



Commonwealth of Pennsylvania
GOVERNOR'S OFFICE
EXECUTIVE ORDER

Subject		Number
State Inspector General		1987-7
Date	Distribution	By Direction Of
April 6, 1987	B	<i>Robert Casey</i> Robert P. Casey, Governor

- WHEREAS, the maintenance of public confidence, integrity, and efficiency in the Government of our Commonwealth is a major concern of this administration; and
- WHEREAS, this administration is determined to take all measures necessary to insure that fraud, waste, misconduct, and abuse in State Government are deterred, detected, prevented, and eradicated; and
- WHEREAS, an Office of Inspector General was established within the Pennsylvania Department of Transportation by Executive Order 1979-I 1; and
- WHEREAS, the interests of the Commonwealth would be best served by establishing an Office of State Inspector General that reports directly to the Governor with authority encompassing all executive agencies.

NOW, THEREFORE, I, Robert P. Casey, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby create within the Executive Office of the Governor the Office of State Inspector General with the duties, responsibilities, and authority as hereinafter set forth:

1. Purpose of the Office of State Inspector General.
 - a. To deter, detect, prevent, and eradicate fraud, waste, misconduct, and abuse in the programs, operations, and contracting of executive agencies. For purposes of this Executive Order, the term "executive agency" shall have the meaning given to it by the Commonwealth Attorneys Act, 71 P.S. §732.101.
 - b. To keep the heads of executive agencies and the Governor fully informed about problems and deficiencies relating to the administration of programs, operations, and contracting in executive agencies,
 - c. To provide leadership, coordination, and control over satellite Inspector General Offices in designated executive agencies to insure a coordinated and efficient administration of duties and use of staff. The existing Office of Inspector General in the Department of Transportation shall continue as a satellite Inspector General Office, and it and all other satellite Inspector General Offices in executive agencies shall report to and follow the direction of the State Inspector General,

2. Duties and Responsibilities. It shall be the duty and responsibility of the State Inspector General:

a. To initiate, supervise, and coordinate investigative activities relating to fraud, waste, misconduct, or abuse in executive agencies.

b. To recommend policies for and to conduct, supervise, and coordinate activities designed to deter, detect, prevent, and eradicate fraud, waste, misconduct, and abuse in executive agencies.

c. To report expeditiously to and cooperate fully with the General Counsel. Whenever the State Inspector General has reasonable grounds to believe there has been a violation of criminal law or that a civil action should be initiated by the Commonwealth, he shall immediately refer such matter to the General Counsel. The General Counsel shall be responsible for referring matters to the appropriate agency or agencies for criminal prosecution or civil litigation.

d. To refer matters to the heads of executive agencies whenever the State Inspector General determines that disciplinary or other administrative action is appropriate.

3. Authority.

a. In addition to the authority otherwise provided herein, the State Inspector General, in carrying out his duties and responsibilities, is authorized:

(1) To make such investigations and reports relating to the administration of the programs and operations of an executive agency as are, in the judgment of the State Inspector General, necessary or desirable. If the State inspector General determines that a report should be issued, he shall consult with the General Counsel before issuing any such report to insure against an adverse impact on any grand jury proceeding or prosecution being conducted by any law enforcement agency.

(2) To request such information or assistance as may be necessary for carrying out the duties and responsibilities provided by this Executive Order from any Federal, State, or local government agency or unit thereof.

(3) To require and obtain immediately by written notice from officers and employees of executive agencies and the Executive Department, to the fullest extent permitted to the Governor by Article 4, § 10 of the Pennsylvania Constitution or other law, all information, documents, reports, answers, records, accounts, papers, and other necessary data and documentary evidence.

(4) To have direct and prompt access to the heads of executive agencies when necessary for any purpose pertaining to the performance of functions and responsibilities under this Executive Order.

(5) To select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the office. Such officers and employees shall be employed in accordance with current procedures of the Office of Administration and may be assigned by the State Inspector General to designated executive agencies.

b. (1) Upon request of the State Inspector General for information or assistance, executive agencies shall immediately furnish the State Inspector General or his authorized designee such information or assistance.

(2) Whenever information or assistance requested is, in the judgment of the State Inspector General, unreasonably refused or not provided, the State Inspector General may report the circumstances to the head of the agency, the General Counsel, and the Governor for appropriate action.

4. **Complaints by employes; disclosure of identity; reprisals.**

a. The State Inspector General may receive and investigate complaints or information concerning the possible existence of any activity in an executive agency constituting a violation of law, rules, or regulations, or mismanagement, fraud, waste of funds, abuse of authority, malfeasance, misfeasance, nonfeasance, or a substantial and specific danger to the public health and safety.

b. No person shall take or threaten to take any action against any employe as a reprisal for making a complaint or disclosing information to the State Inspector General, unless the complaint was made or the information disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.

c. The protections set forth in this Executive Order for employes who report, in good faith, fraud, waste, misconduct, malfeasance, misfeasance, nonfeasance, or abuse are in addition and supplementary to those protections provided by the Act of December 12, 1986, No. 169, known as the Whistleblower Law.

5. Executive Order 1979-I 1 is rescinded.