

**PUBLICATION OF REDACTED VERSION**  
**OF THE OEIG FOR THE AGENCIES UNDER THE GOVERNOR**  
**INVESTIGATIVE REPORT**

Case Number: 23-00059

Subject(s): Courtney Drake

Below is the redacted version of an investigative summary report issued by the Executive Inspector General for the Agencies of the Illinois Governor. Pursuant to section 20-50 of the State Officials and Employees Ethics Act (Act) (5 ILCS 430/20-50), a summary report of an investigation is required to be issued by an executive inspector general when, and only when, at the conclusion of investigation, the executive inspector general determines reasonable cause exists to believe a violation has occurred. If a complaint is not to be filed with the Executive Ethics Commission (Commission) for adjudication of the alleged violation, the Act further requires the executive inspector general to deliver to the Commission a statement setting forth the basis for the decision not to file a complaint and a copy of the summary report of the investigation and of the response from the ultimate jurisdictional authority or agency head regarding the summary report. 5 ILCS 430/20-50(c-5). The Act requires that some summary reports be made available to the public and authorizes the Commission to make others available. 5 ILCS 430/20-52. Before making them available, however, the Commission is to redact from them information that may reveal the identity of witnesses, complainants, or informants and may redact “any other information it believes should not be made public.” 5 ILCS 430/20-52(b).

Some summary reports delivered to the Commission may contain a mix of information relating to allegations with respect to which the executive inspector general did and did not determine reasonable cause existed to believe a violation occurred. In those situations, the Commission may redact information relating to those allegations with respect to which the existence of reasonable cause was not determined.

The Commission exercises its publication responsibility with great caution and seeks to balance the sometimes-competing interests of transparency and fairness to the accused and others uninvolved. To balance these interests, the Commission has redacted certain information contained in this report and identified where said redactions have taken place and inserted clarifying edits as marked. Publication of a summary report of an investigation, whether redacted or not, is made with the understanding that the subject or subjects of the investigation may not have had the opportunity

to rebut the report's factual allegations or legal conclusions before issuance of the report. Moreover, there has not been, nor will there be, an opportunity for the subject to contest or adjudicate them before the Commission. The subject merely has the opportunity to submit a response for publication with the report.

The Commission received this report and a response from the ultimate jurisdictional authority and/or agency in this matter from the Agencies of the Illinois Governor Office of Executive Inspector General ("OEIG"). The Commission, pursuant to 5 ILCS 430/20-52, redacted the OEIG's final report and responses and mailed copies of the redacted version and responses to the Attorney General, the Executive Inspector General for the Agencies of the Illinois Governor, and each subject.

The Commission reviewed all suggestions received and makes this document available pursuant to 5 ILCS 430/20-52. By publishing the below redacted summary report, the Commission neither makes nor adopts any determination of fact or conclusions of law for or against any individual or entity referenced therein.

– THE REDACTED VERSION OF THE EIG'S SUMMARY REPORT  
BEGINS ON THE NEXT PAGE –

## **I. INTRODUCTION**

Based on finding evidence of a State employee fraudulently obtaining a federal Paycheck Protection Program (PPP) loan, the OEIG conducted a larger review to determine whether State employees properly obtained PPP loans and provided notice of secondary employment. Based on the large volume of PPP loans obtained by State employees, the OEIG narrowed its review based on certain factors including those State employees who received approximately \$20,000 or more in PPP loan funds.<sup>1</sup>

The OEIG self-initiated this investigation regarding a \$20,102 PPP loan obtained by Courtney Drake while employed at the Illinois Department of Human Services (DHS). During her interview with the OEIG, Ms. Drake ultimately admitted that she submitted, or caused to be submitted, PPP loan applications and PPP loan forgiveness applications containing false information.

## **II. BACKGROUND**

Ms. Drake began working for the State in August 2019 as a Mental Health Technician Trainee and in 2021 she was promoted to her current position, Mental Health Technician I.

The PPP was created by the Coronavirus Aid, Relief, and Economic Security (CARES) Act and administered by the Small Business Administration (SBA) to provide relief to small businesses affected by the COVID-19 pandemic. PPP loans were made to eligible businesses, which included sole proprietorships and self-employed individuals, for qualifying payroll costs and business operating expenses such as insurance, rent, and utilities.<sup>2</sup> To apply for the loan, a sole proprietor or self-employed individual needed to submit certain tax filings or other payroll documentation to an SBA-approved lender, establishing their eligibility and demonstrating the qualifying payroll amount, which as of March 2021 could be based on “gross income” reported on an IRS Form 1040, Schedule C.<sup>3</sup> PPP loans were eligible for forgiveness by the SBA if used on qualifying expenses and if at least 60% was used for payroll costs.<sup>4</sup>

## **III. INVESTIGATION**

### **A. PPP Records For Courtney Drake**

The OEIG located public records from the SBA showing that Ms. Drake received a \$20,102 PPP loan in April 2021 as an independent contractor. The OEIG subpoenaed loan documents from the lender, which included a loan application for “Schedule C Filers,” signed in Ms. Drake’s name and dated April 1, 2021. The “Independent contractor” box was checked, the Business Legal

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<sup>1</sup> From the OEIG’s review, in order to be eligible for at least \$20,000 in loan proceeds, the small business typically had approximately \$100,000 or more in yearly net profit or gross income. The OEIG will be referring to the Ultimate Jurisdictional Authority those State employees who obtained PPP loans in smaller amounts or were not investigated for other logistical reasons.

<sup>2</sup> 15 U.S.C. § 636(a)(36); SBA Interim Final Rule, 85 FR 20811 (Apr. 15, 2020).

<sup>3</sup> SBA Interim Final Rule, 86 FR 13149 (Mar. 8, 2021) (expanded definition of “payroll costs” for sole proprietors).

<sup>4</sup> *See id.*; 15 U.S.C. § 636(m).

Name was “Courtney Drake” with establishment year 2016, and the business was categorized under a code for “Beauty Salons.” Ms. Drake was identified as the sole employee. Boxes checked under “Purpose of the loan” were for payroll costs, rent/mortgage interest, utilities, covered operations expenditures, covered supplier costs, covered worker protection expenditures, and “other.” The form contained various certifications, all reflecting the initials “CD,” which included a statement that the applicant “was in operation on February 15, 2020...and was either an eligible self-employed individual, independent contractor, or sole proprietorship with no employees...”; a statement that the funds would be used as authorized by PPP rules; and a statement that information provided in the application and supporting documentation was “true and accurate in all material respects.” On the application, the gross income from tax year 2020 from the “IRS Form 1040, Schedule C, line 7” was identified as \$96,500. That figure was used to calculate the loan amount of \$20,102 (intended to cover a period up to 2.5 months).

Other documents were submitted related to the loan, which included:

- a bank statement for February 15 through March 13, 2020, in Courtney Drake’s name;
- a 2020 Schedule C Profit or Loss From Business form listing gross income of \$96,500; and
- a copy of Courtney Drake’s Illinois driver’s license.

A “Note” was dated May 5, 2021, and contained an electronic signature in Ms. Drake’s name for a loan in the amount of \$20,102. A PPP loan forgiveness application was dated November 15, 2021, and contained an electronic signature in Ms. Drake’s name, indicating the amount spent on payroll costs was \$20,102 and requesting forgiveness of the full amount of \$20,102. The application included certifications that the borrower had complied with all requirements, including those related to eligible use of PPP loan proceeds, and that the information provided in the application was “true and correct in all material respects.” An SBA document stated that the loan had been forgiven in full on November 18, 2021.

## **B. DHS Secondary Employment Information**

The OEIG also reviewed the DHS personnel file for Ms. Drake, for any documents related to her secondary employment. At the time the OEIG reviewed Ms. Drake’s personnel file, it contained two DHS Report of Secondary Employment forms dated February 5, 2020 and February 26, 2022. Both forms were signed in Ms. Drake’s name and reflected she did not have secondary employment, “including self-employment.”

## **C. Courtney Drake’s OEIG Interview**

On January 30, 2023, the OEIG interviewed Ms. Drake. Ms. Drake said she did not have any sources of income other than her State employment and she has not had any secondary employment since she began working at DHS. Ms. Drake said she recognized the 2020 and 2022 Report of Secondary Employment forms and confirmed her signature on both forms. Initially, Ms. Drake said she used to do hair but she did not make much money doing so and she has not done hair in a salon since at least 2018. Ms. Drake then said that in 2019 she was associated with a hair

salon named [Company 1] that she may have co-owned with Individual A but she and Individual A did not see eye to eye and her association with [Company 1] and her relationship with Individual A only lasted a little while. She initially claimed her association with [Company 1] dwindled down at the end of 2019 and she has not performed any hair work on the side from 2019 through the present. She said she did not receive any money from [Company 1] for her services.

Ms. Drake was shown the PPP loan application and she said she filled it out on behalf of [Company 1] because in 2020 she was still trying to keep [Company 1] open. Ms. Drake then claimed that in 2020 she was not personally working at [Company 1], but she was a part owner of it. She said she called a woman (name unknown) who was associated with the lender and the woman filled out the PPP loan application for Ms. Drake. Subsequently Ms. Drake again said that she filled out and submitted the application herself. Ms. Drake said she used her name instead of [Company 1] as the business name on the application because she did not know she had to put the business' name instead of her name in the box labeled "Business Legal Name." Ms. Drake said she entered "1" as the number of employees and that referred to her. She later claimed that she actually entered the number of employees as six. Ms. Drake was asked if she entered the amount of \$96,500 as the gross income and she said "possibly." Ms. Drake said she did not remember entering the loan request amount of \$20,102 and now claimed another person, Individual B, filled out the application, then said Individual B helped her fill out the application. Ms. Drake also said she called Individual B and gave Individual B information for the PPP loan over the telephone, but she did not have Individual B's telephone number. Ms. Drake then said Individual B told her (Ms. Drake) how to apply for the PPP loan.

Ms. Drake then claimed that in 2019 she did do hair and worked for a non-profit caregiver agency and she remembered telling Individual B that she made \$70,000 in 2019 but Individual B must have entered \$96,500 and that Individual B must have also entered the number of employees as one. Ms. Drake was again asked how much money she made in 2019 just doing hair and she replied \$80,000. Ms. Drake admitted the gross income on the application was incorrect and that she should have reviewed the application more thoroughly. Ms. Drake, once again, claimed that Individual B filled out the PPP loan application for her online and said she (Ms. Drake) went online and initialed and signed the application completed by Individual B. She then claimed that the PPP loan application was only for her doing hair and not for [Company 1].

Ms. Drake said Individual B filled out the Schedule C and she (Ms. Drake) signed it. She said the information was for 2019, not 2020 as reflected on the Schedule C, and that the wrong box was checked in reference to the year. She claimed that she provided Individual B with information for the Schedule C over the telephone but that the information in the Schedule C is not accurate.

Initially, Ms. Drake said she used the loan money to pay rent for the [Company 1] salon space, including about five months of back rent, and she purchased hair products used by the employees at the salon. She said since the loan money was deposited into her personal account she would withdraw the money and give it to Individual A and the salon's landlord. She said she also purchased products online and at local stores but she could not remember the names of the stores but that she has receipts for the payments and purchases. Ms. Drake then claimed that the

PPP loan money was for the work she performed in her personal salon suite space, not for [Company 1] as she previously stated.

Ms. Drake admitted she signed the Note provided by the lender and that she filled out and signed the PPP loan forgiveness application. She said she received notification that the loan had been forgiven.

#### IV. ANALYSIS

The DHS Rules of Employee Conduct state that an employee's "conduct while off-duty may subject the Employee to discipline up to and including discharge" when the conduct raises "reasonable doubt concerning the Employee's suitability for continued state employment."<sup>5</sup> In addition, the State of Illinois Code of Personal Conduct provides that "A State Employee will conduct himself or herself...with integrity and in a manner that reflects favorably upon the State."<sup>6</sup>

Ms. Drake acknowledged that she obtained a PPP loan in 2021, that she used the proceeds, and that the loan was forgiven in full by the SBA. The information in Ms. Drake's loan documentation, however, was false. Ms. Drake was anything but consistent with her explanations regarding the PPP loan, stating at various points in her interview:

- she filled out the PPP loan application herself;
- a woman associated with the lender, whose name she did not know, filled out the application for her;
- Individual B filled out the application on her behalf and she signed it;
- Individual B helped her fill out the application;
- the loan was for [Company 1]; and
- the PPP loan was for her personal salon suite space, not [Company 1].

Ms. Drake submitted Report of Secondary Employment forms to DHS in 2020 and 2022 stating that she did not have secondary employment, and she gave inconsistent accounts of her income during her interview, stating at various points:

- she did not have any sources of income other than her State employment and she had not done hair in a salon since at least 2018;
- she had not done hair in a salon since at least 2019, and she did not make much money doing hair;
- in 2019 she made \$70,000 doing hair; and
- in 2019 she made \$80,000 doing hair.<sup>7</sup>

Under any of these versions, Ms. Drake admitted that the \$96,500 gross income claimed on the PPP loan application and the Schedule C was incorrect, and she either completed the paperwork herself or admitted she should have more thoroughly reviewed it before signing it. Ms.

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<sup>5</sup> DHS Administrative Directive 01.02.03.040.

<sup>6</sup> Illinois Code of Personal Conduct, Conduct Unbecoming of a State Employee (2017 & March 17, 2021).

<sup>7</sup> According to the Illinois State Comptroller's website, in 2021 Ms. Drake made \$58,000 in her DHS position.

Drake also admitted that after being approved for the PPP loan, she spent the loan proceeds of \$20,102 in public funds. Ms. Drake further admitted that she personally completed and submitted the forgiveness application and that her loan was forgiven. Thus, Ms. Drake submitted or caused to be submitted a loan application with false information, received and spent the loan proceeds in violation of PPP rules, and accepted forgiveness in full by the federal government. Based on the evidence, there is reasonable cause to believe that Courtney Drake violated DHS and State of Illinois policies on employee conduct.

## V. [REDACTED] AND RECOMMENDATIONS

Based on the evidence detailed above, the OEIG has determined **THERE IS REASONABLE CAUSE TO BELIEVE THE FOLLOWING:**

- [REDACTED] – Courtney Drake obtained a federal PPP loan based on falsified information in violation of DHS and State of Illinois policies on employee conduct.

Regardless of the ease of procuring these PPP funds, this was not free money for the taking. These loans, as with any other, required truthful information as a basis for approval. State employees are expected, at minimum, to maintain the public's trust and confidence. Misappropriating such funds is far from being ethical, professional, acting with integrity, or conducting oneself in a manner that reflects favorably upon the State. Additionally, Ms. Drake's constantly changing story regarding the filling out of the application, the business associated with the application, and the amount of income she made from her unreported secondary employment indicates a level of dishonesty during her OEIG interview. Accordingly, the OEIG recommends that DHS terminate Ms. Drake.

No further investigative action is necessary, and this matter is considered closed.

Date: March 8, 2023

Office of Executive Inspector General  
for the Agencies of the Illinois Governor  
69 West Washington Street, Ste. 3400  
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By: **Jamiela Kassem**  
Senior Assistant Inspector General



JB Pritzker, Governor

Illinois Department of Human Services

Grace B. Hou, Secretary

**Office of the General Counsel**

69 West Washington • 9<sup>th</sup> Floor • Chicago, Illinois 60602

March 20, 2023

***Via e-mail to Senior Paralegal Sherry Bult (at [REDACTED]@illinois.gov), on behalf of:***

Susan M. Haling

Executive Inspector General

Office of the Executive Inspector General for the Agencies of the Illinois Governor

69 West Washington Street, Suite 3400

Chicago, Illinois 60602

RE: Response to the Final Reports for Complaints [REDACTED], 23-00059, [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED]

Dear Executive Inspector General Haling:

This letter responds to the Final Reports for the complaints listed above. The Department of Human Services (DHS) is currently reviewing the complaints. Your office will receive an update by May 15, 2023. If you have any questions, please feel free to contact Robert J. Grindle, DHS' Ethics Officer.

Regards,

/s/ Grace B. Hou by /s/ Robert J. Grindle

Grace B. Hou  
Secretary





JB Pritzker, Governor

Dulce M. Quintero, Secretary Designate

Office of the General Counsel

69 W. Washington St. • Ste. 901 • Chicago, IL 60602

February 15, 2024

***Via e-mail to Senior Paralegal Sherry Bult (at [REDACTED]@illinois.gov) on behalf of:***

Susan M. Haling

Executive Inspector General

Office of the Executive Inspector General for the Agencies of the Illinois Governor

69 West Washington Street, Suite 3400

Chicago, Illinois 60602

RE: Updated Response to the Final Report for Complaint 23-00059

Dear Executive Inspector General Haling:

This letter updates a previous response for the Final Report for Complaint Number 23-00059. That Final Report details one [REDACTED] allegations, regarding the federal Paycheck Protection Program (PPP). It makes one recommendation. The recommendation has been followed. The Department of Human Services (DHS) began the disciplinary process, and that process is now complete. The employee remains discharged from State employment.

With the employee's discharge complete, DHS considers this matter closed with respect to your office. If you have any questions, please feel free to contact Robert J. Grindle, DHS' Ethics Officer.

Regards,

/s/ Dulce Quintero by /s/ Robert J. Grindle

Dulce Quintero

Secretary-designate