



STATE OF ILLINOIS
**OFFICE OF THE
AUDITOR GENERAL**

William G. Holland, Auditor General

SUMMARY REPORT DIGEST

HUMAN RIGHTS COMMISSION

**COMPLIANCE EXAMINATION
For the Two Years Ended: June 30, 2013**

Release Date: March 20, 2014

Summary of Findings:

Total this audit:	7
Total last audit:	4
Repeated from last audit:	2

SYNOPSIS

- The Commission failed to comply with the Illinois Torture Inquiry and Relief Commission Act.
- The Commission did not publish its decisions as required.
- Provisions of an interagency agreement were not complied with.
- The Commission lacked adequate controls over State property and reporting.

{Expenditures and Activity Measures are summarized on the reverse page.}

**HUMAN RIGHTS COMMISSION
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2013**

EXPENDITURE STATISTICS	2013	2012	2011
Total Expenditures.....	\$ 1,754,830	\$ 1,902,920	\$ 1,909,830
OPERATIONS TOTAL.....	\$ 1,754,830	\$ 1,902,920	\$ 1,909,830
% of Total Expenditures.....	100.0%	100.0%	100.0%
Personal Services.....	1,433,176	1,483,698	-
Other Payroll Costs (FICA, Retirement).....	105,511	111,796	-
All Other Operating Expenditures.....	216,143	307,426	1,909,830
Total Receipts.....	\$ 111,496	\$ 434	\$ 450
Average Number of Employees.....	21	24	22

SELECTED ACTIVITY MEASURES (Not Examined)	2013	2012	2011
<i>Human Rights Commission</i>			
Average Number of Administrative Law Judges.....	7	9	9
Average Administrative Law Judge Caseload.....	96	87	99
Total Complaints Filed or on File.....	941	1,124	1,235
Cases Completed.....	272	341	346
Open Cases at Fiscal Year End.....	669	783	889
<i>Torture Inquiry and Relief Commission</i>			
Claims Filed.....	22	103	12
Open Claims.....	22	84	12
Claims Granted.....	0	17	-
Claims Denied.....	0	2	-
Total Claims Pending.....	118	96	12

AGENCY DIRECTOR
During Examination Period: Mr. N. Keith Chambers
Currently: Mr. N. Keith Chambers

**FINDINGS, CONCLUSIONS, AND
RECOMMENDATIONS**

**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 Act.

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

- Signed waivers not obtained**

 - Three of 15 (20%) claimant files tested did not contain a signed waiver of convicted person's procedural safeguards and privileges as required. In addition, 12 of 15 (80%) claimant files tested did not contain information substantiating the date the formal inquiry took place.

- No evidence victims were notified**

 - 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.

- Annual reports did not contain required information**

 - The Commission's annual reports filed in FY12 and FY13 did not contain information reflecting the TIRC's current activities, performance measures, or recommendations on the funding needed in order to meet their responsibilities under the Act. (Finding 1, pages 9-11)

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

- Commission agrees with auditors**

The Commission agreed with our recommendation and stated the TIRC has hired new staff and has created a new checklist to be used in every file to ensure each file is properly maintained. The Commission plans to revamp all its policies and procedures to ensure that victims are properly notified.

FAILURE TO PUBLISH DECISIONS AS REQUIRED

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

Decisions were not posted to Commission's website

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. (Finding 2, page 12) **This finding was first reported in 2007.**

We recommended the Commission comply with the Illinois Human Rights Act and publish all of its decisions within 120 calendar days.

Commission partially agrees with auditors

Commission officials partially agreed with the finding and stated the condition was the result of inadequate staffing necessary to undertake publishing duties. The Commission stated it has hired new staff that 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. *(For previous Commission response, see digest footnote #1)*

NEED TO COMPLY WITH INTERAGENCY AGREEMENT

The Commission did not comply with provisions in an interagency agreement.

Required quarterly reports not submitted

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

We noted the Commission did not file required quarterly progress and fiscal reports with the ICJIA. (Finding 3, page 13)

We recommended the Commission comply with the interagency agreement by filing required reports.

Commission agrees with auditors

Commission officials agreed with our recommendation and stated the Illinois Torture Inquiry and Relief Commission has hired new staff and has submitted its FY13 quarterly reports to ICJIA as required.

NEED TO IMPROVE CONTROLS OVER STATE PROPERTY

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

We noted the following:

Equipment was obsolete

- Twenty-seven property items appeared to be obsolete. Ten of 27 (37%) items, totaling \$8,986 were found on the Commission's inventory listing. Fifteen of 27 (56%) items could not be traced to the Commission's inventory listing, and no other supporting documentation was provided. In addition, two computers found among the obsolete equipment were not properly marked with a State property identification number.

Equipment could not be located

- Four of 25 (16%) equipment items selected for testing, totaling \$1,580, were unable to be located.

Equipment items were not found at locations indicated on the inventory listing

- 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. (Finding 5, pages 15-16)

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

Commission agrees with auditors

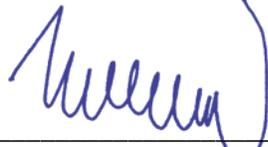
Commission officials agreed with our recommendation and stated it has devised a monthly checklist of its incoming and outgoing inventory and continues to submit required quarterly property reports to the appropriate agencies.

OTHER FINDINGS

The remaining findings pertain to the failure to document expenditure and appropriation reconciliations, failure to comply with the Illinois Human Rights Act, and failure to implement the Identity Protection Act and are reportedly being given attention by the Commission. We will review the Commission's progress toward implementation of our recommendations in our next examination.

AUDITORS' OPINION

We conducted a compliance examination of the Commission as required by the Illinois State Auditing Act. The Commission has no funds that require an audit leading to an opinion of financial statements.



WILLIAM G. HOLLAND
Auditor General

WGH:PAH

AUDITORS ASSIGNED

The compliance examination was performed by the Auditor General's staff.

DIGEST FOOTNOTE

#1 UNTIMELY PUBLICATION OF DECISIONS – Previous Commission Response

2011: The Commission “Agrees” with this finding as it applies to FY09/10. This was due to unavailability of resources and appropriate manpower. The problem has been resolved and HRC is publishing its decisions on a timely manner.