



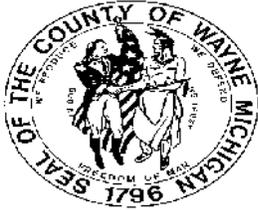
Wayne County – POLICY STATEMENT FOR THE FRAUD ORDINANCE

Wayne County's Fraud Ordinance, No. 92-806, section 73, has been amended. The authority and responsibilities of the county prosecutor under the state constitution, statute and law, shall conduct investigative activities on behalf of the county. All elected officials, directors, officers and employees, are to accomplish the following:

- (1) To promote an atmosphere of honesty throughout the county.
- (2) To inform all persons of the county's concern over improper activities and the action the county will take in those instances where individuals choose to conduct themselves against the best interests of the county.
- (3) To place all elected and appointed officials, directors, officers and employees of the county on notice that wrongdoing of a criminal nature must be reported directly to the county prosecutor. Supervisors shall be advised of those reports, except when not appropriate.
- (4) To advise all elected officials, directors, officers and employees to refrain from investigating, interviewing or interrogating persons suspected of wrongdoing of a criminal nature in order to minimize the potential for civil liability, and to maximize the potential for successful conviction when the facts support that conclusion. Investigations involving suspected wrongdoing of a criminal nature shall only be conducted by the county prosecutor.
- (5) To place all appointed officers, directors and employees on notice of the access to premises, records and property provisions in order to protect the county against possible charges of violation of expectancy of privacy.

The following has been established pertaining to reporting, investigation, prosecution and prevention of suspected wrongdoing of a criminal nature by county elected officials, officers and employees:

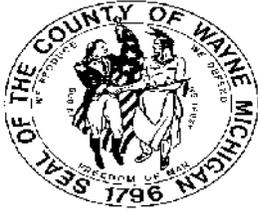
- (1) If a county elected official, officer or employee becomes aware of facts or circumstances which give cause to suspect any kind of wrongdoing of a criminal nature which involves county property or services, or which involves county employees while engaged in their scope of employment, he/she shall promptly make a report to the Wayne County Fraud and Corruption Investigation Unit within the Office of the Prosecuting Attorney.
- (2) Report all cases of work-related suspected wrongdoing of a criminal nature to the Wayne County Fraud and Corruption Investigation Unit within the Office of the



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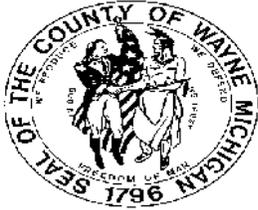
Prosecuting Attorney, by phone, in person, or electronically, to be verified, if requested, by a written statement. Unless it appears that the department head(s) may be involved in the wrongdoing, the Wayne County Fraud and Corruption Investigation Unit shall promptly confer with the appropriate department head(s), if proper under the law and if it would not compromise any criminal investigation. The Wayne County Fraud and Corruption Investigation Unit shall also promptly confer as needed with other appropriate county officials to protect county assets and interests. (Contact Information will be added)

- (3) A person who is employed in the Wayne County Prosecutor's Office shall report all cases of work-related suspected wrongdoing of a criminal nature in accordance with the applicable policy governing disqualifications and conflicts of interest of internal reviews.
- (4) If a County Elected Official, Officer, or Employee becomes aware of facts or circumstances which give cause to suspect any kind of wrongdoing that is not of a criminal nature, then he/she shall promptly make a report to the Wayne County Ethics Board or to the appropriate Elected Official.
- (5) A county elected official, officer or employee shall not undertake any kind of investigation suspected wrongdoing before conferring with the Wayne County Fraud and Corruption Investigation Unit. If the Wayne County Fraud and Corruption Investigation Unit determines that the suspected wrongdoing is of a criminal nature or if it otherwise objects to the elected official, officer or employee undertaking an investigation, then the elected official, officer or employee shall not investigate the matter. Communications with the Wayne County Fraud and Corruption Investigation Unit have protections under the law, including, but not limited to, investigative immunity. The county shall not defend an elected official, officer or employee, from a slander or libel lawsuit or an award for damages, who violates this policy.
- (7) Every elected official, officer or employee shall cooperate with the Wayne County Fraud and Corruption Investigation Unit in making an investigation, and shall take no action which may jeopardize or compromise the investigation. If an elected official, officer, or employee takes a deliberate action which impedes or compromises an investigation, pursuant to the ordinance, that person may be charged with obstruction of justice and prosecuted to the fullest extent that the law provides.



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- (9) Only the Wayne County Fraud and Corruption Investigation Unit, or other appropriate law enforcement agency may investigate suspected wrongdoing of a criminal nature. Fraud is often a difficult matter to detect, prove, and prosecute. Incriminating evidence may be hidden or destroyed before an investigation can be completed. Ill-founded accusations of wrongdoing, made to persons other than appropriate law enforcement officials, may result in an infringement of the civil rights of the accused, and substantial personal and county liability for slander or libel. Elected officials, officers or employees shall cooperate fully with the Wayne County Fraud and Corruption Investigation Unit to successfully isolate and establish whether wrongdoing has occurred or is continuing to occur, and if so, to assure successful prosecution of all parties involved.
- (10) A person shall not disclose to any person other than those within the Wayne County Fraud and Corruption Investigation Unit the fact that an investigation has been or is being conducted, nor the results of the investigation, unless it is appropriate under the law and it would not compromise any criminal investigation.
- (11) The Wayne County Fraud and Corruption Investigation Unit shall have unlimited access to the public records and property of the county, whether rented or owned, except for property and premises in the direct possession, custody or use of a charter-created elected officer.
- (12) Auditors, whether internal audit staff, members of the auditor general's staff, external auditors, or federal compliance auditors, shall be responsible for making recommendations on administrative and accounting systems which help prevent and detect fraud and other wrongdoing, but not for the investigation of specific cases of suspected fraud or wrongdoing. When fraud or wrongdoing is suspected, auditors shall comply with the same rules and procedures as would an employee.
- (13) As Promulgated in SAS 99, Section 79, "Communications about possible fraud to management and those charged with governance ..." the county's internal and external auditors shall communicate annually to the Audit Committee, after completion of the fiscal year audit of county financial statements, their evaluation and views of management's identification of fraud risks and anti-fraud measures, including but not limited to, the ability of management to override information processed by the entity's financial reporting system.



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- (14) The county shall assume no responsibility nor liability for an employee, officer or elected official who incurs personal liability for slander or libel by making statements or releasing confidential reports to the news media.
- (15) The Wayne County Fraud and Corruption Investigation Unit shall confer semi-annually with the Audit Committee of the County Commission pursuant to the Open Meetings Act, regarding completed investigations, and recommend improvements in this policy and in county fraud control systems. The Chief Executive Officer, Chief Financial Officer, Chief Judges of the Circuit, Probate and Records Courts, Clerk, Register of Deeds, Sheriff, and Treasurer shall be invited to take part in these sessions. The Wayne County Fraud and Corruption Investigation Unit shall also confer as needed with the Corporation Counsel regarding civil actions to recover county property. The Auditor General shall also make recommendations to the Audit Committee regarding fraud control systems.

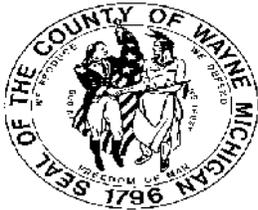
The Whistleblowers' Protection Act (Public Act 469 of 1980) prohibits retaliatory discharge of employees for reporting a violation or suspected violation of federal, state or local laws, rules or regulations, unless the employee knows the report is false. The act also prohibits the discharge of an employee requested to participate by a public body in an investigation, hearing, inquiry, or court action.

If any employee believes that Wayne County has violated the Act, an employee may bring a civil action in circuit court within 90 days of the alleged violation of the Act.

Violation of this Fraud Statement or the Fraud Ordinance can result in discipline, including termination. a person who violates section 73-3(a)(6), (8), (9) or (10) of this Ordinance shall be responsible for a Municipal Civil infraction of \$500 per occurrence; and a person who violates any other provision of this Ordinance shall be responsible for a Municipal Civil infraction of \$150 per occurrence.

APPLICABILITY

The Fraud Ordinance and the Fraud Statement applies to all Wayne County Employees as defined in the Fraud Ordinance. While the Fraud Ordinance does not apply to County suppliers, vendors, and business partners working outside of our workplace, we expect that they will familiarize themselves with our Fraud Ordinance and support effective conduct and Fraud.



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ACKNOWLEDGEMENT AND SIGN-OFF

Each employee of Wayne County will be provided with the Fraud Ordinance and Statement, along with the opportunity to contact the Human Resources Department or their Department or Division Manager to ask any questions or otherwise inquire as to what either of these two documents require. After a reasonable period of time in order to make such inquiries, each employee of Wayne County is required to electronically sign a declaration that they have received and read both the Fraud Ordinance and the Fraud Statement and have otherwise been given an opportunity to inquire as to their contents. The declaration will be filed with the Administration and a copy is available to print.

At Will employees must sign this acknowledgement and comply with the terms of the Fraud Statement and the Fraud Ordinance to remain employed by Wayne County. Employees covered under a Wayne County collective bargaining agreement who fail to sign the acknowledgment or who violate the Fraud Ordinance or the Fraud Statement may be subject to discipline as provided in their respective collective bargaining agreements with the County.

DECLARATION AND SIGN OFF

I _____ acknowledge and declare that I have received and read the “Fraud Ordinance”, as well as, the “Fraud Statement” and been given an opportunity to inquire as to their contents.

Employee Signature: _____ Date of Signature: _____