the Cuyahoga County Prosecutor's Tax Foreclosure Division ("Foreclosure") to jointly develop a process to identify and verify parcels that are truly delinquent. The AIG sends a warning letter to the taxpayer notifying them that their County property taxes are delinquent and advises the

taxpayer to address the delinquent tax issue. If the taxpayer has not contacted the AIG and the taxes are still delinquent after 30 days, the AIG begins the process of debarring the taxpayer.

During the first half of 2020, the AIG's review of delinquent parcels resulted in collection of **\$2,244,230.77**. Thus far, the AIG's efforts have resulted in collection of **\$4,862,649.79** of the delinquent property taxes reviewed. The AIG expects that this amount will increase in the future as the program develops.

DoD Follow-Up Report June 30, 2020

The Department of Development ("DoD") continues to make progress regarding correcting the problems of past practices. The Agency of Inspector General recognizes the hard work, professional skill and good faith of the DoD personnel involved in this difficult task. Nonetheless, DoD did not achieve the promised goal of reconciling all loans by the end of June 30, 2020.

The AIG believes that DoD was overly optimistic regarding the difficulty of correcting the errors that have been compounded over the last fifteen to twenty years. This status report reflects the most recent changes in response to the AIG's prior recommendations.

Without addressing every issue and recommendation set forth over the last four years, the most salient and recent points to note include:

1. DoD has completed its search for, and recording of, the foundational documents for its loan portfolio. DoD has reviewed and reconciled all 299 loans out of 316 housed in Portfol. The difference of 17 loans: 6 of the loans had insufficient documentation in Portfol; 7 of the loans were new loans entered correctly; and remaining 4 were discovered and evidenced during the post reconciliation performed by the LPMT.
2. Despite the hard work of DoD, there are still at least 6 loan files that are not fully reconciled as a result of insufficient documents.

SECTION 3: ETHICS COMPLIANCE⁷

3.1 Ethics Advisory Opinions

3.2 Ethics Disclosures



23 Ethics Advisory Opinions

136 Secondary Employment Disclosures

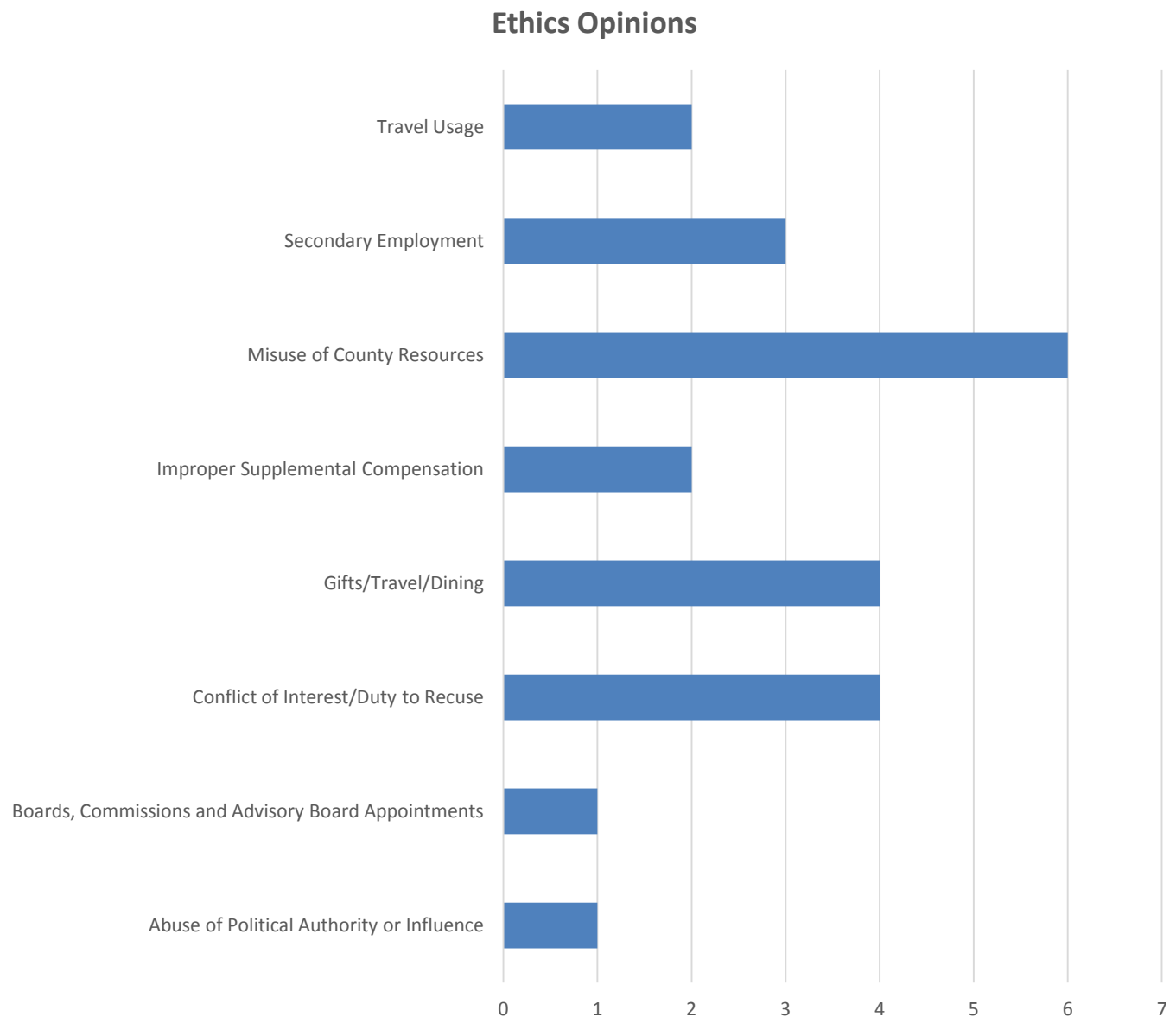
67 Nepotism/Conflicts of Interest

The AIG addressed 90 ethics issues and potential conflicts of interest.

⁷ For additional discussion regarding Ethics and Compliance please see Appendix 3.

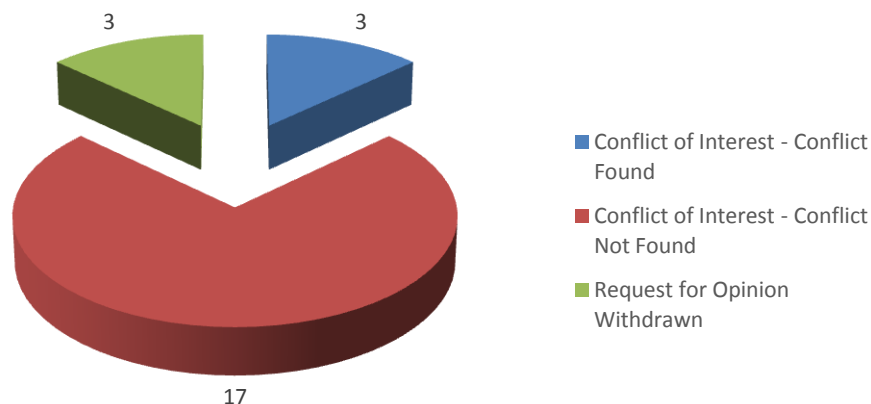
Section 3.1 – Ethics Advisory Opinions

The AIG reviewed twenty-three (23) requests for ethics advisory opinions during this reporting period and issued Ethics Advisory Opinions regarding the following topics:



During the first half of 2020, ethics advisory opinion topics included, but were not limited to: (1) Misuse of County Resources; (2) Gifts/Travel/Dining; (3) Conflicts of Interest; and (4) Secondary Employment.

Ethics Advisory Opinion Disposition



Of the twenty-three (23) ethics opinions requested during the last six months, the AIG determined in three (3) cases that there were conflicts of interest.

Representative Examples of Recent Ethics Advisory Opinions

Gifts/Travel/Dining

(20-0007-EI) Inquiry from an employee regarding whether it was permissible to accept travel expenses to attend a conference. The organization sponsoring the travel was not a registered County contractor. County and Ohio law require that public officials and employees refrain from soliciting or accepting gifts that could amount to a substantial and improper influence on that official or employee. The AIG opined that the County Ethics Code does not prohibit the employee from accepting travel expenses, or reimbursement of those expenses, to the conference because the organization was not a prohibited source. More specifically, the County does not have any contracts or encumbrances with the organization, such that payment of travel expenses from the organization is not presumed to be improper.

Conflict of Interest/Duty to Recuse

(20-0028-EI) Inquiry from an employee regarding a potential conflict of interest between her County position and a County client. The employee works with community clients to relay information about County services. As it relates to a particular business client she worked with, the employee normally corresponds with the general manager. The employee discovered that the owner of the company was her neighbor. Moreover, the company owner has a child in the same school as the employee's child. The AIG advised that because the owner is not a relative or business associate, no conflict of interest exists in continuing to work with that company.

Misuse of Position/Improper Representation

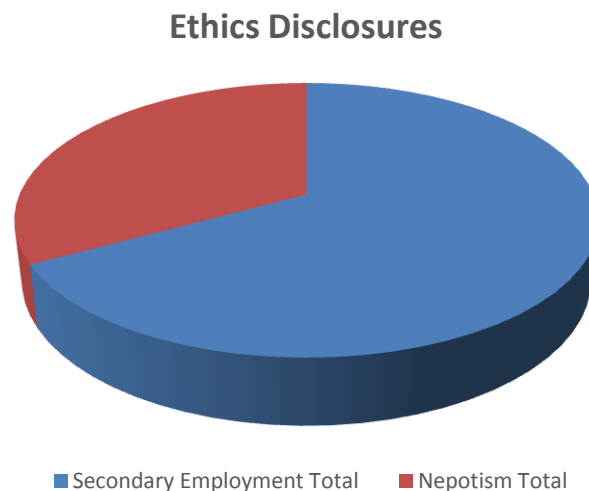
(20-0034-EI) Inquiry from an employee regarding whether she was permitted to request data from her department to be used for personal use. Specifically, the data would be used in her master's degree thesis. The AIG opined that so long as the data is not confidential, the employee may request it – but in the same manner as the general public. The employee may not use her position, influence, or County resources to access the information. Due to the nature of the inquiry, the AIG also advised that the employee refrain from using her County position to gain preferential treatment at her academic institution. Lastly, the employee was advised not to represent her personal opinion as an official County opinion.

Political Activity/Improper Gifts

(20-0036-EI) Inquiry from a County official regarding whether he was permitted to accept a gift from an entity doing business with the County. The official reported that a company sent sample bottles of hand sanitizer to the official's private company. The donor company had recently received a loan from the County. The AIG advised that while the gifts were likely not substantial in value, in the abundance of caution, the official should not personally accept the gifts but to make them available to all employees. Further the AIG advised that if the gifts were intended as a "thank you" for the loan or otherwise intended to influence the official, then the gifts should not be accepted at all.

Section 3.2 – Ethics Disclosures

The AIG reviewed one hundred thirty-six (136) inquiries regarding secondary employment and sixty-seven (67) 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 sixty-three (163) 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 fifty-four (254) 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 & LOBBYISTS⁸

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



1,898 Registered Contractors

15 Registered Lobbyists

To date, the AIG has been able to collect \$2,638,679.42 in unpaid taxes owed by County contractors.

⁸ 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, 2020, there were one thousand, eight hundred ninety-eight (1,898) contractors and fifteen (15) 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 Code, which changed the registration requirements, many County Contractors who were previously registered with the AIG were not required to renew their expiring registrations.

Approximately six hundred forty-six (646) registrations will expire on December 31, 2020. 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 delinquent taxes. 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 thirty-five thousand, nine hundred seventy-one dollars and sixty-six cents **(\$35,971.66)** in uncollected delinquent property taxes and tax liens owed by contractors. To date, the AIG has been able to identify two million six hundred thirty-eight thousand six hundred seventy-nine dollars and forty-two cents **(\$2,638,679.42)** in unpaid taxes by County contractors.

Section 4.3 – Debarment Procedures

During this reporting period, the AIG completed twelve (12) debarment matters with a determination not to debar the contractors. The AIG completed two (2) debarment matters with a determination to debar. Sixteen (16) debarment matters were initiated by the AIG.

SECTION 5: OTHER AGENCY ACTIVITY

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



1,792 Driver's License Abstracts

15 Public Records Requests

During the state lockdown, the AIG produced a new and interactive ethics training video for employees to satisfy their annual training requirement.

Section 5.1 – Driver’s License Abstract Review

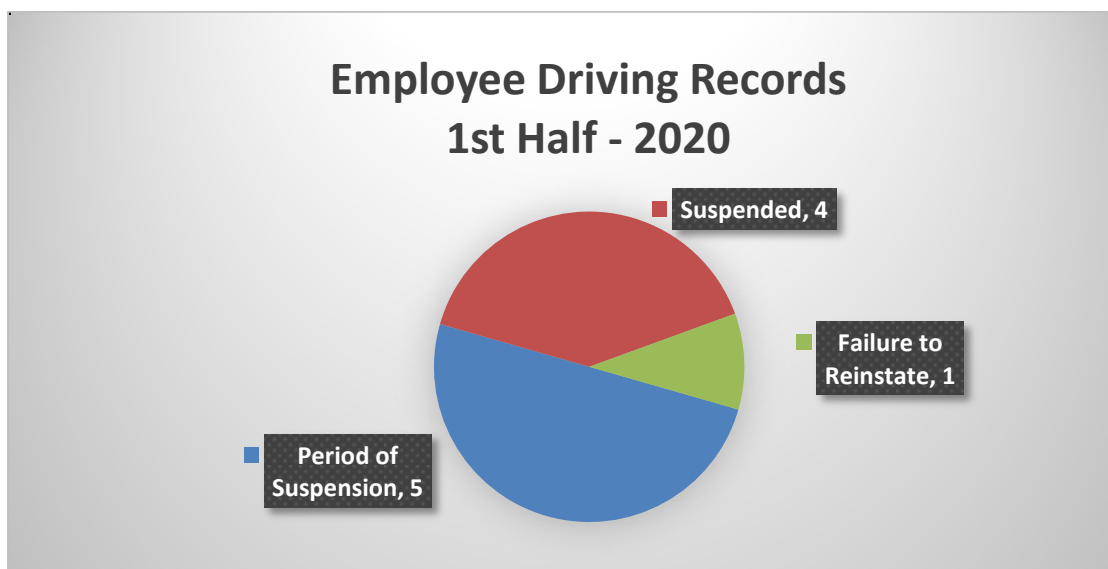
Twice a year, the AIG is required to review the state driving records of employees who are authorized to operate County-owned vehicles or who drive their own vehicles in the course of County employment. The goal is to make sure that the County is not placed at risk by employees driving while their licenses 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 1,792 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 the review conducted in the last six months, less than 1% of the employees reviewed had expired or suspended licenses.

As a result of the Driver’s License Review, the AIG identified a total of Ten (10) potential violations of County Policy. The employees in question either had: 1) suspended licenses (4 employees); 2) licenses under suspension but were reinstated before the review was conducted (5 employees); or, 3) invalid license because of a failure to pay reinstatement fees (1 employee).

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



The Ohio Bureau of Motor Vehicles' website indicates that an automatic extension of certain renewal deadlines was granted due to the COVID-19 pandemic. Specifically, the website states:

LICENSE, ID, or VEHICLE REGISTRATION EXPIRED? DON'T WORRY!

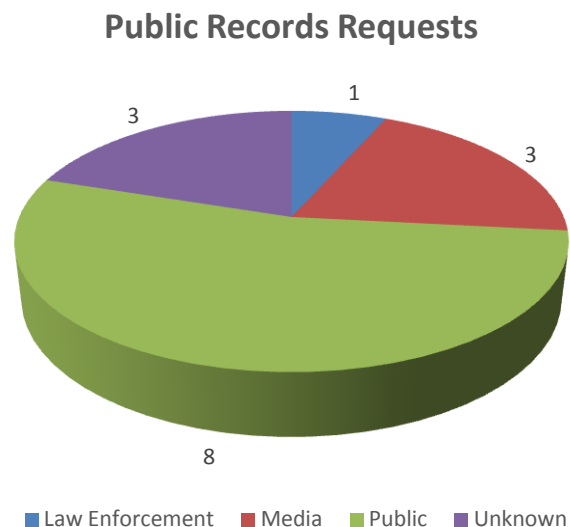
- There is no rush to renew! In fact, we **encourage you NOT to immediately visit a license agency.**
- If your license, ID card, or vehicle registration (including plates and stickers) expired on or after March 9, 2020, your expiration date has been automatically extended until 90 days after Ohio's state of emergency ends or December 1, 2020, whichever comes first. ⁹

The AIG's review revealed that sixty-six (66) employees who drive for the County fall into this category and had their expiration dates automatically extended by the Ohio Bureau of Motor Vehicles.

⁹ <https://www.bmv.ohio.gov/save-a-trip.aspx#gsc.tab=0>

Section 5.2 – Public Records Requests

During this reporting period, the AIG processed fifteen (15) public records requests. The AIG received eight (8) requests from the public, three (3) requests from the media, three (3) requests from an unknown source and one (1) request from law enforcement.



Section 5.3 – Education and Outreach



and outreach efforts.

A key ingredient for the AIG's success is public and employee awareness. The AIG welcomes the opportunity to meet with County officials and employees to proactively assist with issues and provide insight into the AIG's role within County government. To memorialize the significance of ethics education, the AIG restructured its staff and created an Ethics and Education Counsel position to manage the office's education

During the first half of 2020, prior to COVID-19, the AIG continued to conduct specially requested ethics training for County departments as well as non-County entities.

During the state lockdown, the AIG produced a new and interactive ethics training video for employees to satisfy their annual training requirement.

Participation in Expanded New - Employee Orientation & Training Process

In the first half of 2020, the AIG continued to conduct new hire ethics training under the successful 2019 model as part of HR's onboarding process.

Under the updated new hire ethics training model, employees return to orientation for a second day to spend approximately three hours with AIG staff learning about the various components of the County Ethics Code and how to approach ethical dilemmas if/when they arise. Employees also review and discuss a series of examples, both hypothetical and from real past situations. These trainings take place every two weeks at the County Administrative Headquarters. Due to the County hiring freeze, as a result of COVID-19, the AIG have suspended in person ethics training until further notice.

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 three (3) 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.

Due to the global impact of the COVID-19 pandemic, the AIG did not meet with any international delegations during the first half of 2020.

AIG Externship Program

The AIG's Externship Program is a program designed to offer high school, 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. During the first half of 2020, the AIG hosted two (2) externs:

- Isaiah Pinckney III – 2L Law Student, Case Western Reserve University School of Law
- Anna Borromeo – 2L Law Student, Case Western Reserve University School of Law

County Public Policy Fellowship program

In 2019, for the first time, the AIG also participated in the County Public Policy Fellowship program. According to the Program website:

The Public Policy Fellowship Program was established by the Office of the Cuyahoga County Executive in 2011 to cultivate the next generation of public sector leaders in Northeast Ohio. Through the Program, which operates during the summer, entrepreneurial and highly motivated undergraduate and graduate level students gain a broad overview of county government through practical experience in a variety of policy areas.

The goals of the Program are to:

- Provide a practical experience in Cuyahoga County government;
- Inspire innovative, effective, and ethical public leadership for Northeast Ohio; and
- Invigorate County projects by injecting fresh eyes and new perspectives.

Due to COVID-19, the Public Policy Fellowship program was cancelled for 2020.

Section 5.4 – Ethics Updates & Trending Data

As a part of the AIG's culture of compliance initiative, the AIG continued to issue 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 2020, the AIG released four (4) ethics updates in the following areas:

Raffles & Betting Pools

ETHICS UPDATE



Raffles
Betting Pools
•
Update No. 2020-1E

In this Advisory:

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

COVID-19 & Working From Home

ETHICS UPDATE



Working from Home
•
Update No. 2020-2E

In this Advisory:

- Misuse of Resources
- Time Keeping/Accessibility
- Secondary Employment
- General Guidance
- Examples

Ethical Failures

ETHICS UPDATE



Ethical Failures
•
Update No. 2020-3E

In this Advisory:

- Subordinates are not Babysitters
- Don't Misuse Position
- Ring the Alarm
- Overtime... or just TIME
- Call the AIG

Protests & Rallies

ETHICS UPDATE



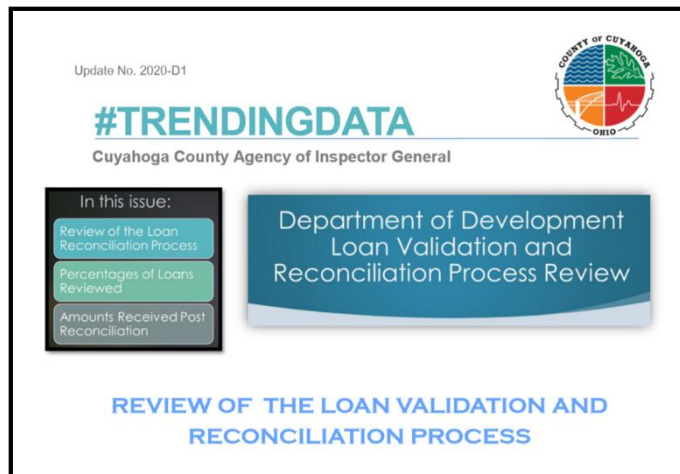
POLITICAL ADVISORY
•
Update No. 2020-4E

In this Advisory:

- Protests & Rallies
- Guidelines for Elections
- Do's and Don't's for (Un) Classified Employees
- Running for Office
- Ballot & Levy Issues
- Poll Worker Service

In 2019, the AIG expanded its educational outreach to include an additional newsletter titled #TrendingData, which offers a numerical story to various topics relevant to County officials and employees. During the first half of 2020, one #TrendingData was released which reviewed the loan validation and reconciliation process of the Department of Development.

Department of Development Loan Validation and Reconciliation Process Review



SECTION 6: GOALS

6.1 Review of First Half Goals

6.2 Goals for Second Half



Assist Law Enforcement Investigations



Review Late Contracts



**Audit Current Contracts to Promote
Value for Taxpayers**

Section 6.1 – Review of 2020 First Half Goals

In its prior semi-annual report, the AIG set forth specific goals relating to the mission of the agency. Although the COVID-19 crisis required significant changes, most of these goals were achieved. As discussed below, these goals were as follows:

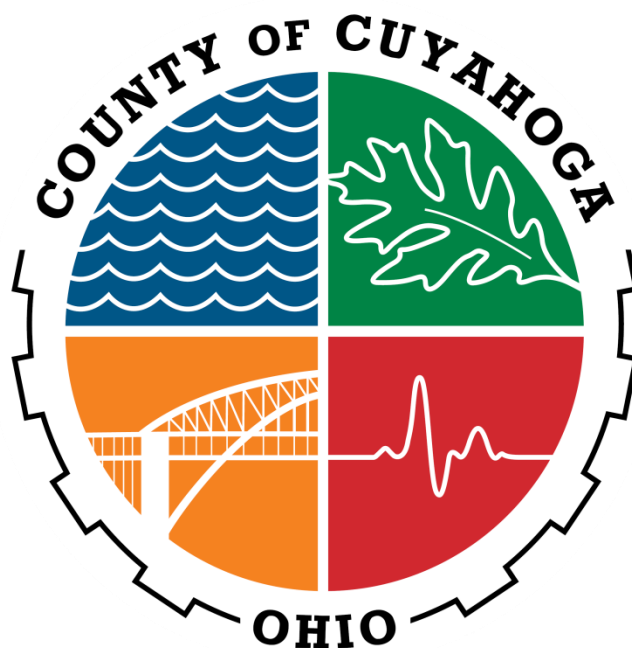
- 1. Continue to Assist and Cooperate with Law Enforcement Authorities regarding related investigations.** The AIG assisted Law Enforcement authorities with their investigations. The AIG spent substantial time in responding to subpoenas, public records requests and motion-practice in litigation relating to the County.
- 2. Review County Departments' Submission of Late Contracts.** This goal was not substantially achieved. The initiation of the new ERP system has created delays that made it impractical to compare current and past practices regarding late contracts.
- 3. Expand the Auditing of County Contracts.** Partially achieved. The AIG initiated additional review, however, not to the extent desired.
- 4. Updates to AIG Case Management System.** The AIG implemented an improved case management system that has increased the searchability of new contractor information and allows for automated searches of the U.S. Government System for Award Management (SAM).
- 5. Adopt an Emergency Business Continuity Plan.** The AIG designed and adopted a contingency plan that enabled it to continue its business operations under the current COVID-19 crisis. This plan allowed the AIG to transition to remote work while actually increasing the number of completed investigations and tax recoveries.

Section 6.2 – Goals for Second Half 2020

For the second half of 2020, the AIG intends to achieve the following goals:

- 1. Review of Emergency No-Bid Contracts.** The AIG will review the status and registration of vendors who were provided no-bid contracts under the emergency provisions of the County Code;

2. **Review Work from Home Policies and Procedures.** The AIG will review the County's policies, procedures, and efficiency regarding remote working.
3. **Continue to Assist Law Enforcement Authorities with their investigations.** The AIG will continue to assist and cooperate with law enforcement. This remains a critical goal which is of the highest priority.



A copy of this report (Cuyahoga County AIG Semi-annual Report – 1st Half 2020) 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.¹⁰ 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, 2011.¹¹ 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

¹⁰ On July 13, 2013, the County Ethics Ordinance was codified into Title 4 of the County Code.

¹¹ 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).

of Title 4 of 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.¹²
- The Inspector General shall receive allegations of non-criminal whistleblower complaints.¹³
- 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.¹⁴
- The Inspector General or the Department of Law may receive and rule on conflict of interest disclosures for employees.¹⁵
- The Inspector General must review and respond to secondary employment disclosures.¹⁶
- The Inspector General must review board/commission appointments by the County for conflicts of interest.¹⁷
- The Inspector General shall obtain financial disclosure statements from certain County officials and employees.¹⁸

¹² County Code, Section 403.09 (B), formerly Article 7, Section 16(D) of the Ethics Ordinance.

¹³ County Code, Section 406.01 (B), formerly Article 7, Section 17(B) of the Ethics Ordinance.

¹⁴ County Code, Section 406.01 (A), formerly Article 7, Section 18(A) of the Ethics Ordinance.

¹⁵ County Code, Section 403.04 (F), formerly Article 7, Section 23 of the Ethics Ordinance.

¹⁶ County Code, Section 403.08 (D), formerly Article 7, Section 26 of the Ethics Ordinance.

¹⁷ County Code, Section 403.04 (E) and 407.01 (L), formerly Article 7, Section 27 of the Ethics Ordinance.

- The Inspector General must create and maintain a County lobbyist registry.¹⁹
- The Inspector General must create and maintain a County contractor registry.²⁰

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").²¹ 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.²² 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.²³

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

¹⁸ County Code, Sections 403.07 and 407.01(I), formerly Article 7, Sections 29 and 31 of the Ethics Ordinance.

¹⁹ County Code, Section 405.01 (A), formerly Article 7, Section 32 of the Ethics Ordinance.

²⁰ County Code, Section 501.19 (B), formerly Article 7, Section 34 of the Ethics Ordinance.

²¹ The AIG Ordinance was amended effective June 27, 2012 (Ordinance No. O2012-0008).

²² County Code, Section 204.01 (B)(3), formerly Section 2(c) of the AIG Ordinance.

²³ County Code, Section 204.01 (B)(2), formerly Section 2(b) of the AIG Ordinance.

County Code in accordance with the terms of said law. In so doing, the Inspector General shall cooperate with the County's Personnel Review Commission.²⁴ 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.²⁵

- 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.²⁶
- 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.²⁷
- 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.²⁸
- 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.²⁹

²⁴ 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>.

²⁵ County Code, Section 204.01 (B) (3) (a), formerly Section 2(c) (i) of the AIG Ordinance.

²⁶ County Code, Section 204.01 (B) (3) (b), formerly Section 2(c) (ii) of the AIG Ordinance.

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

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

²⁹ 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.³⁰
- 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.³¹

In conducting its duties, the AIG is required to avoid interfering in any ongoing outside criminal, civil or administrative investigation/prosecution.³² The AIG is also required to develop internal policies and procedures that ensure an investigation subject's constitutional rights are protected.³³

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.³⁴

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

³¹ County Code, Section 204.01 (B) (4) (d), formerly Section 2(d) (iv) of the AIG Ordinance.

³² County Code, Section 204.01 (B) (4) (a), formerly Section 2(d) (i) of the AIG Ordinance.

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

³⁴ County Code, Section 204.01 (E), formerly Section 3(e) of the AIG Ordinance.

Section 1.4 – The Charter

On November 6, 2018, the taxpayers of Cuyahoga County voted to include the AIG in the County Charter. On December 27, 2018, Article XV, Section 15.01 became effective.

Pursuant to Section 15.01 (1), (7), and (8) of the Charter, the Inspector General has the following powers, duties and rights:

(1) Powers and Duties. The Inspector General shall serve as the County's chief ethics officer and shall direct the Agency of Inspector General. The County Executive and the County Council shall appropriate funding for the Agency's operations, fairly allocated through the regular budget process based on available resources. The Council may, by ordinance, further delineate the powers, duties, and responsibilities of the Agency of Inspector General, consistent with this Article XV.

(7) Access to County Information. The Inspector General shall have the right to obtain full and unrestricted access to all records, reports, plans, projections, matters, contracts, memoranda, correspondence, and any other materials, including electronic data, of Cuyahoga County, relevant to any inquiry or investigation undertaken pursuant to this Article XV, except as may be legally limited, such as through attorney-client privilege or provisions of the Health Insurance Portability and Accountability Act (HIPAA).

(8) Subpoena Power. The Inspector General shall have authority to subpoena witnesses, administer oaths or affirmations, take testimony and compel the production of such books, papers, records and documents, including electronic data as is deemed to be relevant to any inquiry or investigation undertaken pursuant to this Article XV.

Section 1.5 -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 contractors³⁵ 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.³⁶ 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.³⁷

The AIG is responsible for debarring contractors who demonstrate poor business practices and/or unethical behavior.³⁸ 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.³⁹

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

- 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.⁴⁰

On April 28, 2015, §, County Council enacted new Debarment Rules which became effective on April 29, 2015.⁴¹ The new rule states the commencement date for the debarment period under the County law commences from the date of issuance of the debarment.

³⁵ 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.

³⁶ See County Code, Sections 505.03 (A), (B), and (C).

³⁷ See County Code, Section 505.02(A).

³⁸ Codified as Chapter 505 of the County Code.

³⁹ County Code, Section 505.07, formerly Section 7(B) of the Debarment Law.

⁴⁰ County Code, Section 505.02(A), formerly Section 2(A) of the Debarment Law.

⁴¹ County Ordinance 02014-0031.

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.⁴² All members of the Debarment Review Board shall serve without compensation.

Section 1.6 – The Inspector General's Jurisdiction

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

Under Section 15.01 (2) of the Charter, the jurisdiction of the AIG is as follows:

To the maximum extent permitted under the Constitution of the State of Ohio and this Charter, the authority of the Agency of Inspector General to investigate possible ethical violations in the conduct of County business shall extend to any employee, official, or appointee of the County and any person or entity doing business with the County.

More specifically under the County Ethics Code, the Inspector General is authorized to investigate alleged wrongful acts or omissions committed by County elected officials and employees under the auspices of the County Executive and County Council.

Also, 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.

⁴² 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.

- 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. Likewise, the Agency has no authority to investigate allegations concerning any federal, municipal or local officials, agencies, or governing bodies.

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.⁴³ According to Section 15.01 (4) of the Charter, the Inspector General shall be appointed by the County Executive, subject to confirmation by Council, for a term of four years. The term of the incumbent Inspector General shall expire on December 31, 2020. Each subsequent Inspector General shall be appointed or reappointed for a term commencing on January 1, 2021, and every four years thereafter. Reappointments shall be subject to Council confirmation.

Section 15.01(3) of the Charter states the Inspector General must have the following qualifications, (1) juris doctor degree from an accredited institution of higher learning; and (2) at least five years' experience as an inspector general, certified public accountant, auditor, licensed attorney, law enforcement officer, or other investigative officer involving supervisory or managerial experience.

Pursuant to Section 15.01 (5) of the Charter, the Inspector General may only be removed for cause by resolution receiving the affirmative vote of at least eight members of the Council. The Council, however, cannot vote to remove until the Inspector General has had the opportunity to be heard and to present his or her case for retention in office. Additionally, Council may enter executive session to discuss the question of removal as provided by general law so long as Council holds at least one public hearing where the Inspector General and the public have an opportunity to be heard.

⁴³ County Code, Section 204.01 (C)(2), formerly Section 3(b) of the AIG Ordinance.

Finally, in the event of a vacancy prior to the expiration of the Inspector General's term, the County Executive shall appoint a successor to complete the unexpired term, subject to confirmation by Council. Note, in the event a vacancy occurs less than two years prior to the expiration of the Inspector General's four-year term, the County Executive may appoint an Inspector General to complete the unexpired term and serve a subsequent four-year term, subject to confirmation by Council.

Section 1.7 – 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;⁴⁴
- 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;
- Detailed instructions on how to complete contractor/lobbyist registration and ethics training; and
- Ethics training for contractors, lobbyist, and County employees.

⁴⁴ 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.

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.⁴⁵
- *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?

⁴⁵ 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 Investigation⁴⁶, 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

⁴⁶ For purposes of this report, the term investigation includes examinations and/or reviews.

investigation report and/or findings are referred to the County Executive and the appropriate County 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 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 – 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 AIG and the County Department of Health and Human Services – Division of Employment and Family Services have cooperated via a Memorandum of Understanding whereby the AIG 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 AIG 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 AIG 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.⁴⁷ 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.⁴⁸

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

- 1) Submit bids, proposals, statements of qualifications or any other offers to contract with the County; or

⁴⁷ Codified as Chapter 505 of the County Code.

⁴⁸ County Code, Section 505.07, formerly Section 7(B) of the Debarment Law.

- 2) Enter into any contract or agreement with the County; or
- 3) Serve as a subcontractor on any County contract or agreement.⁴⁹

On April 28, 2015, County Council enacted new Debarment Rules which became effective on April 29, 2015.⁵⁰ The new rule states the commencement date for the debarment period under the County law commences from the date of issuance of the debarment.

⁴⁹ County Code, Section 505.02(A), formerly Section 2(A) of the Debarment Law.

⁵⁰ County Ordinance 02014-0031.