



July 15, 2021

Re: Inspector General Quarterly Report (2<sup>nd</sup> Qtr. 2021)

Dear Honorable Clerk Iris Martinez and Executive Staff:

This report is written in accordance with the best practices prescribed by the Association of Inspector Generals (AIG) Green Book, to apprise you of the activities of the Office of the Inspector General (OIG) during the period beginning April 1, 2021, through June 30, 2021.

### **OIG Complaints**

The OIG received a total of 31 complaints during this reporting period.<sup>1</sup> Of the 31 complaints, 13 complaints came from internal referral and 18 came from an external source (hotline, mail, web or direct call) including four cases referred from the Office of the Independent Inspector General. Additionally, the OIG had 17 open cases pending at the beginning of Q2, one case that predated Q1 and 16 opened in Q1. In Q2, the OIG closed 10 of the 17 cases pending at the close of Q1. Six were closed as administrative closure, with four cases closed through a summary report. Of the 31 new cases opened in Q2, 11 cases were closed as administrative closure, with four cases closed through a summary report. In Q2, the OIG closed a total of 25 cases.

### **OIG Summary Reports**

During the second quarter of 2021, the OIG closed 25 total cases with eight closed as summary reports and 17 closed as administrative closures. The following is a general description of the cases closed via summary report, the OIG's findings, and basis for the findings. Specific identifying information was withheld for confidentiality.

CF 21-02-008. This case was initiated after a complaint was made to Human Resources by Assistant Chief Deputy Clerk ██████████ that Court Clerk ██████████ violated the time and attendance policy by clocking in early and working through lunch without permission. Additionally, it was

---

<sup>1</sup> Upon receipt of a complaint or inquiry for information, a review process is conducted to determine if the OIG has jurisdiction over the complaint. Case Files are opened on all complaints and after preliminary review, if evidence exists that warrants closure or referral to another agency, an administrative closure memo will be drafted. In cases where a full investigation is conducted, a summary report is generated and forwarded to LR for further disciplinary proceedings where applicable.

alleged that [REDACTED] confronted [REDACTED] after she was reprimanded for failing to request permission to clock in early. ACDC [REDACTED] alleged that in anger, [REDACTED] shoved her with a box of files. [REDACTED] contacted the Sheriff and an investigation into a battery was conducted, though no charges were brought. The OIG interviewed [REDACTED], [REDACTED], Clerk and Union Representative [REDACTED], Manager [REDACTED], and Chief Deputy Clerk [REDACTED]. After a thorough investigation, the OIG found that [REDACTED] had started work early and worked through lunch without permission. However, [REDACTED] did present evidence that she had asked for permission prior to the dates but received no response. Additionally, the evidence showed that [REDACTED] went to [REDACTED] to complain about being reprimanded for clocking in early. She took the files to express the workload and told [REDACTED] that if she could not start work early that [REDACTED] would have to do the work. It was clear from the statements that [REDACTED] engaged in the verbal confrontation and physically blocked [REDACTED] from putting the files on her desk or in her office. [REDACTED] attempted to hand [REDACTED] the box of files, which constitutes the physical altercation between the two employees. In sum, the physical confrontation, while inappropriate, was not workplace violence and both employees are equally culpable. In the end, the OIG sustained allegations of violations of the time and attendance policy 4.1.7, and GRR 4.1.2 verbal altercation, against [REDACTED]. The allegations of workplace violence were non-sustained. Additionally, the OIG sustained allegations of a violation of 4.1.2, verbal altercation, against [REDACTED].

CF 21-02-013. This case was initiated after a complaint was made to Human Resources by Assistant Chief Deputy Clerk [REDACTED] that employees [REDACTED] [REDACTED], and [REDACTED] violated the Clerk's policy on workplace violence. ACDC [REDACTED] stated that on January 27, 2021, she attempted to facilitate two disciplinary meetings with employee [REDACTED], where [REDACTED] was presented with notices of discipline from Labor Relations known as 7-day letters. The letters explained certain infractions she was accused of committing and requested her to respond in writing within 7 days. Per the collective bargaining agreement (CBA), [REDACTED] was presented these letters in the presence of a union steward. During the first meeting, [REDACTED] and [REDACTED] presented [REDACTED] a disciplinary letter in the presence of Union Steward [REDACTED]. After investigation, the OIG found that [REDACTED] became emotional and verbally assaulted both [REDACTED] and [REDACTED]. Additionally, the evidence showed that upon leaving the office, [REDACTED] slammed [REDACTED] office door in violation of the workplace violence policy. During a second meeting to present a separate 7-day letter, [REDACTED] and [REDACTED] presented [REDACTED] letter in the presence of Union Stewards [REDACTED] and [REDACTED]. The OIG finds that after [REDACTED] handed [REDACTED] the letter, [REDACTED] grabbed the letter, threw his CBA book on the desk, paced back and forth, pointed his finger toward [REDACTED], and was loud and aggressive toward [REDACTED]. In sum, the actions rose to the level of threatening and menacing behavior that supported a sustained finding of violating the workplace violence policy.

CF 21-03-021. This case was initiated after a complaint was made to Human Resources by [REDACTED] [REDACTED] that employee [REDACTED] violated the Clerk's policy on workplace violence. In sum, the evidence showed that [REDACTED] confronted [REDACTED] in a hallway and asked him to address an issue. [REDACTED] told [REDACTED] that he was in a hurry but would address the issue after his meeting. [REDACTED] placed her hands on [REDACTED] chest, physically restraining him and impeding his movement. [REDACTED] stepped around [REDACTED] but was emotionally disturbed by the event and called Human Relations. After OIG investigated the matter and conducted interviews of [REDACTED], the allegations of workplace violence were sustained.

CF 21-03-023. This case was initiated after a complaint was made to Human Resources by Assistant Chief Deputy Clerk [REDACTED] that employee [REDACTED] violated the Clerk's policy on workplace violence. ACDC [REDACTED] claimed, that on several occasions while working in the bond room, [REDACTED] pushed and hit [REDACTED] with her body and arms as she walked past [REDACTED]. According to [REDACTED], she confronted [REDACTED] after the final incident and reported it to HR. The OIG obtained surveillance footage from the specific dates and times identified by [REDACTED]. The OIG reviewed several days for footage and observed numerous times both employees passed each other in relatively tight spaces. The footage was clear that each time [REDACTED] passed [REDACTED], [REDACTED] made efforts to avoid contact in direct contrast to [REDACTED] claims. The OIG found the allegations non-sustained.

CF 21-04-028. The OIG initiated this complaint after Labor Relations reviewed the letter of resignation of [REDACTED] where she alleged that she was resigning based on the hostile work environment created by [REDACTED] [REDACTED]. According to [REDACTED], [REDACTED] created a hostile work environment by yelling at and about her, threatening her job, asking her to move workstations, and questioning the content of conversations she had with co-workers. After interviewing several witnesses to the alleged incidents and coworkers, the OIG found that overwhelming impression of [REDACTED] actions were that his requests were reasonable and professional. The OIG found the allegations were non-sustained.

CF 21-04-030. The OIG investigated allegations that employee [REDACTED] had violated several rules within the time and attendance policy. Specifically, [REDACTED] was alleged to have punched in and out using a time clock not belonging to the Clerk of the Circuit Court, failing to clock in and out for lunch, and using the web clock feature to punch in and out. After reviewing reports from the CCT time clock management system, the OIG identified 85 times [REDACTED] used time clocks not assigned to the Clerk of the Circuit Court between August 1, 2020, and May 10, 2021. Additionally, the CCT reports confirmed at least six times where [REDACTED] failed to punch out for lunch and where [REDACTED] managers had not authorized the practice. Finally, the OIG identified 18 times [REDACTED] used the web clock feature on the CCT time system after the July 31, 2020, memorandum that prohibited the practice. In sum, the allegations of timekeeping abuse were sustained against [REDACTED].

CF 21-04-032. The OIG was asked to investigate an allegation from Clerk employee and [REDACTED] [REDACTED] [REDACTED] that prior to a meeting between Director [REDACTED] [REDACTED] and an employee, [REDACTED] pushed [REDACTED] in violation of the workplace violence policy. After interviewing witnesses and reviewing multiple statements drafted by [REDACTED] the OIG found that [REDACTED] statements were not credible. Further, [REDACTED] notified Chicago Police (CPD), and provided a statement that was memorialized in the CPD incident report. The CPD incident report was completely inconsistent with any of [REDACTED] previous statements. [REDACTED] went so far as to assert that [REDACTED] struck him about the body with closed fists, while describing the contact as a "brush" in his statement to the OIG. Based on [REDACTED] exaggeration to CPD, which constitutes misdemeanor for making a false report, the OIG sustained a violation of the rules of ethics against [REDACTED]. In contrast, the OIG finds the allegations against [REDACTED] non-sustained.

CF 21-05-038. The OIG was notified by the Director [REDACTED] [REDACTED] that a CCC employee attempted to skip the covid screening line and, after being instructed to follow the procedure, yelled expletives at the security staff. After interviewing witnesses and reviewing security

footage, the OIG sustained allegations against [REDACTED] for violating General Rules and Regulations against verbal altercations.

### **OIG Investigative Process**

Following up on the Q1 report on the investigative process, the OIG has continued to focus on standardizing the investigative steps, forms, process, and responses to stake holders. We are testing a new case management system with hopes to integrate Labor Relations. The case management system is already accepting our revised online form that can be electronically filled and delivered directly to OIG.

This quarter we saw an increase in external complaints. We are developing protocols for assuring we are not working duplicitous cases with Labor Relations. Despite the rise in external complaints, we have seen a willingness from the entire Clerk of the Circuit Court Office to refer cases. In Q3 we intend to work with external affairs to outfit the Clerk's offices with signage promoting what we do, why, and how to initiate complaints.

### **Training and Education**

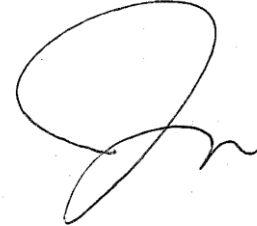
The OIG for the Clerk of the Circuit Court of Cook County is structured in compliance with the standards set forth by the AIG. All 4 member of the OIG are members of the national and Illinois chapters of the AIG. Our investigators and DC will be attending the national training this year and become certified IG Investigators.

### **Criminal Prosecutions**

At the time of this report, CCSAO had two cases referred for criminal prosecution. There were no updates as to the status of charging decisions on either case. Additionally, the OIG worked with other outside law enforcement agencies regarding several matters. To date, no cases have resulted in charges, however the OIG has established good working relationships with law enforcement partners.

Thank you for your time and attention, feel free to reach out with any concerns or questions.

Respectfully,

A handwritten signature in black ink, appearing to read 'J. Murphy-Aguilú', with a large, stylized initial 'J'.

James S. Murphy-Aguilú  
Inspector General

cc: Thomas Nowinski, Chief of Staff  
Hon. Judge Gloria Chevere, Senior Policy Advisor  
Patrick Hanlon, Executive Clerk of Public Information/External Affairs  
Carmen Navarro-Gercone, Executive Clerk of Operations  
Maureen O'Donnell, Chief Human Resource Officer  
Tiffany Brooks, General Counsel