

IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

JAMES A. WRIGHT, in his capacity as)
EXECUTIVE INSPECTOR GENERAL for)
AGENCIES OF THE GOVERNOR, State)
Of Illinois,)
Petitioner,)
v.)
SONYA WILLIAMS,)
Respondent.)

No. 10-EEC-002

DECISION

This cause is before the Executive Ethics Commission (“Commission”) for purposes of considering the parties’ stipulation. This decision will also serve as the Commission’s final administrative decision in this matter.

Petitioner filed the present petition for leave to file complaint (“petition”) and verified complaint with the Commission on July 23, 2009. Petitioner’s affidavit of service, filed August 5, 2009, indicates that a copy of the petition and complaint was served on respondent on August 4, 2009.

Respondent filed no objection to the petition and the Commission granted the petition on September 23, 2009. In lieu of an evidentiary hearing, respondent agreed to resolve this matter by way of an admission of a violation of the State Officials and Employees Ethics Act, a joint stipulation of facts, and the filing of briefs concerning an appropriate penalty, if any.

Petitioner is represented by Assistant Attorney General Matthew Thomas Klein. Respondent is represented by Barry Lewis.

FINDINGS OF FACT

A complete copy the record of proceedings has been reviewed by all members of the Executive Ethics Commission. Based upon this record, the Commission makes the following findings of fact:

- 1. Respondent Sonya Williams was employed by the Illinois Department of Human Services from 1997 to May 29, 2009.
- 2. Respondent Sonya Williams was married to Cleotha Williams on June 3, 2000 and they have never been divorced or had a legal separation agreement entered.

3. If called, Debra Armstrong, an investigator with the Office of the Executive Inspector General, would testify that she interviewed Sonya Williams on January 24, 2008 as part of an investigation that her office was conducting.
4. Ms. Armstrong would also testify that during the interview, Sonya Williams stated:
 - a. that she had been separated from her husband, Cleotha Williams, for approximately four years; but that later in the interview she admitted that she was not separated from Cleotha Williams and that she had been living with him since their marriage on June 3, 2000.
 - b. that she did not know where her husband, Cleotha Williams, and their children resided; but that later in the interview she admitted that she was living with her husband, Cleotha Williams, and their children.
 - c. that she never lived with her husband at several specified addresses; but that later in the interview admitted that she had lived with her husband at those addresses.
 - d. That she never purchased property with her husband, Cleotha Williams; but that later in the interview admitted that she had purchased at least two pieces of property with her husband, Cleotha Williams.
5. If called, William Drish, another investigator with the Office of the Executive Inspector General, would also testify as described in paragraph 4.
6. Respondent Sonya Williams stipulated that she intentionally obstructed an investigation of the Office of the Executive Inspector General in violation of Section 50-5(e) of the Ethics Act (5 ILCS 430/50-5(e)) and intentionally failed to cooperate with an investigation of the Office of the Executive Inspector General in violation of Section 20-70 of the Ethics Act (5 ILCS 430/20-70).
7. The parties have stipulated that respondent's obstruction of the investigation and failure to cooperate with the investigation was part of a single course of conduct.

CONCLUSIONS OF LAW

1. Respondent Sonya Williams was at all times relevant to this complaint a State employee, as "employee" is defined in the State Officials and Employees Ethics Act ("Act") to include regular employees and appointees. 5 ILCS 430/1-5.
2. The Executive Ethics Commission has jurisdiction over respondent in the matter of her alleged obstruction of the investigation and failure to cooperate with the investigation. (5 ILCS 430/50-5(e)) and (5 ILCS 430/20-70).

3. Section 50-5(e) provides that “[a]n ethics commission may levy an administrative fine of up to \$5,000 against any person who...intentionally obstructs or interferes with an investigation conducted under this Act by an inspector general...”. 5 ILCS 430/50-5(e).
4. Section 20-70 provides, in part that “[f]ailure to cooperate with an investigation of the Executive Inspector General...is grounds for disciplinary action, including dismissal.” 5 ILCS 430/20-70.
5. On January 24, 2008, respondent Sonya Williams intentionally obstructed or interfered with an investigation conducted by an Executive Inspector General when she did not answer interview questions truthfully.
6. On January 24, 2008, respondent Sonya Williams intentionally failed to cooperate with an investigation conducted by an Executive Inspector General when she did not answer interview questions truthfully.
7. Respondent has violated Section 5-50(e) of the State Officials and Employees Ethics Act. 5 ILCS 430/5-50(e).
8. Respondent has violated Section 20-70 of the State Officials and Employees Ethics Act. 5 ILCS 430/20-70.
9. The Executive Ethics Commission may levy an administrative fine of up to \$5,000 for a violation of the State Officials and Employees Ethics Act. 5 ILCS 430/50-5(e).
10. The Executive Ethics Commission may recommend disciplinary action, including dismissal for a violation of Section 20-70 of the State Officials and Employees Ethics Act. 5 ILCS 430/20-70.
11. Respondent’s obstruction of the investigation and failure to cooperate with the investigation was part of a single course of conduct.

ANALYSIS

As described above, respondent has acknowledged violating Sections 50-5(e) and 20-70 of the Ethics Act. The only question before the Commission is what penalties, if any, are appropriate in this matter. Both sides have submitted documents for the Commission to consider.

Respondent’s failure to cooperate in the investigation and obstruction of the investigation took place during a single interview. At that interview she made several statements that were not true and, apparently when presented with certain evidence to the contrary, acknowledged that those statements were not true. While respondent clearly obstructed the investigation and failed to cooperate by making these untrue statements, there is no evidence of an elaborate or on-going scheme to obstruct the investigation. It appears that respondent found herself in a very embarrassing position during the interview and chose, unwisely, but without premeditation, to try to lie her way out.

Respondent has submitted papers that indicate that she and her husband have been diagnosed with serious medical conditions and have been prescribed a number of medications.

WHEREFORE, for the foregoing reasons, the Commission finds that respondent Sonya Williams violated Sections 50-5(e) and 20-70 of the State Officials and Employees Ethics Act (5 ILCS 430/5-20(a)).

IT IS FURTHER ORDERED that an administrative fine of \$500.00 is levied against respondent Sonya Williams in accordance with her violation of Sections 50-5(e) and 20-70 of the State Officials and Employees Ethics Act. (5 ILCS 430/50-5(e) and 5 ILCS 430/20-70).

This is a final administrative decision and subject to the Administrative Review Law.

ENTERED: December 16, 2009