

**STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
COMPLIANCE EXAMINATION**

For the Two Years Ended June 30, 2013

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
COMPLIANCE EXAMINATION  
For the Year Ended June 30, 2013

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**COMMISSION OFFICIALS**  
**HUMAN RIGHTS COMMISSION**

Director	Mr. N. Keith Chambers
Chief Fiscal Officer	Dr. Ewa I. Ewa
General Counsel	Ms. Donyelle Gray

Commissioners:  
    Martin Castro (Chairman)  
    Marti Baricevic  
    Robert Cantone  
    David Chang  
    Terry Cosgrove  
    Nabi R. Fakroddin  
    Rozanne Ronen  
    Diane Viverito  
    David J. Walsh  
    Patricia Bakalis Yadgir  
    Merri Dee  
    Lauren Beth Gash

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Chicago, IL 60601

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Room 802  
Springfield, IL 62706



# STATE OF ILLINOIS Human Rights Commission

**Pat Quinn**  
Governor

## Commissioners

February 10, 2014

Marti Baricevic

Robert Cantone

Robert Cantone

David Chang

Brad Cole

Terry Cosgrove

Merri Dee

Nabi R. Fakroddin, P.E, S.E.

Lauren Beth Gash

Rozanne Ronen

Diane M. Viverito

Patricia B. Yadgir

Honorable William G. Holland  
Auditor General  
State of Illinois  
Iles Park Plaza  
740 East Ash Street  
Springfield, IL 62703-3154

We are responsible for the identification of, and compliance with, all aspects of laws, regulations, contracts, or grant agreements that could have a material effect on the operations of the Human Rights Commission (Commission). We are responsible for and we have established and maintained an effective system of, internal controls over compliance requirements. We have performed an evaluation of the Commission's compliance with the following assertions during the two-year period ended June 30, 2013. Based on this evaluation, we assert that during the years ended June 30, 2013 and June 30, 2012, the Commission has materially complied with the assertions below.

N. Keith Chambers  
Executive Director

- A. The Commission has obligated, expended, received and used public funds of the State in accordance with the purpose for which such funds have been appropriated or otherwise authorized by law.
- B. The Commission has obligated, expended, received and used public funds of the State in accordance with any limitations, restrictions, conditions or mandatory directions imposed by law upon such obligation, expenditure, receipt or use.
- C. The Commission has complied, in all material respects, with applicable laws and regulations, including the State uniform accounting system, in its financial and fiscal operations.

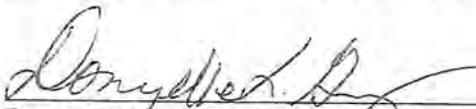
- D. State revenues and receipts collected by the Commission are in accordance with applicable laws and regulations and the accounting and recordkeeping of such revenues and receipts is fair, accurate and in accordance with law.
- E. Money or negotiable securities or similar assets handled by the Commission on behalf of the State or held in trust by the Commission have been properly and legally administered, and the accounting and recordkeeping relating thereto is proper, accurate and in accordance with law.

Yours very truly,

Human Rights Commission

  
\_\_\_\_\_  
N. Keith Chambers, Director

  
\_\_\_\_\_  
Dr. Ewa I. Ewa, Chief Fiscal Officer

  
\_\_\_\_\_  
Donyelle Gray, General Counsel

  
\_\_\_\_\_  
Michael J. Evans, Chief Administrative Law Judge

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
COMPLIANCE EXAMINATION  
For the Two Years Ended June 30, 2013

**COMPLIANCE REPORT**

**SUMMARY**

The compliance testing performed during this examination was conducted in accordance with *Government Auditing Standards* and in accordance with the Illinois State Auditing Act.

**ACCOUNTANT’S REPORT**

The Independent Accountant’s Report on State Compliance, on Internal Control Over Compliance and on Supplementary Information for State Compliance Purposes does not contain scope limitations or disclaimers, but does contain report qualifications for compliance and internal control.

**SUMMARY OF FINDINGS**

<u>Number of</u>	<u>Current</u> <u>Report</u>	<u>Prior</u> <u>Report</u>
Findings	7	4
Repeated findings	2	3
Prior recommendations implemented or not repeated	2	6

**SCHEDULE OF FINDINGS**

FINDINGS - STATE COMPLIANCE

<u>Item No.</u>	<u>Page</u>	<u>Description</u>	<u>Finding Type</u>
2013-001	9	Failure to comply with the Illinois Torture Inquiry and Relief Commission Act	Material Weakness and Material Noncompliance
2013-002	12	Decisions were not published	Significant Deficiency and Noncompliance
2013-003	13	Failure to comply with interagency agreement	Significant Deficiency and Noncompliance

2013-004	14	Failure to document reconciliation of appropriation and expenditure records	Significant Deficiency and Noncompliance
2013-005	15	Inadequate controls over State property and reporting	Significant Deficiency and Noncompliance
2013-006	17	Failure to comply with the Illinois Human Rights Act	Significant Deficiency and Noncompliance
2013-007	19	Failure to implement the Identity Protection Act	Significant Deficiency and Noncompliance

PRIOR FINDINGS NOT REPEATED

<u>Item No.</u>	<u>Page</u>	<u>Description</u>
A	21	Failure to file Economic Interest Statement
B	21	Employee performance evaluations not completed timely

**EXIT CONFERENCE**

The findings and recommendations appearing in this report were discussed with Commission personnel at an exit conference on January 14, 2014. Attending were:

Human Rights Commission

Mr. N. Keith Chambers, Director  
Dr. Ewa I. Ewa, Chief Fiscal Officer

Illinois Torture Inquiry and Relief Commission

Mr. Barry Miller, Executive Director  
Mr. James Sledge, Former Interim Executive Director

Office of the Auditor General

Ms. Peggy Hartson, Audit Manager  
Mr. Casey Evans, Audit Supervisor

The responses to the recommendations were provided by Dr. Ewa I. Ewa, Chief Fiscal Officer in correspondence dated February 3, 2014.

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OFFICE OF THE AUDITOR GENERAL  
WILLIAM G. HOLLAND

INDEPENDENT ACCOUNTANT'S REPORT ON STATE COMPLIANCE,  
ON INTERNAL CONTROL OVER COMPLIANCE, AND ON  
SUPPLEMENTARY INFORMATION FOR STATE COMPLIANCE PURPOSES

Honorable William G. Holland  
Auditor General  
State of Illinois

**Compliance**

We have examined the Illinois Human Rights Commission's compliance with the requirements listed below, as more fully described in the Audit Guide for Financial Audits and Compliance Attestation Engagements of Illinois State Agencies (Audit Guide) as adopted by the Auditor General, during the two years ended June 30, 2013. The management of the Illinois Human Rights Commission is responsible for compliance with these requirements. Our responsibility is to express an opinion on the Illinois Human Rights Commission's compliance based on our examination.

- A. The Illinois Human Rights Commission has obligated, expended, received, and used public funds of the State in accordance with the purpose for which such funds have been appropriated or otherwise authorized by law.
- B. The Illinois Human Rights Commission has obligated, expended, received, and used public funds of the State in accordance with any limitations, restrictions, conditions or mandatory directions imposed by law upon such obligation, expenditure, receipt or use.
- C. The Illinois Human Rights Commission has complied, in all material respects, with applicable laws and regulations, including the State uniform accounting system, in its financial and fiscal operations.
- D. State revenues and receipts collected by the Illinois Human Rights Commission are in accordance with applicable laws and regulations and the accounting and recordkeeping of such revenues and receipts is fair, accurate and in accordance with law.
- E. Money or negotiable securities or similar assets handled by the Illinois Human Rights Commission on behalf of the State or held in trust by the Illinois Human Rights Commission have been properly and legally administered and the accounting and recordkeeping relating thereto is proper, accurate, and in accordance with law.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants; the standards applicable to attestation engagements contained in *Government Auditing Standards* issued by the Comptroller General of

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the United States; the Illinois State Auditing Act (Act); and the Audit Guide as adopted by the Auditor General pursuant to the Act; and, accordingly, included examining, on a test basis, evidence about the Illinois Human Rights Commission's compliance with those requirements listed in the first paragraph of this report and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on the Illinois Human Rights Commission's compliance with specified requirements.

As described in item 2013-001 in the accompanying schedule of findings, the Illinois Human Rights Commission did not comply with the Illinois Torture Inquiry and Relief Act. Compliance with such requirements is necessary, in our opinion, for the Illinois Human Rights Commission to comply with the requirements listed in the first paragraph of this report.

In our opinion, except for the noncompliance described in the preceding paragraph, the Illinois Human Rights Commission complied, in all material respects, with the compliance requirements listed in the first paragraph of this report during the two years ended June 30, 2013. However, the results of our procedures disclosed other instances of noncompliance with the requirements, which are required to be reported in accordance with criteria established by the Audit Guide, issued by the Illinois Office of the Auditor General and which are described in the accompanying schedule of findings as items 2013-002 through 2013-007.

### **Internal Control**

Management of the Illinois Human Rights Commission is responsible for establishing and maintaining effective internal control over compliance with the requirements listed in the first paragraph of this report. In planning and performing our examination, we considered the Illinois Human Rights Commission's internal control over compliance with the requirements listed in the first paragraph of this report to determine the examination procedures that are appropriate in the circumstances for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with the Audit Guide, issued by the Illinois Office of the Auditor General, but not for the purpose of expressing an opinion on the effectiveness of the Illinois Human Rights Commission's internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Illinois Human Rights Commission's internal control over compliance.

Our consideration of internal control over compliance was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as discussed below, we identified certain deficiencies in internal control over compliance that we consider to be material weaknesses and significant deficiencies.

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with the requirements listed in the first paragraph of this report on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over

compliance, such that there is a reasonable possibility that a material noncompliance with a requirement listed in the first paragraph of this report will not be prevented, or detected and corrected, on a timely basis. We consider the deficiencies in internal control over compliance described in the accompanying schedule of findings as item 2013-001 to be a material weakness.

*A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance. We consider the deficiencies in internal control over compliance described in the accompanying schedule of findings as items 2013-002 through 2013-007 to be significant deficiencies.

As required by the Audit Guide, immaterial findings excluded from this report have been reported in a separate letter.

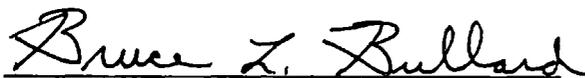
The Illinois Human Rights Commission's responses to the findings identified in our examination are described in the accompanying schedule of findings. We did not examine the Illinois Human Rights Commission's responses and, accordingly, we express no opinion on the responses.

#### **Supplementary Information for State Compliance Purposes**

Our examination was conducted for the purpose of forming an opinion on compliance with the requirements listed in the first paragraph of this report. The accompanying supplementary information for the years ended June 30, 2013 and June 30, 2012 in Schedules 1 through 9 and the Analysis of Operations Section is presented for purposes of additional analysis. We have applied certain limited procedures as prescribed by the Audit Guide as adopted by the Auditor General to the June 30, 2013 and June 30, 2012 accompanying supplementary information in Schedules 1 through 9. However, we do not express an opinion on the accompanying supplementary information.

We have not applied procedures to the June 30, 2011 accompanying supplementary information in Schedules 3, 4, 5, 6, 7 and 8 and in the Analysis of Operations Section, and accordingly, we do not express an opinion or provide any assurance on it.

This report is intended solely for the information and use of the Auditor General, the General Assembly, the Legislative Audit Commission, the Governor, the Human Rights Commission, and agency management and is not intended to be and should not be used by anyone other than these specified parties.



BRUCE L. BULLARD, CPA  
Director of Financial and Compliance Audits

Springfield, Illinois

February 10, 2014

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**SCHEDULE OF FINDINGS**  
For the Two Years Ended June 30, 2013

2013-001.     **FINDING**     (Failure to comply with the Illinois Torture Inquiry and Relief Commission Act)

The Illinois Torture Inquiry and Relief Commission (TIRC), operating within the Illinois Human Rights Commission (Commission), did not comply with provisions of the Illinois Torture Inquiry and Relief Commission Act (Act).

The TIRC was created under the Act (775 ILCS 40/1 *et seq.*) to investigate and determine the credibility of claims by convicted persons in Illinois (claimant), asserting the claimants' convictions were based upon coerced confessions resulting from the use of torture by the police. During the TIRC's investigation of claims, they are required to notify the claimant's victim(s) at various stages in the process.

We tested a sample of claimant files and noted the following:

- Three of 15 (20%) claimant files tested did not contain a signed waiver of convicted person's procedural safeguards and privileges. In addition, 12 of 15 (80%) claimant files tested did not contain information substantiating the date the formal inquiry took place. As a result, we were unable to determine if a signed waiver form had been completed prior to a formal inquiry taking place or if the victim was timely notified of the inquiry process. The Act (775 ILCS 40/40b) states no formal inquiry into a claim of torture shall be made by the Commission unless the Director or the Director's designee first obtains a signed agreement from the convicted person in which the convicted person waives his or her procedural safeguards and privileges.
- Nine of 15 (60%) claimant files tested did not contain evidence the victim was notified and explained the inquiry process and their rights throughout the investigation, following a formal inquiry being granted. In addition, 15 of 15 (100%) claimant files tested did not contain evidence the Commission notified the victims following the conclusion of the Commission's decision on a case. Furthermore, the files did not contain evidence the Commission notified the victims of their option to attend proceedings otherwise closed to the public. The Act (775 ILCS 40/40c and 40/45b) requires the Director to use all due diligence to notify the victim of their right to present his or her views and concerns throughout the investigation following the formal inquiry being granted. In addition, the victim must be informed of their right to attend meetings closed to the public, subject to any limitations of the Act and the Open Meetings Act, and of the Commission's decision at the conclusion of the case.

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HUMAN RIGHTS COMMISSION  
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- The Commission's annual reports filed in FY12 and FY13 contained information regarding the TIRC, but did not reflect the TIRC's current activities, performance measures, or recommendations on the funding needed in order to meet their responsibilities under the Act. The Act (775 ILCS 40/60) requires the TIRC to report on its activities to the General Assembly and the Governor. The report shall recommend the funding needed by the TIRC, the State's Attorneys, and the Department of State Police in order to meet their responsibilities under this Act. Recommendations concerning the State's Attorneys or the Department of State Police shall only be made after consultations with the Illinois State's Attorneys Association, the Department of State Police, and the Attorney General.

TIRC and Commission officials stated the issues noted were due to oversight by the former Director who operated with few resources including lack of adequate personnel and funding to properly administer the TIRC program.

Obtaining signed waivers from claimants as well as maintaining documentation for formal inquiries ensures compliance with the Act. Failure to notify the victim of proceedings of the Commission does not allow the victim to be an active participant in the process. In addition, the failure to include mandated items in the annual reports is noncompliance with the Act. (Finding Code No. 2013-001)

**RECOMMENDATION**

We recommend the TIRC ensure it complies with the Act's provisions regarding claimant files including obtaining and maintaining signed waivers prior to formal inquiries and ensure those inquiries are adequately documented. We further recommend the TIRC ensure it notifies and documents the correspondence with victims as required. We also recommend the TIRC ensures its annual reports contain all the required elements.

**COMMISSION RESPONSE**

The TIRC and Commission agree with the finding. TIRC admits that certain of its record keeping and victim notification practices needed to be revamped.

TIRC accepted the resignation of the prior Executive Director, and has hired a new Executive Director and staff attorney, who is committed to proper documentation and victim notification. To prevent record keeping problems in the

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future, TIRC staff created a new file checklist to be used in every file to ensure that each file is kept in the same or similar manner. In addition, executed waiver forms will be required in each file before a formal inquiry begins, in accordance with the law and TIRC rules.

With respect to victim notification, the Commission plans to revamp all of its policies and procedures to ensure that victims are properly notified. The Commission is committed to following all victim and family notification requirements moving forward.

With respect to the finding concerning annual reports, TIRC filed annual reports in 2012 and 2013 as part of the Human Rights Commission's submission each year. In each report, TIRC reported a mission statement, a synopsis of the prior year's activities, a list of current members of the Commission and an organizational chart. In the 2012 submission, TIRC did not include a section on funding for the agency, due to the lack of funding. In the prior fiscal year, TIRC did not receive any funding from the General Assembly, and had to seek grants from other agencies, and those figures were not available at the time of the submission. TIRC intends to report on those funding numbers in future submissions.

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HUMAN RIGHTS COMMISSION  
**SCHEDULE OF FINDINGS**  
For the Two Years Ended June 30, 2013

2013-002.     **FINDING**     (Decisions were not published)

The Human Rights Commission (Commission) did not publish its decisions as required.

We tested 25 decisions issued during the examination period and noted no decisions were posted to the Commission's website during FY12 and FY13 as required.

The Illinois Human Rights Act (Act) (775 ILCS 5/8-110) requires decisions of the Commission or panels thereof, whether on requests for review or complaints, be published within 120 calendar days of the completion of service of the written decision on the parties to ensure a consistent source of precedent.

During the prior engagement, Commission officials stated decisions were not posted timely due to the retooling of its website and clerical and human error. During the current engagement, Commission officials stated it was a result of a vacancy in the position of Deputy General Counsel whose duty it is to post the decisions.

Decisions should be published timely to comply with the Act and to ensure a consistent source of precedent. (Finding Code No. 2013-002, 11-1, 09-2, 07-2)

**RECOMMENDATION**

We recommend the Commission comply with the Act and publish all of its decisions within 120 calendar days.

**COMMISSION RESPONSE**

The Commission partially agrees with the finding which was the result of inadequate staffing necessary to undertake publishing duties. The Commission has hired new staff and will periodically update its website to ensure that current information relative to the publication of orders is completed within 120 days as required by statute.

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**SCHEDULE OF FINDINGS**  
For the Two Years Ended June 30, 2013

2013-003.     **FINDING**     (Failure to comply with interagency agreement)

The Human Rights Commission (Commission) did not comply with provisions in an interagency agreement.

The Commission entered into an interagency agreement (agreement) with the Illinois Criminal Justice Information Authority (ICJIA) and the Illinois Torture Inquiry and Relief Commission during FY13 for the purpose of administering a federal grant for the Torture Inquiry and Relief Commission Program (TIRC).

We noted the Commission did not file required quarterly progress and fiscal reports with the ICJIA. The agreement required the Commission to provide quarterly progress and fiscal reports on the 15th day of the month following the previous quarter.

Commission officials stated the failure to file required quarterly reports with the ICJIA was due to oversight and turnover in the TIRC staff.

Failure to submit required reports to the grantor does not allow for adequate oversight of the activities of the grantee and is noncompliance with the agreement reporting provisions. (Finding Code No. 2013-003)

**RECOMMENDATION**

We recommend the Commission ensure it complies with interagency agreement provisions including filing required reports.

**COMMISSION RESPONSE**

The TIRC and Commission agree with the finding which was the result of unavailable staff even though the interagency agreement had been signed. The TIRC has hired new staff and has submitted its FY13 reports to ICJIA as required.

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**SCHEDULE OF FINDINGS**  
For the Two Years Ended June 30, 2013

2013-004. **FINDING** (Failure to document reconciliation of appropriation and expenditure records)

The Human Rights Commission (Commission) did not document monthly reconciliations of its appropriations and expenditures to the Office of the Comptroller (Comptroller) records.

We noted the Commission did not document monthly reconciliations of its unexpended budget balances to the Comptroller's Monthly Appropriation Status Report, during FY12 and FY13, as required. Furthermore, the Commission did not record expenditures totaling \$31,325 in FY13 in its accounting system. The Commission's expenditures totaled \$1,902,920 and \$1,754,830 during FY12 and FY13, respectively.

The Statewide Accounting Management System (SAMS) (Procedure 11.40.20) requires State agencies to reconcile their unexpended budget authority balance per agency records with the unexpended budget authority balance per the Comptroller on a month basis and to notify the Comptroller of any corrections or unreconciled balances.

Commission officials stated, as they did during the prior examination, they compared the totals for expenditures each month. Further, the expenditure not recorded was a court ordered automatic payment, and staff was not aware it should be recorded in the accounting records.

Failure to record expenditures and properly document reconciled accounting records could lead to inaccurate financial reporting and unresolved differences between the Commission and Comptroller records. (Finding Code No. 2013-004, 11-2, 09-6, 07-6)

**RECOMMENDATION**

We recommend the Commission develop internal controls to ensure all expenditures are properly recorded and all monthly reconciliations are performed and documented in accordance with the SAMS procedures.

**COMMISSION RESPONSE**

The Commission partially agrees with the finding which was the result of a court ordered transaction pending implementation. The Commission has internal controls on expenditures and undertakes monthly reconciliations as prescribed and consistent with SAMS and Comptroller requirements.

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For the Two Years Ended June 30, 2013

2013-005. **FINDING** (Inadequate controls over State property and reporting)

The Human Rights Commission did not maintain sufficient controls over the utilization, recording, and reporting of its State property.

- During testing, we noted 27 items appeared to be obsolete. Ten of 27 (37%) obsolete items, totaling \$8,986, were found on the Commission's inventory listing. Fifteen of 27 (56%) obsolete items could not be traced to the Commission's inventory listing, and no other supporting documentation was provided. In addition, we noted two computers found among the obsolete and unused equipment were not properly marked with a State property identification number.
- Four of 25 (16%) equipment items selected for testing, totaling \$1,580, were unable to be located.
- Two of 25 (8%) equipment items selected for testing, totaling \$4,754, were found in different locations than indicated on the Commission's inventory listing.

The State Property Control Act (30 ILCS 605/4) requires the Commission to be accountable for the supervision, control and inventory of all items under its jurisdiction and control. The Illinois Administrative Code (Code) (44 Ill. Adm. Code 5010.620) requires that agencies regularly survey their inventories for transferable equipment that is no longer needed or usable by the agency and report the transferable equipment to the Department of Central Management Services (DCMS). The Code (44 Ill. Adm. Code 5010.210) also requires that agencies mark each piece of State-owned equipment in their possession with a unique six digit identification number. The Statewide Accounting Management System (SAMS) (Procedure 29.10.10) requires an agency to maintain current property information at a summary level which includes the physical location of the asset.

Commission officials stated the obsolete items were removed from the inventory listing and had not yet been picked up for surplus. In addition, they stated the untagged computers were previously sent for servicing and returned without tags. They further stated the equipment item locations did not agree to the property listing due to staff oversight when updating the annual property listing.

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Failure to exercise adequate control over equipment increases the likelihood of inaccurate property records and the potential for fraud and possible loss or theft of State property. (Finding Code No. 2013-005)

**RECOMMENDATION**

We recommend the Commission ensure property records are properly maintained and all State property is properly tagged and inventoried. Further, we recommend the Commission survey its inventory of surplus State property held in storage and transfer obsolete and unused equipment to DCMS.

**COMMISSION RESPONSE**

The Commission partially agrees with this finding which was the result of inadequate space to accommodate surplus equipment items. The Commission has devised a monthly checklist of its incoming and outgoing inventory and continues to submit required quarterly property reports to the appropriate agencies.

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For the Two Years Ended June 30, 2013

2013-006.     **FINDING**     (Failure to comply with the Illinois Human Rights Act)

The Human Rights Commission (Commission) did not comply with provisions of the Illinois Human Rights Act (Act) in administering and documenting staff training.

During testing, we noted the following:

- The Commission did not provide training on sexual harassment prevention as a component of all ongoing training operations. Commission personnel are provided an annual schedule and advised to register for training provided by the Department of Human Rights; however, the Commission does not maintain supporting documentation that staff members participated. The Act (775 ILCS 5/2-105 (B)(5)(c)) requires every State agency to maintain a continuing sexual harassment program that includes training on sexual harassment prevention and the agency's sexual harassment policy as a component of all ongoing or new employee training.
- The Commission did not provide a formal ongoing training program for its hearing officers as required by the Act. The Act (775 ILCS 5/8-102(D)) requires the Commission to implement a formal, unbiased, ongoing professional development training program for hearing officers to assist them in maintaining and enhancing their professional competence.

Commission officials stated the failure to provide training and maintain documentation of training completed by staff was due to oversight. The Commission does ensure each hearing officer is licensed to practice law and properly registered and maintains that documentation.

Failure to provide employee training on sexual harassment and maintain documentation of employee training is noncompliance with the Act. In addition, the failure to provide a formal training program for the Commission's hearing officers could result in the hearing officers not being adequately trained to perform their professional duties. (Finding Code No. 2013-006)

**RECOMMENDATION**

We recommend the Commission implement a formal documented training program in accordance with the Act to assist hearing officers in developing and maintaining skills necessary to perform job duties.

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For the Two Years Ended June 30, 2013

In addition, we recommend the Commission maintain documentation of its employees' participation in required sexual harassment training.

**COMMISSION RESPONSE**

The Commission partially agrees with the finding which was the result of oversight in the provision of staff training information. The Commission does not have training facilities but encourages all staff to undergo related training in their respective professions and as administered by the Department of Human Rights. Moving forward, the Commission will maintain adequate and verifiable training records as required by statute.

STATE OF ILLINOIS  
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**SCHEDULE OF FINDINGS**  
For the Two Years Ended June 30, 2013

2013-007.     **FINDING**     (Failure to implement the Identity Protection Act)

The Human Rights Commission (Commission) failed to implement the provisions of the Identity Protection Act (Act).

During our testing we noted the Commission had not issued an identity protection policy.

The Identity Protection Act (5 ILCS 179) required the Commission to draft and approve an identity-protection policy by June 1, 2011. Per the Act, the policy must:

- Identify the Act.
- Require all employees identified as having access to social security numbers in the course of performing their duties to be trained to protect the confidentiality of social security numbers.
- Direct that only employees who are required to use or handle information or documents that contain social security numbers have access to such information or documents.
- Require that social security numbers requested from an individual be placed in a manner that makes the social security number easily redacted if required to be released as part of a public records request.
- Require that when collecting a social security number or upon request by the individual, a statement of the purpose or purposes for which the agency is collecting and using the social security number be provided.

Commission officials stated at the time the Act was enacted, there was a different General Counsel. The Deputy General Counsel filled the position of General Counsel. The quick transition of officers that took place resulted in miscommunication as to whether or not the former General Counsel had drafted an identity protection policy or was even aware of the Identity Protection Act.

Failure to implement provisions of the Act results in noncompliance with the Act, does not promote the security and control of social security numbers, and increases the likelihood of identity theft. (Finding Code No. 2013-007)

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**SCHEDULE OF FINDINGS**  
For the Two Years Ended June 30, 2013

**RECOMMENDATION**

We recommend that the Commission develop and approve an identity protection policy as required in the Identity Protection Act.

**COMMISSION RESPONSE**

The Commission agrees with the finding and will comply with the recommendation. An Assistant General Counsel has been hired to undertake this responsibility and an Identify Protection Policy will be developed as required by statute.

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**PRIOR FINDINGS NOT REPEATED**  
For the Two Years Ended June 30, 2013

A. **FINDING** (Failure to file Economic Interest Statement)

During the prior examination, the Human Rights Commission (Commission) omitted, from its list of employees required to file statements of economic interest, an employee who functioned as the head of a department and had direct supervisory authority over the formulation, negotiation, issuance or execution of contracts.

During the current examination, the Commission listed all employees required to file statements of economic interest and our sample testing showed the statements were filed as required. (Finding Code No. 11-3)

B. **FINDING** (Employee performance evaluations not completed timely)

During the prior examination, the Human Rights Commission (Commission) did not complete its employee performance evaluations timely.

During the current examination, our sample testing showed the Commission completed its employee performance evaluations timely. (Finding Code No. 11-4)

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
COMPLIANCE EXAMINATION  
For the Two Years Ended June 30, 2013

**SUPPLEMENTARY INFORMATION FOR STATE COMPLIANCE PURPOSES**

**SUMMARY**

Supplementary Information for State Compliance Purposes presented in this section of the report includes the following:

- Fiscal Schedules and Analysis:

- Schedule of Appropriations, Expenditures and Lapsed Balances
- Comparative Schedule of Net Appropriations, Expenditures and Lapsed Balances
- Schedule of Changes in State Property
- Comparative Schedule of Cash Receipts
- Reconciliation Schedule of Cash Receipts to Deposits Remitted to the State Comptroller
- Analysis of Significant Variations in Expenditures
- Analysis of Significant Variations in Receipts
- Analysis of Significant Lapse Period Spending

- Analysis of Operations (Not Examined):

- Functions and Planning Program (Not Examined)
- Average Number of Employees (Not Examined)
- Service Efforts and Accomplishments (Not Examined)

The accountant's report that covers the Supplementary Information for State Compliance Purposes presented in the Compliance Report Section states the auditors have applied certain limited procedures as prescribed by the Audit Guide as adopted by the Auditor General to the June 30, 2013 and June 30, 2012 in Schedules 1 through 9. However, the accountants do not express an opinion on the supplementary information. The accountant's report also states that they have not applied procedures to the Analysis of Operations Section, and accordingly, they do not express an opinion or provide any assurance on it.

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**SCHEDULE OF APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES**  
Appropriations for Fiscal Year 2013  
Fourteen Months Ended August 31, 2013

P.A. 97-0730	Appropriations (Net After Transfers)	Expenditures Through 6/30/13	Lapse Period Expenditures 7/1/13 to 8/31/13	Total Expenditures	Balances Lapsed
<b><u>Appropriated Fund</u></b>					
<b><u>General Revenue Fund - 001</u></b>					
Personal Services	\$ 1,444,100	\$ 1,326,385	\$ 106,791	\$ 1,433,176	\$ 10,924
State Contributions to Social Security	110,700	97,498	8,013	105,511	5,189
Contractual Services	158,000	77,465	9,965	87,430	70,570
Travel	6,500	5,835	378	6,213	287
Commodities	7,000	1,350	2,612	3,962	3,038
Printing	2,000	1,950	45	1,995	5
Equipment	5,200	1,693	301	1,994	3,206
Electronic Data Processing	2,500	1,344	-	1,344	1,156
Telecommunications	19,000	15,338	2,861	18,199	801
<b>TOTAL - APPROPRIATED FUND</b>	<b>\$ 1,755,000</b>	<b>\$ 1,528,858</b>	<b>\$ 130,966</b>	<b>\$ 1,659,824</b>	<b>\$ 95,176</b>
<b><u>Non-Appropriated Funds</u></b>					
<b><u>CMS VS AFSCME Wages Trust Fund- 168</u></b>					
Court Ordered Wages		\$ 31,325	\$ -	\$ 31,325	
<b>Total Fund 168</b>		<b>\$ 31,325</b>	<b>\$ -</b>	<b>\$ 31,325</b>	
<b><u>Human Rights Commission Special Projects Fund - 201</u></b>					
Torture Inquiry & Relief Commission - Operational Expenses		\$ 51,776	\$ 11,905	\$ 63,681	
<b>Total Fund 201</b>		<b>\$ 51,776</b>	<b>\$ 11,905</b>	<b>\$ 63,681</b>	
<b>TOTAL - NON-APPROPRIATED FUNDS</b>		<b>\$ 83,101</b>	<b>\$ 11,905</b>	<b>\$ 95,006</b>	
<b>GRAND TOTAL-ALL FUNDS</b>		<b>\$ 1,611,959</b>	<b>\$ 142,871</b>	<b>\$ 1,754,830</b>	

Note 1: Appropriations, expenditures, and lapsed balances were obtained from State Comptroller records and reconciled to Agency records.

Note 2: Expenditure amounts are vouchers approved for payment by the Agency and submitted to the State Comptroller for payment to the vendor.

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**SCHEDULE OF APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES**

Appropriations for Fiscal Year 2012  
Eighteen Months Ended December 31, 2012

P.A. 97-0070	Appropriations (Net After Transfers)	Expenditures Through 6/30/12	Approximate Lapse Period Expenditures 7/1/12 - 12/31/12	Total Expenditures	Balances Lapsed
<b><u>General Revenue Fund - 001</u></b>					
Personal Services	\$ 1,483,698	\$ 1,397,953	\$ 85,745	\$ 1,483,698	\$ -
State Contributions to Social Security	123,200	102,430	9,366	111,796	11,404
Contractual Services	110,972	92,740	18,232	110,972	-
Travel	8,000	6,271	333	6,604	1,396
Commodities	10,000	5,451	2,857	8,308	1,692
Printing	3,230	2,274	779	3,053	177
Equipment	5,200	2,014	1,789	3,803	1,397
Electronic Data Processing	1,000	891	-	891	109
Telecommunications	19,600	15,303	2,992	18,295	1,305
Illinois Torture Inquiry and Relief Commission	155,500	142,116	13,384	155,500	-
<b>Total Fund 001</b>	<b><u>\$ 1,920,400</u></b>	<b><u>\$ 1,767,443</u></b>	<b><u>\$ 135,477</u></b>	<b><u>\$ 1,902,920</u></b>	<b><u>\$ 17,480</u></b>
<b><u>Human Rights Commission Special Projects Division Fund - 607</u></b>					
Processing and Adjudicating Cases	\$ 100,000	\$ -	\$ -	\$ -	\$ 100,000
<b>Total Fund 607</b>	<b><u>\$ 100,000</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	<b><u>\$ -</u></b>	<b><u>\$ 100,000</u></b>
<b>GRAND TOTAL-ALL FUNDS</b>	<b><u>\$ 2,020,400</u></b>	<b><u>\$ 1,767,443</u></b>	<b><u>\$ 135,477</u></b>	<b><u>\$ 1,902,920</u></b>	<b><u>\$ 117,480</u></b>

Note 1: Appropriations, expenditures, and lapsed balances were obtained from Commission records and have been reconciled to records of the State Comptroller.

Note 2: Expenditure amounts are vouchers approved for payment by the Commission and submitted to the State Comptroller for payment to the vendor.

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**COMPARATIVE SCHEDULE OF NET APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES**  
For the Fiscal Years Ended June 30,

	Fiscal Year		
	2013	2012	2011
<u>Appropriated Funds</u>	P.A. 97-0730	P.A. 97-0070	P.A. 96-0956
<b>General Revenue Fund - 001</b>			
Appropriations (Net of Transfers)	\$ 1,755,000	\$ 1,920,400	\$ 2,252,300
Expenditures			
Personal Services	\$ 1,433,176	\$ 1,483,698	\$ -
State Contributions to Social Security	105,511	111,796	-
Contractual Services	87,430	110,972	-
Travel	6,213	6,604	-
Commodities	3,962	8,308	-
Printing	1,995	3,053	-
Equipment	1,994	3,803	-
Electronic Data Processing	1,344	891	-
Telecommunications	18,199	18,295	-
Governor's Discretionary Appropriation	-	-	28,627
Torture Inquiry and Relief Commission	-	155,500	49,632
Lump Sum: Operational Expenses	-	-	1,823,911
Total Expenditures	<u>\$ 1,659,824</u>	<u>\$ 1,902,920</u>	<u>\$ 1,902,170</u>
Lapsed Balances	<u>\$ 95,176</u>	<u>\$ 17,480</u>	<u>\$ 350,130</u>
<b>Special Projects Division Fund - 607</b>			
Appropriations (Net of Transfers)	<u>\$ -</u>	<u>\$ 100,000</u>	<u>\$ 7,660</u>
Expenditures			
Processing and Adjudicating Cases	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 7,660</u>
Total Expenditures	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 7,660</u>
Lapsed Balances	<u>\$ -</u>	<u>\$ 100,000</u>	<u>\$ -</u>
<b>TOTAL - APPROPRIATED FUNDS</b>			
Appropriations (Net of Transfers)	\$ 1,755,000	\$ 2,020,400	\$ 2,259,960
Total Expenditures	<u>1,659,824</u>	<u>1,902,920</u>	<u>1,909,830</u>
Lapsed Balances	<u>\$ 95,176</u>	<u>\$ 117,480</u>	<u>\$ 350,130</u>
<b><u>Non-Appropriated Funds</u></b>			
<b>CMS VS AFSCME Wages Trust Fund - 168</b>			
Expenditures			
Court Ordered Wages	<u>\$ 31,325</u>	<u>\$ -</u>	<u>\$ -</u>
Total Expenditures	<u>\$ 31,325</u>	<u>\$ -</u>	<u>\$ -</u>

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**COMPARATIVE SCHEDULE OF NET APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES**  
For the Fiscal Years Ended June 30,

	Fiscal Year		
	2013	2012	2011
<b>Human Rights Commission Special Projects Fund - 201</b>			
Expenditures			
Torture Inquiry & Relief Commission - Operational Expenses	\$ 63,681	\$ -	\$ -
Total Expenditures	<u>\$ 63,681</u>	<u>\$ -</u>	<u>\$ -</u>
<b>TOTAL - NON-APPROPRIATED FUNDS</b>	<u>\$ 95,006</u>	<u>\$ -</u>	<u>\$ -</u>
<b>GRAND TOTAL - ALL FUNDS</b>			
Total Expenditures	<u>\$ 1,754,830</u>	<u>\$ 1,902,920</u>	<u>\$ 1,909,830</u>
<b>STATE OFFICERS' SALARIES</b>			
Appropriations			
Chairman	\$ 52,200	\$ 52,200	\$ 52,200
Twelve Members	563,600	563,600	563,600
Total Appropriations	<u>\$ 615,800</u>	<u>\$ 615,800</u>	<u>\$ 615,800</u>
Expenditures			
Chairman	\$ 52,179	\$ 52,179	\$ 49,780
Twelve Members	528,092	536,147	537,754
Total Expenditures	<u>\$ 580,271</u>	<u>\$ 588,326</u>	<u>\$ 587,534</u>
Lapsed Balances	<u>\$ 35,529</u>	<u>\$ 27,474</u>	<u>\$ 28,266</u>

Note 1: The FY11 expenditures and related lapsed balances do not reflect any interest payments approved for payment by the Commission and submitted to the Comptroller for payment after August.

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**SCHEDULE OF CHANGES IN STATE PROPERTY**  
For the Two Years Ended June 30, 2013

	<u>Equipment</u>
Balance at July 1, 2011	\$ 201,345
Additions	861
Deletions	-
Balance, June 30, 2012	<u>\$ 202,206</u>
Balance at July 1, 2012	\$ 202,206
Additions	1,853
Deletions	(23,157)
Balance, June 30, 2013	<u>\$ 180,902</u>

Note: The above schedule has been derived from Commission records which have been reconciled to property reports submitted to the Office of the Comptroller.

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**COMPARATIVE SCHEDULE OF CASH RECEIPTS**  
For the Fiscal Years Ended June 30,

	Fiscal Year		
	2013	2012	2011
<u>General Revenue Fund - 001</u>			
Jury Duty & Personal Phone Call Reimbursements	\$ 171	\$ 383	\$ 350
Miscellaneous	-	51	100
Total - Fund 001	<u>\$ 171</u>	<u>\$ 434</u>	<u>\$ 450</u>
 <u>CMS VS. AFSCME Wages Trust Fund - 168</u>			
CMS vs. AFSCME Wages Trust	\$ 31,325	\$ -	\$ -
Total - Fund 168	<u>\$ 31,325</u>	<u>\$ -</u>	<u>\$ -</u>
 <u>Human Rights Commission Special Projects Trust Fund - 201</u>			
Receipt from ICJIA for Torture Commission Operations	\$ 80,000	\$ -	\$ -
Total - Fund 201	<u>\$ 80,000</u>	<u>\$ -</u>	<u>\$ -</u>
<b>TOTAL RECEIPTS - ALL FUNDS</b>	<u>\$ 111,496</u>	<u>\$ 434</u>	<u>\$ 450</u>

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**RECONCILIATION SCHEDULE OF CASH RECEIPTS TO DEPOSITS  
REMITTED TO THE STATE COMPTROLLER**

For the Fiscal Years Ended June 30,

	Fiscal Year		
	2013	2012	2011
<u>General Revenue Fund - 001</u>			
Receipts per Commission Records	\$ 171	\$ 434	\$ 450
Add: Deposits in Transit, Beginning of Year	-	-	-
Less: Deposits in Transit, End of Year	-	-	-
Deposits Recorded by the Comptroller	<u>\$ 171</u>	<u>\$ 434</u>	<u>\$ 450</u>
 <u>CMS VS. AFSCME Wages Trust Fund - 168</u>			
Receipts per Commission Records	\$ 31,325	\$ -	\$ -
Add: Deposits in Transit, Beginning of Year	-	-	-
Less: Deposits in Transit, End of Year	-	-	-
Deposits Recorded by the Comptroller	<u>\$ 31,325</u>	<u>\$ -</u>	<u>\$ -</u>
 <u>Human Rights Commission Special Projects Trust Fund - 201</u>			
Receipts per Commission Records	\$ 80,000	\$ -	\$ -
Add: Deposits in Transit, Beginning of Year	-	-	-
Less: Deposits in Transit, End of Year	-	-	-
Deposits Recorded by the Comptroller	<u>\$ 80,000</u>	<u>\$ -</u>	<u>\$ -</u>

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES**  
For the Two Years Ended June 30, 2013

The following is a summary of explanations for significant variations in expenditures. Variations between fiscal years were considered significant if greater than \$20,000 and 20%.

**ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES BETWEEN FISCAL YEARS 2013 AND 2012**

**APPROPRIATED FUNDS:**

**GENERAL REVENUE FUND - 001**

Contractual Services

The decrease was due to fewer cases completed in FY13 resulting in fewer expenditures for court reporting and transcriptions in FY13.

Torture Inquiry and Relief Commission

The decrease was due to the Illinois Torture and Relief Commission (TIRC) not receiving an appropriation line for FY13. In FY13, the Commission entered into an interagency agreement with the Illinois Torture Inquiry and Relief Commission and the Illinois Criminal Justice Information Authority to administer federal grant funds to continue TIRC operations.

**NON-APPROPRIATED FUNDS:**

**CMS VS AFSCME WAGES TRUST - 168**

Court Ordered Wages

The increase was due to this non-appropriated fund being created in FY13 for the purpose of paying mandatory back-pay of union salaries.

**HUMAN RIGHTS COMMISSION SPECIAL PROJECTS - 201**

Torture Inquiry & Relief Commission - Operational Expenses

The increase was due to this non-appropriated fund being created in FY13 for the Human Rights Commission to administer federal grant funds on behalf of the TIRC.

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES**  
For the Two Years Ended June 30, 2013

**ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES BETWEEN FISCAL YEARS 2012 AND 2011**

**APPROPRIATED FUNDS:**

**GENERAL REVENUE FUND - 001**

Personal Services, State Contributions to Social Security, Contractual Services, Lump Sums-Operational Expenses

In FY12, the appropriation process was changed for operating expenses that were paid from the General Revenue Fund. The Commission received individual appropriations designated for specific purposes during FY12 rather than a lump sum appropriation for the above expenses.

Governor's Discretionary Appropriations

The decrease was due to budget cuts. The Commission did not receive this line item appropriation in FY 12.

Torture Inquiry and Relief Commission

The increase was due to the Illinois Torture Inquiry and Relief Commission filling the Executive Director and Secretary positions resulting in more personal service expenditures for the TIRC during FY12.

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**ANALYSIS OF SIGNIFICANT VARIATIONS IN RECEIPTS**  
For the Two Years Ended June 30, 2013

Significant variations in receipts are considered to be those varying between years by more than 20% and \$1,000.

**ANALYSIS OF SIGNIFICANT VARIATIONS IN RECEIPTS BETWEEN FISCAL YEARS 2013 AND 2012**

**CMS VS. AFSCME Wages Trust Fund (168)**

CMS VS. AFSCME Wages Trust

The increase was due to Fund 168 being established in FY13 for the purpose of paying mandatory back pay for employees.

**Special Projects Fund (201)**

Federal Grant for Torture and Relief Commission

The increase was due to Fund 201 being established in FY13 to receive \$80,000 of federal grant money from the Illinois Criminal Justice Information Authority to administer the Illinois Torture Inquiry and Relief Commission for operational expenses.

**ANALYSIS OF SIGNIFICANT VARIATIONS IN RECEIPTS BETWEEN FISCAL YEARS 2012 AND 2011**

There were no significant variances in receipts noted between Fiscal Years 2012 and 2011.

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**ANALYSIS OF SIGNIFICANT VARIATIONS IN LAPSE EXPENDITURES**  
For the Two Years Ended June 30, 2013

The following is a summary of explanations for significant lapse period spending. Lapse period spending was considered to be significant if the expenditures exceeded \$20,000 and at least 20% of the total fiscal year expenditures.

**FISCAL YEAR 2013**

There were no instances of significant lapse period spending noted during Fiscal Year 2013.

**FISCAL YEAR 2012**

There were no instances of significant lapse period spending noted during Fiscal Year 2012.

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**FUNCTIONS AND PLANNING PROGRAM (Not Examined)**  
For the Two Years Ended June 30, 2013

Commission Functions

The Human Rights Commission (Commission) was created when the Illinois Human Rights Act (Act) was signed into law by Governor Thompson on December 6, 1979. The Act forbids discrimination in employment, real estate transactions, higher education, public accommodations and access to financial credit on the basis of sex, age, race, color, religion, arrest record, marital status, handicap, citizenship, national origin, ancestry, unfavorable military discharge, retaliation, sexual harassment and sexual orientation. It also enumerates the powers and duties of the Commission such as the ability to hold meetings anywhere within the State, to establish offices in Springfield and Chicago, and to set the compensation of employees. The Act requires that all hearing officers be licensed attorneys in Illinois and full time employees. A training program for hearing officers is required to be implemented and must include such topics as substantive and procedural aspects of the position, current issues in human rights law and practice, observation of experienced hearing officers, and the use of hypothetical cases requiring the hearing officer to issue judgments as a means to evaluating knowledge and writing ability.

The Commission is a quasi-judicial administrative agency. It consists of a staff and 13 Commissioners, appointed by the Governor with the advice and consent of the Senate. The Governor designates one of the Commissioners as the Chairman. Commissioners serve a four-year term and may be reappointed.

The Act resulted in the creation of the Department of Human Rights (Department) and the Human Rights Commission, two separate entities whose roles are set forth by the Act. Both entities work together to enforce the Act. The Department investigates charges of discrimination brought under the Act. When the Department finds evidence of a violation, it files a complaint with the Commission. The Commission reviews complaints brought forth by the Department and issues impartial decisions on complaints of unlawful discrimination.

The Commission conducts public hearings, presided over by its administrative law judges. After both parties provide evidence, the administrative law judges issue a recommended order and decision. Once a recommended order and decision is issued, the Act allows the parties to seek review by the Commissioners. The Commission meets in panels consisting of three Commissioners and issues orders and decisions on the recommendation of the administrative law judge. If the complaint is sustained, the Commission will order a remedy to be paid to the complainant. The respondent may appeal the Commission's order and decision to the State Appellate Court.

Planning Program

A management plan is prepared annually to document the goals and objectives for the upcoming fiscal year. This enables the Commission to manage core operations within the appropriation.

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**FUNCTIONS AND PLANNING PROGRAM (Not Examined)**  
For the Two Years Ended June 30, 2013

A monthly financial report is produced by the Chief Fiscal Officer on the Commission's expenditures and remaining appropriations. Monthly budget meetings with the Executive Director, the Chief Administrative Law Judge, General Counsel and the Chief Fiscal Officer are held to discuss relevant issues concerning Commission expenditures. During the meeting, actual expenditures are compared to budgeted amounts and resulting variances are discussed. Budget meetings provide an opportunity to monitor staffing levels, current caseloads, and progress toward reducing the number of open cases in the caseload system. In addition, Commissioners also conduct monthly meetings to address issues such as the evaluation of evidence and legal argument in a contested legal proceeding, the periodic self-assessment of the Commission and the appointment, compensation, and evaluation of employees of the Commission. Oversight by the Executive Director and Chief Fiscal Officer of daily operations along with employee evaluations assists the Commission with fulfilling its statutory responsibilities.

Illinois Torture Inquiry and Relief Commission

The Illinois Torture Inquiry and Relief Commission (TIRC) was created when the Torture Inquiry and Relief Commission Act (Act) was signed into law on August 10, 2009. The Act established the TIRC to examine allegations of prison inmates claiming to have been tortured by police into giving coerced confessions to crimes for which they were ultimately convicted.

The Illinois Torture Inquiry and Relief Commission was issued a separate General Revenue Fund appropriation through the Human Rights Commission (HRC) during Fiscal Year 2012. In Fiscal Year 2013, the TIRC did not receive an appropriation to continue its program, however federal grant funding was secured to continue its activities.

The TIRC consists of two employees and eight commissioners, appointed by the Governor with the advice and consent of the Senate. Commissioners serve no more than two consecutive 3-year terms plus any initial term of less than 3 years. The Commission meets regularly and all meetings are conducted in compliance with the Open Meetings Act.

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**AVERAGE NUMBER OF EMPLOYEES (Not Examined)**  
For the Years Ended June 30,

AVERAGE NUMBER OF EMPLOYEES

The following table, prepared from Commission records, presents the average number of employees, by function, for the Fiscal Years ended June 30,

<u>Position</u>	<u>2013</u>	<u>2012</u>	<u>2011</u>
Officials/Managers	4	4	3
Professionals	12	14	11
Paraprofessionals	2	2	0
Office/Clerical	2	2	7
Torture Inquiry and Relief Commission	1	2	1
Total average full-time employees	<u>21</u>	<u>24</u>	<u>22</u>

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**SERVICE EFFORTS AND ACCOMPLISHMENTS (Not Examined)**  
For the Two Fiscal Years Ended June 30, 2013

The Human Rights Commission’s (Commission) primary responsibility is to review and issue impartial decisions on complaints of unlawful discrimination and furnish information to the public about the Illinois Human Rights Act (Act) and the Commission.

The Act resulted in the creation of the Department of Human Rights (Department) and the Human Rights Commission, two separate entities whose roles are set for by the Act. Both entities work together to enforce the Act. The Department investigates charges of discrimination brought under the Act. When the Department finds evidence of a violation, it files a complaint with the Commission. The Commission reviews the complaints brought forth by the Department and issues impartial decisions of unlawful discrimination.

The Commission conducts public hearings presided over by its administrative law judges. After both parties provide evidence, the administrative law judge issues a recommended order and decision. Once a recommended order and decision is issued, the Act allows the parties to seek review by the Commissioners. The Commission meets in panels consisting of three Commissioners and issues orders and decisions on the recommendation of the administrative law judge. The Commission panel may accept, reject, reverse, or modify a Judge’s recommendation or remand the case for further proceedings. If the complaint is sustained, the Commission will order a remedy to be paid to the complainant. The respondent may appeal the Commission’s order and decision to the State Appellate Court.

Listed below is a compilation of total complaints filed, cases completed and open cases at fiscal year end as provided by the Commission, for Fiscal Years ending:

	<u>FY 2013</u>	<u>FY 2012</u>	<u>FY 2011</u>
Complaints filed through the Department of Human Rights	114	137	116
Complaints filed by complainants	44	98	129
Remands	0	0	4
Cases carried over from prior year	<u>783</u>	<u>889</u>	<u>986</u>
Total complaints pending	941	1,124	1,235
Cases completed	<u>(272)</u>	<u>(341)</u>	<u>(346)</u>
Open cases at fiscal year end	<u>669</u>	<u>783</u>	<u>889</u>
Average number of administrative law judges	<u>7</u>	<u>9</u>	<u>9</u>
Average caseload	<u>96</u>	<u>87</u>	<u>99</u>

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
**SERVICE EFFORTS AND ACCOMPLISHMENTS (Not Examined)**  
For the Two Fiscal Years Ended June 30, 2013

The Torture Inquiry and Relief Commission (TIRC) is an independent commission under the Illinois Human Rights Commission for administrative purposes. The Torture Inquiry and Relief Commission Act (Act) was signed into law on August 10, 2009, establishing the TIRC. The TIRC investigates and determines factual claims of torture from persons convicted of a felony in Illinois claiming to have been tortured into confessing the crime for which the person was convicted. The TIRC began operating on February 1, 2011 and began receiving the first claims in April 2011.

Listed below is a compilation of TIRC claim data which reflects claims received, granted or denied, for Fiscal Years ending:

	<u>FY 2013</u>	<u>FY 2012</u>
Claims of torture filed with the TIRC	22	103
Open Claims	22	84
Claims granted	0	17
Claims denied	0	2
Claims carried over from prior year	96	12
Total claims pending	118	96
Claims referred to the Chief Judge of the Circuit Court of Cook County for appropriate review or relief	5	5