



January 3, 2021

Re: Inspector General Quarterly Report (4th 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 October 1, 2021, through December 31, 2021. In addition, below I provided a brief discussion the overall numbers from 2021.

OIG 2021 Complaints

At the start of 2021, the OIG inherited 10 pending casefiles. In 2021, the OIG opened and investigated 120 new casefiles. The OIG closed 110 or 85% of the cases. 38% of the cases were closed through summary report. 65% of the summary reports were closed with sustained findings. 62% of all cases were closed as administrative closure with 20 cases pending at the start of Q1 2022. During 2021, the OIG closed all 10 inherited case files that predated the new administration.

OIG Q4 Complaints

The OIG received a total of 229 complaints during Q4.¹ Of the 229 complaints, 45 complaints came from internal referral and 184 came from an external source (hotline, mail, web or direct call) including one case referred from the Office of the Independent Inspector General. During Q4, the OIG continued to refine the management inquiry and intake process. The OIG logged a record number of complaints and successfully processed them. Out of the 229 complaints, 156 were classified as Management Inquiries, 34 were classified as Disciplinary Reports, and 36 opened as casefiles investigated by the OIG.

Additionally, the OIG had 24 open cases pending at the beginning of Q4, five cases from Q1, four cases from Q2, and 15 cases from Q3. 14 of the 24 cases pending at the beginning of Q4 are now

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.

closed. In Q4, the OIG closed a total of 42 cases. 30 cases were administrative closed, with 12 case files closed via summary report.

OIG Summary Reports

During the fourth quarter of 2021, the OIG closed 42 total case files with 12 closed as summary reports. 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 19-12-006. This case was initiated after a complaint was made to Labor Relations alleging manager ██████████ failed to satisfactorily perform her work duties by purposefully withholding an Order of Protection for five days. The OIG interviewed several employees and members of the Cook County Sheriff's Department. In sum, the OIG determined that ██████████ did fail to provide the Sheriff's Department the full OOP packet which ultimately led to the OOP never being properly served. However, despite ██████████ failure to provide the entire packet, the OIG learned that litigants were responsible at that time for preparing the paperwork. Therefore, the OIG could not determine if ██████████ failure was due to a lack of diligence on her part or that of the litigant. The OIG found the allegations inconclusive.

CF 21-02-016. This case was initiated after several complaints were made alleging clerk ██████████ habitually delayed processing expungement cases. The evidence revealed that over a four-month period, 80% of the expungement cases were processed more than 30 days after the case was filed with the clerk's office. Additionally, ██████████ provided an expungement log, she created which, in part, reported the days she sent the case to the Chief Judge's office. The OIG compared her logs with the logs created by the Chief Judge's Office and found several inconsistencies. Based on the evidence collected, the OIG found ██████████ in violation of the General Rules and Code of Ethics for insubordination and negligence in the performance of duty.

CF 21-05-037. This case was initiated after a complaint was made ██████████ social media depicting her at dinner and on the beach without a mask or a face shield and that the actions in the photos were inconsistent with ██████████ Americans with Disability Act (ADA) reasonable accommodations request. The OIG obtained ██████████ file from Human Resources. ██████████ denied the allegations and provided proof that the photos were taken on a date prior to her ADA accommodation. Therefore, the OIG found the allegations non-sustained.

CF 21-06-051. This case was initiated after it was alleged that clerk ██████████ falsified a timekeeping record. Specifically, ██████████ allegedly asked a supervisor to sign a time sheet correction form for a date she did not work. ██████████ asked Associate Clerk ██████████ to approve a time sheet correction form where ██████████ claimed that the time clock failed to register her swipe. Associate Clerk ██████████ stated that she told ██████████ twice that she wouldn't sign the form until she confirmed her attendance for that day. ██████████ later admitted to Associate Clerk ██████████ that she reviewed her timesheets and discovered that she used FMLA time on that day. It was confirmed that ██████████ was not in the office on that day. Additionally, the OIG reviewed ██████████ swipe transactions and time sheet correction forms and found that ██████████ submitted seven time-clock correction forms between February 2, 2021, and May 25, 2021. On six occasions, the reason expressed was the time clock failed to register her swipe. After a review of all the evidence, the OIG found that ██████████ violated the General Rules and Code of Ethics for falsification of time and attendance records.

CF 21-07-059. This case was initiated after a complaint was made that ██████████ failed to upload necessary publication documents into Odyssey and failed to transmit publication affidavit and notices from the State's Attorney's Office to the Chicago Tribune for publication prior to 10 days before the scheduled hearing per IL Statute 705 ILCS 405/3-18. The OIG audited 232 cases from March of 2021, and found that on 35% of the cases, the notice for publication was sent late resulting in publication less than 10 days prior to the hearing in violation of the Juvenile Court Act. In 4% of the cases, the notice for publication was not uploaded into the Odyssey case management system. Finally, in 17% of the cases the certificate of publication was not uploaded into the Odyssey case management system at all. In total, the OIG found errors in 62% of the cases ██████████ processed in March 2021. The OIG sustained the allegations that ██████████ violated the General Rules and Code of Ethics by her insubordination and negligence in the performance of duty.

CF 21-07-063. This case was initiated after a complaint was made by clerk ██████████ that she was struck on two occasions by her coworker clerk ██████████ in violation of the workplace violence policy. ██████████ claimed that in October 2020, clerk ██████████ hit her with a stack of papers on the arm and on January 19, 2021, ██████████ used her winter hat to hit her on the top of her head. ██████████ stated that after the first incident she expressed to ██████████ that the touch was unwanted, and ██████████ apologized. The OIG found that ██████████ actions were not malicious, violent, or offensive physical contact, therefore the allegations did not meet the definition of workplace violence. However, the contact was unwanted, and a warning had been issued after the first incident, therefore the allegation the ██████████ violated General Rule 4.1.2, "other physical contact" was sustained.

CF 21-08-071. This case was initiated after the OIG received a complaint from a Circuit Court Judge that clerks ██████████ and ██████████ harassed them after they expressed that ██████████ would not be assigned to work their courtroom. According to the Judge's written statement, on August 2, 2021, ██████████ confronted the Judge about becoming their clerk and asked if they had a personal issue with him. ██████████ returned to their court room later that day with his supervisor, ██████████, and both Clerk's employees confronted the Judge in what she described as a threatening manner about ██████████ desire to become their clerk. The Judge felt uncomfortable with both interactions and reported the incidents to the Presiding Judge and the Cook County Sheriff's Office. The OIG learned that CDC ██████████ met with the Presiding Judge about assigning ██████████ to that Judge's courtroom and the decision was made that it was not an option. CDC ██████████, made it clear to both ██████████ and ██████████ that ██████████ would not be assigned to that Judge's court room. Additionally, on July 29, 2021, CDC ██████████ exchanged text with ██████████ where CDC ██████████ expressed that it was a bad idea to try and wait for the Judge to discuss the issue. In sum, both ██████████ and ██████████ approached the Judge and confronted her on an issue they were aware had already been decided. Moreover, ██████████ confronted the Judge in a threatening and unprofessional manner. The allegations against both employees were sustained.

CF 21-08-075. This case was initiated after a complaint that CDC ██████████ was abrasive, intimidating, and yelled at ██████████ during two meetings regarding ██████████ work schedule and responsibilities. The OIG interviewed the employees who attended in the meetings. Witnesses to the exchange between CDC ██████████ and ██████████ all provided consistent statements

that CDC ██████ never yelled or was ever disrespectful during the conversation. The allegations against CDC ██████ were non-sustained.

CF 21-08-080. This case was initiated after a complaint was made to Labor Relations by Director ██████ that alleged ██████ employee ██████ neglected to perform his duties. Director ██████ reported, that after a phishing attack, ██████ was instructed to access PIO ██████ computer and provide details on the attack. ██████ discovered a rogue rule in PIO ██████ Microsoft Outlook, and when Director ██████ asked ██████ to screenshot the information, ██████ was unable to do so because he deleted the rule. ██████ failed to memorialize the rule, or any information related to the rule that could be used for any follow up investigation by the Counties Bureau of Technology. The OIG learned that Director ██████ ordered ██████ to inspect PIO ██████ machine and report back immediately. ██████ stated that when responding to a phishing scam and other types of attacks, his protocol would be to delete the issue, clean the computer, and run a scan of the computer. In contrast, CIO ██████ stated that even if not given a direct instruction to memorialize the rule, ██████ should have known to do so before deleting it. The OIG finds that ██████ was negligent by failing to memorialize the rule. Deleting the rule was necessary, however failing to memorialize the rule prior to doing so resulted in the inability to further investigate the phishing attack. The OIG sustained allegations that ██████ negligence was a failure to act in the best interests of the Clerk.

CF 21-08-081. This case was initiated after a complaint was made to Labor Relations by Director ██████ that alleged ██████ employee ██████ neglected to perform his duties by failing to transfer data timely when he upgraded Deputy ██████ ██████ computer and further, losing the hard drive before completing the transfer. According to Director ██████ report ██████ was assigned to deliver ██████ a new computer and transfer the 150 gigabytes of data onto her new machine. ██████ provided the new computer but failed to complete the transfer project despite his belief that the transfer had been completed in late January or early February. By February 8, 2021, approximately one month after the assignment, Director ██████ discovered the transfer had not been completed as reported. Additionally, ██████ lost ██████ hard drive, until it was discovered 7 months later, delaying the transfer of her data. The OIG found that ██████ failed to transfer ██████ data timely and further failed to safekeep the hard drive resulting in it getting lost. The allegations were sustained.

CF 21-09-169. This case was initiated after a complaint that alleged manager ██████ yelled at his supervisor CDC ██████ for questioning his use of leave time and then abandoned his post. After a thorough investigation, the OIG determined that CDC ██████ confronted ██████ about the consistent use of leave time. ██████ got angry, interrupted her, and stated that he was going to his friend's funeral and further stated that he did not care what the 10th floor thought. ██████ immediately left the ██████ without permission. Witnesses related that ██████ was upset and cursing as he left the office. ██████ returned an hour later and immediately clocked out for lunch. Additionally, ██████ failed to complete any work after the confrontation. The OIG sustained allegations that ██████ engaged in a verbal altercation, was insubordinate, abandoned his work area, and failed to work diligently in violation of the General Rules and Code of Ethics.

CF 21-11-238. This case was initiated after two complaints that alleged manager ██████ made racially insensitive and derogatory comments to two different employees. In one complaint, the employee alleged that during a conversation about a life insurance, ██████ stated, "You people normally don't have these things in order," referencing African Americans. In the second

complainant, the employee alleged that ██████ told the employee they were “not capable” of doing a job they had been assigned. The employee asserted that the comment was based on her gender because she believed ██████ treated men differently than woman. The OIG found both employees credible that ██████ does not make them feel comfortable. However, the OIG found no evidence that ██████ discriminated based on gender. Further, the witness statements were inconsistent with respect to the comment about “you people.” ██████ denied making the comment and one witness reported that ██████ asked about life insurance, and she felt the statement was inappropriate. Based on the lack of corroboration, the OIG found the allegations to be inconclusive.

OIG Investigative Process

Following up on the Q3 report on the investigative process, the OIG continued to focus on standardizing the investigative steps, forms, process, and responses to stake holders. During Q4, the OIG continued memorializing all external and internal complaints within the Clerk’s 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 Q4 the OIG continued to implement the new case management system created in Q3 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.

Training and Education

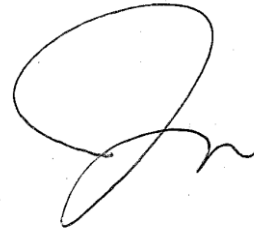
The OIG continues to seek additional training on internal systems such as CCT, Odyssey and other data systems. Additionally, the OIG has continued training with both the local and national chapters of the Association of Inspector Generals. The office recently attended a two-day training offered by the Illinois Chapter of Inspector Generals. James Murphy-Aguilu participated in the planning committee and secured two speakers for the training. The OIG will continue to seek training opportunities to improve efficiency and effectiveness.

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-Gercione, Executive Clerk of Operations
Maureen O'Donnell, Chief Human Resource Officer
Tiffany Brooks, General Counsel