



STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GRETCHEN WHITMER
GOVERNOR

GARLIN GILCHRIST II
LT. GOVERNOR

EXECUTIVE DIRECTIVE

No. 2019-2

To: State Department Directors and Autonomous Agency Heads
From: Governor Gretchen Whitmer
Date: January 3, 2019
Re: Reporting Irregularities Relating to Public Money and Public Property

With this directive I am restoring a practice first initiated by Governor G. Mennen Williams by issuing instructions to Michigan state departments and agencies requiring the reporting of irregularities relating to public money or public property. This issue is of the highest priority to me and the new administration.

Action to mitigate or prevent irregularities relating to public money or public property should take precedence over any ill-advised attempt to protect the reputation of a department or agency, manipulate public perception, avoid political backlash, or engage in defensiveness, self-justification, or insular conduct. State government must be open, transparent, and accountable to Michigan taxpayers, even when a department, agency, or state officer falls short of the high standard of public integrity that our employers—the People of the State of Michigan—expect and deserve.

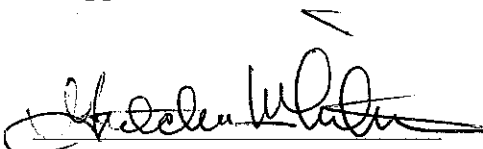
Acting pursuant to Article 5, §§ 1 and 8 of the Michigan Constitution of 1963, I therefore direct the following:

1. An employee in the executive branch of Michigan state government shall immediately report any irregularity or discrepancy involving public money or public property to their department director or agency head. If the alleged irregularity or discrepancy involves the department director or agency head, the employee shall instead report the irregularity or discrepancy to the next ranking person in the department or agency. This responsibility extends to both internal matters within state government and external matters involving the public.
2. Except as otherwise provided in paragraph 3, department directors and the heads of autonomous agencies are responsible for the preliminary examination and investigation of reports of irregularities or discrepancies relating to public money or public property. If after a preliminary examination and investigation, the officer conducting the preliminary examination and investigation finds evidence of an irregularity or discrepancy with a financial impact of \$100 or more, or determines that additional investigation is warranted, the officer shall submit a special report to

the Governor's Chief Compliance Officer, who shall notify the Auditor General and the Director of the Department of Technology, Management, and Budget.

3. If an alleged irregularity involves a department director or the head of an autonomous agency, the department director or agency head shall recuse himself or herself from the matter and the next ranking person in the department or agency shall conduct the preliminary examination or investigation.
4. If criminal activity is suspected, regardless of the dollar amount involved, the officer conducting the preliminary examination and investigation shall immediately submit a report to the Governor, the Attorney General, and the Auditor General in the same manner required under section 487 of The Management and Budget Act, 1986 PA 272, as amended, MCL 18.1487.
5. Any irregularity or discrepancy relating to public money or public property that is reported to the Auditor General also must be reported to the Governor's Chief Compliance Officer.
6. An irregularity or discrepancy involving public money or public property must be reported objectively and promptly to eliminate any attempt to thwart discovery or obscure or discolor facts.
7. Care must be taken to avoid maligning the character of anyone who may be involved solely due to unsubstantiated allegations or rumors.
8. A state officer shall exercise discretion and judgment in making any preliminary examination or investigation with the knowledge that irregularities and discrepancies involving public money or public property will not be tolerated.
9. Each department director and autonomous agency head should remind their employees of applicable protections under The Whistleblowers' Protection Act, 1980 PA 469, as amended, MCL 15.361 to 15.369, and §§ 2-10 of the rules of the Michigan Civil Service Commission.
10. Each department director shall circulate this directive widely, including to all employees under their direction and supervision and to any autonomous agencies within their department.

Your cooperation in complying with this directive is appreciated.


Gretchen Whitmer
Governor