



October 15, 2021

Re: Inspector General Quarterly Report (3rd 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 July 1, 2021, through September 30, 2021.

OIG Complaints

The OIG received a total of 121 complaints during this reporting period.¹ Of the 121 complaints, 37 complaints came from internal referral and 84 came from an external source (hotline, mail, web or direct call) including three cases referred from the Office of the Independent Inspector General. During the third quarter, the OIG implemented a new intake and classifications policy for cases. Out of the 121 complaints, 75 were classified as Management Inquiries, 20 were classified as Disciplinary Reports, 3 as Information Inquiries, and 23 as Case Files.

Additionally, the OIG had eight open cases pending at the beginning of Q3, four cases from Q1 and four cases from Q2, the eight cases remain pending and are near completion. In Q3, 96 cases were closed as administrative closure, with 11 case files closed through a summary report. In Q3, the OIG closed a total of 107 cases.

OIG Summary Reports

During the third quarter of 2021, the OIG closed 107 total cases with 11 closed as summary reports and 96 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.

¹ 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. In some cases, another CCC department is best suited to address the complaint. A Management Inquiry will be opened and the OIG will draft an administrative closure when the issue is addressed.

CF 21-03-019. This case was initiated after the OIG received an anonymous letter alleging Associate Clerk ██████████ was working remotely from San Juan, Puerto Rico. The OIG interviewed ██████████. ██████████ stated that he was preapproved by Iris Y. Martinez, Clerk of the Circuit Court, to work remotely during the month of December 2020. The OIG confirmed his assertion, the allegation was non-sustained.

CF 21-03-022. This case was initiated after a complaint was made to Labor Relations alleging court clerk ██████████ altered a court document without the Judge's permission. Labor Relations detailed in a memorandum to the OIG that on November 5, 2020, ██████████ was instructed by Chief Deputy Clerk (CDC) ██████████ to obtain a quash and recall order from ██████████ ██████████ in case ██████████. It was alleged that ██████████ failed to obtain a judicial signature and instead, wrote "Q&R" on the document without permission. The OIG interviewed CDC ██████████ and ██████████, who both confirmed the facts presented in CDC ██████████ incident report and the memorandum from Labor Relations. ██████████ acknowledged placing the Q&R on the order, not asking Judge ██████████ to sign the order and presenting the order to Judge ██████████. The OIG found that ██████████ violated GRR 4.1.6, 4.1.11, and Code of Ethic 6 (B). The allegations were sustained.

CF 21-04-033. This case was initiated after a sexual harassment complaint was made to the OIG by retired court clerk ██████████. ██████████ claimed that on April 8, 2021, while visiting the ██████████ to retrieve her personal belongings she left after retiring, while riding the elevator, ██████████ ██████████, reached over and grabbed both of ██████████ breasts. The OIG interviewed ██████████ who described the incident and stated that ██████████ had made passes at her in the past. The OIG interviewed ██████████ who denied touching ██████████ breasts and giving ██████████ a hug. The OIG interviewed employees, ██████████ and ██████████, both stating they were not aware of any inappropriate sexual advances by ██████████ towards ██████████. However, ██████████ provided accounts of two other women who expressed feeling uncomfortable with ██████████. The OIG found that ██████████ and ██████████ admitted to participation in a friendship but provided inconsistent statements about the nature of the relationship. Neither ██████████ nor ██████████ provided statements that could negate the assertions of the other. The OIG found the allegations inconclusive.

CF 21-04-034. This case was initiated after the OIG received a letter from former investigatory union steward for ██████████ and now business agent, ██████████ alleging the Clerk, Iris Martinez and her executive staff gave a directive to the Chief Deputy and the managers to ignore CBA rules (contract and statutes) to harass and embarrass employees that worked for the last administration. The OIG interviewed CDC ██████████ and ██████████ who denied receiving or delivering such an order. The allegations were non-sustained.

CF 21-06-054. This case was initiated after a complaint was made to Labor Relations by CDC ██████████. According to CDC ██████████, ██████████, Deputy Chief ██████████, stated that ██████████ was working for the City Colleges of Chicago, while on disability from the Clerk's Office. The OIG also contacted the Inspector General of City Colleges, ██████████, and requested any records of employment or enrollment by ██████████. After review, IG ██████████ confirmed that ██████████, now known as ██████████, was enrolled during the fall semester as ██████████, in 2009, during the dates of, August 27, 2009, through December 10, 2009. IG ██████████ also provided that her system showed no employment activity under either name. The OIG found that after a review of the CCT system, the OIG finds that ██████████ was

approved for disability from May 8, 2021, through July 11, 2021. Therefore, she did not violate the time and attendance policy and based on records provided by the Inspector of the City Colleges, [REDACTED] has never taught there. The allegations were non-sustained.

CF 21-06-057. This case was initiated after a complaint was made to Labor Relations by court clerk [REDACTED]. [REDACTED] claimed that CDC [REDACTED] continuously threatened [REDACTED] employment and stated that [REDACTED] told him, "People downtown don't like you, they're trying to find a reason to fire you." The OIG interviewed [REDACTED] who stated he has never had issues with his job performance as a courtroom clerk. [REDACTED] said he no longer wanted to come to work, and that he walks on "pins and needles," because believed [REDACTED] intended on finding a reasons to fire him. The OIG also interviewed CDC [REDACTED] who denied threatening [REDACTED] job. [REDACTED] stated that [REDACTED] told him that he would not take leadership or direction from his office. Further, [REDACTED] stated that employees told him that [REDACTED] has been a bully for the past 20 years and asked [REDACTED] to "keep him at bay." [REDACTED] further alleged that [REDACTED] would leave his courtroom at the end of the call without notifying his supervisors. [REDACTED] stated that [REDACTED] continuously violated the work through lunch policy despite receiving warnings from Labor Relations. In contrast, the OIG reviewed time and attendance records for [REDACTED] and found that [REDACTED] always clocked out for lunch. [REDACTED] stated that he believes that [REDACTED] perception that he was targeted came from general conversations [REDACTED] had with staff about adherence to time and attendance policy. The OIG found the evidence inconclusive.

CF 21-06-058. This case was initiated after a complaint was made to the OIG by member of the public [REDACTED]. [REDACTED] claimed that clerk [REDACTED] went to her home unsolicited after he assisted her with filing her eviction paperwork the day before at the Clerk's Office. [REDACTED] was unsure why [REDACTED] was on her porch and wondered if it had to do with her paperwork. As she approached, she asked [REDACTED] what he needed, and [REDACTED] inquired about renting the apartment after the current tenants were evicted. [REDACTED] was confused by the request because the apartment was not available for rent and [REDACTED] had not even seen the apartment. [REDACTED] provided the OIG with video camera footage of [REDACTED] being on the front porch of her property. The OIG interviewed [REDACTED] who confirmed he was the clerk that assisted [REDACTED] with her paperwork and that the next day, he went to [REDACTED] home and waited on the porch for about a minute before she arrived. He then asked her about renting the unit when it became available. The OIG found that [REDACTED] violated sections 4.1.11 and 4.1.12 of the General Rules and Regulations, as well as, Code of Ethics Sections 1(A), 2(B), 3(A(1))(A(2))(A(3)), and 6. The allegations were sustained.

CF 21-07-065. This case was initiated after a workplace violence complaint was made to Labor Relations by [REDACTED]. [REDACTED] claimed that on July 8, 2020, while at her desk, [REDACTED] looked in her direction and yelled, "what are you looking at," while making an intimidating motion toward her. Additionally, [REDACTED] alleged that later that afternoon, [REDACTED] walked past her toward the time clock and yelled, "She don't scare me." The OIG conducted a thorough investigation, interviewing several witnesses and co-workers. In sum, the OIG found that [REDACTED] was in the vicinity of [REDACTED] and did confront her as she looked in his direction. The OIG does not find that the encounter rose to a level of workplace violence and does not find [REDACTED] claim to have been intimidated convincing. However, on February 13, 2020, Associate Clerk [REDACTED] drafted a memorandum to [REDACTED] prohibiting [REDACTED] from being near [REDACTED] desk unless on official business. The OIG found that [REDACTED] did violate GRR

4.1.2, engaging in a verbal altercation by confronting [REDACTED] after he observed her look in his direction; and GRR 4.1.6, insubordination by failing to follow AC [REDACTED] directive detailed in the February 13, 2020, memorandum. Portions of the allegations were sustained.

CF 21-07-066. This case was initiated after a complaint was made to the OIG by Chief [REDACTED] that [REDACTED] Manager [REDACTED] provided an inconsistent statement to an investigator regarding an investigation into a counterfeit note. Security Investigator [REDACTED] reported that based on camera footage of the area, [REDACTED] never scrutinized the USC that was tendered to him, [REDACTED] never ran the USC through a money counter to detect counterfeit notes, [REDACTED] never used a bill marker to check if the USC was counterfeit, and no money counting machines were in the vicinity of [REDACTED] cashiering station. The OIG interviewed [REDACTED] and inspected the [REDACTED] offices. The OIG found that cameras are present only over the cashier's counter. Additionally, the money counting stations are located approximately 50 feet away from the cashiers' counter. The OIG found [REDACTED] credible and further found that he did not provide a false statement to the OI and the allegations were found non-sustained.

CF 21-07-070. This case was initiated after a workplace violence complaint was made to Labor Relations by [REDACTED] that [REDACTED] pushed her on her shoulder with two hands. The OIG interviewed [REDACTED] who explained that [REDACTED] pushed her with two hands on the shoulder after a verbal confrontation over workspace. The OIG interviewed [REDACTED], a manager who responded to the incident with [REDACTED] supervisors [REDACTED] and [REDACTED]. [REDACTED] told OIG that [REDACTED] told [REDACTED] and [REDACTED] that she was pushed by [REDACTED] on the shoulder. In direct contrast, the OIG obtained surveillance footage of the area on the specific dates and observed [REDACTED] get up from her desk and move a box from an adjacent cabinet to a desk directly across from her desk. [REDACTED] moved into the only egress from behind [REDACTED] desk cutting [REDACTED] off behind the desk. [REDACTED] attempted to pass [REDACTED] who did not move. [REDACTED] made efforts to avoid contact with [REDACTED], in direct contrast to [REDACTED] claims. The allegations against [REDACTED] were found non-sustained. In contrast, [REDACTED] fabricated a claim of workplace violence against [REDACTED] to her supervisors and the OIG. The allegations were sustained against [REDACTED].

CF 21-08-072. This case was initiated after a complaint was made to the OIG by member of the public [REDACTED] that ACDC [REDACTED] and Manager [REDACTED] verbally abused her and prohibited her from entering the facility. The OIG interviewed ACDC [REDACTED] and [REDACTED], both denied making any negative comments to [REDACTED]. [REDACTED] and [REDACTED] stated that they guided [REDACTED] through the court process including assisting her reduce her court fees, obtain free copies of court documents, and provided her information how to obtain legal counsel. ACDC [REDACTED] also stated that there is no order barring [REDACTED] from [REDACTED]. However, Judge [REDACTED] informed [REDACTED] that she did not need to come back to [REDACTED] because the appellate court has jurisdiction over her case. The allegations were non-sustained.

OIG Investigative Process

Following up on the Q2 report on the investigative process, the OIG continued to focus on standardizing the investigative steps, forms, process, and responses to stake holders. During Q3, the OIG began memorializing all external and internal complaints within the Clerks Office. The OIG is logging all discipline, even when investigated by Labor Relations or handled within another department. Disciplinary actions handled by labor relations or within the departments themselves are classified as disciplinary reports. Customer service complaints will be referred to the relevant division and the OIG will monitor these incidents to ensure the issues are addressed. Complaints initiated with the OIG and sent to another department of the Clerk's Office are classified as management inquiries. Finally, the OIG receives requests for information from agencies that may not lead to discipline. The OIG classifies these cases as information inquiries. Each classification of case receives a unique case file number.

In Q3 the OIG implemented a new case management system and began tracking all complaints and discipline throughout CCC. The case management system integrates the online OIG complaint form as a ticket. The OIG then reviews the ticket, assigns it a case file number and classification, and assigns the cases to the appropriate department or investigator for further action.

This quarter there was a significant increase in external complaints. The OIG will continue work with operations as we open the call center to efficiently track discipline across the Clerk's Office.

Training and Education

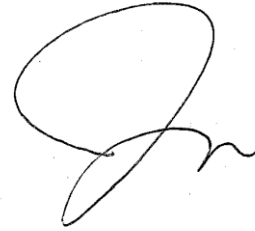
The OIG for the Clerk of the Circuit Court of Cook County is structured in compliance with the standards set forth by the AIG. All 4 member of the OIG are members of the national and Illinois chapters of the AIG. Investigators Perkins and Campbell along with DC Hallinan attended the national training of Inspector Generals this year and are now certified IG Investigators.

Criminal Prosecutions

At the time of this report, OIG has two cases referred for criminal prosecution to CCSAO. There were no updates as to the status of charging decisions on either case.

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 'James S. 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