

OFFICE OF THE LEGISLATIVE INSPECTOR GENERAL

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FOUNDED REPORT - CONFIDENTIAL

May 22, 2013

Hon. John J. Cullerton
Senate President
327 State House
Springfield, IL 62706

Re: LIG Case No. 13-001

Dear President Cullerton:

This summary report of investigation is issued pursuant to Section 25-50(a) of the State Officials and Employees Ethics Act ("the Ethics Act") 5 ILCS 430/1-1 et seq.

Summary Report of Investigation
5 ILCS 430/25-50(a)

Nature of Case

This matter involves allegations of prohibited political activities by Teresa Jones, the legislative assistant to Senator Jacqueline Collins. As the Senate President, you are the ultimate jurisdictional authority for purposes of proceedings involving Ms. Jones pursuant to the Ethics Act. See 5 ILCS 430-1 and 430/25-50

Background

On March 4, 2013, this office received an anonymous written complaint from "A Group of Concerned Taxpayers" alleging that Teresa Jones was conducting campaign activities on State time and with State Resources. According to the complaint Ms. Jones was a candidate for the board of Springfield School District 186 to be held on April 9, 2013. Allegedly, Ms. Jones had used her State-owned computer to send out emails and "tweets" about campaign matters,

updated campaign facebook pages and websites, and commented on the facebook pages of other candidates all on State time.

On March 8, 2013, I filed with the Commission a Request to Investigate. On March 13, 2013, the Commission approved my investigation into the matter pursuant to Commission Rule 17-25.

On April 25, 2013, I conducted an investigatory interview of Teresa Jones in my Springfield office. Before interviewing Ms. Jones I reviewed with her the Administrative Rights Form used by my office, which she signed in my presence. During the course of the interview, Ms. Jones denied tweeting, using or updating facebook pages and other websites. She related that she does not even know how to do those things. She did, however, admit to using her State email to request a list of schools that comprised her subdistrict. She also acknowledged forwarding a questionnaire she received from the Springfield Education Association (SEA) from her personal email account while at home to her State email account. However, she denied that she ever opened or looked at the attachment while at work. She also indicated that she never filled out or sent the questionnaire back to the SEA. An inspection of Ms. Jones' hard drive did not produce evidence of improper use for political purposes aside from the mentioned admitted violations.

I found Ms. Jones to be cooperative and contrite. She informed me that she had lost her bid for the school board and expressed concern over the possibility of losing her job on account of the instant matter.

Governing Statutes and Rules

The jurisdiction of the Legislative Inspector General is to investigate allegations of violations of the State Officials and Employees Ethics Act ("Ethics Act") or violations of other related laws and rules. 5 ILCS 430/25-10(c).

Section 5-15 of the Ethics Act provides in relevant part as follows:

Prohibited political activities.

(a) State employees shall not intentionally perform any prohibited political activity during any compensated time (other than vacation, personal, or compensatory time off). State employees shall not intentionally misappropriate any State property or resources by engaging in any prohibited political activity for the benefit of any campaign for elective office or any political organization.

(b) At no time shall any executive or legislative branch constitutional officer or any official, director, supervisor, or State employee intentionally misappropriate the services of any State employee by requiring that State employee to perform any prohibited political activity (i) as part of that employee's State duties, (ii) as a condition of State employment, or (iii) during any time off that is compensated by the State (such as vacation, personal, or compensatory time off). (5 ILCS 430/5-15)

Findings and Recommendations

Founded – Teresa Jones engaged in prohibited political activity when she used her State email account and computer to engage in prohibited political activity.

Recommendation – No recommendation.

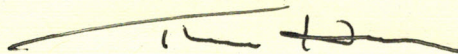
Leader's Duty to Respond Within 20 Days

Section 25-50 of the Ethics Act (5 ILCS 430/25-50) provides in relevant part as follows:

"The appropriate ultimate jurisdictional authority or agency head shall respond to the summary report within 20 days, in writing, to the Legislative Inspector General. The response shall include a description of any corrective or disciplinary action to be imposed."

Please respond to this report within 20 days as required by statute. After you have conferred with Ms. Jones about the matter, feel free to give me a call to discuss an appropriate resolution. Thank you for cooperation.

Respectfully submitted,



Thomas J. Homer
Legislative Inspector General

cc: Senator Jacqueline Collins
Eric Madiar, Senate Dem Ethics Officer via email
Teresa Jones