



January 13, 2023

Re: Inspector General Quarterly Report (4th Qtr. 2022)

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, 2022, through December 31, 2022.

OIG 2022 Complaints

At the start of 2022, the OIG had 20 pending casefiles. In 2022, the OIG opened and investigated 199 new casefiles. The OIG closed 125 or 63% of the cases. Of the closed cases, 30% of the cases were closed through summary report. 20% of the summary reports were closed with sustained findings. 73% of the cases were closed administratively, with 72 cases pending at the start of Q1 2023. 54 of the 72 cases pending are part of a joint investigation with the OIIG. During 2022, the OIG closed all 20 of the pending case files that predated 2022.

OIG Q4 Complaints

The OIG received a total of 88 complaints during Q4.¹ Of the 88 complaints, 24 complaints came from internal referral and 64 came from an external source (hotline, mail, web or direct call) including two cases referred from the Office of the Independent Inspector General. Out of the 88 complaints, 51 were classified as Management Inquiries, 11 were classified as Disciplinary Reports, and 26 opened as casefiles investigated by the OIG.

Additionally, the OIG had 73 open cases pending at the beginning of Q3, one case from 2021Q3, 14 cases from 2022Q3, and 58 cases from 2022Q2. 14 of the 73 cases pending at the beginning of Q4 are now closed. In Q4, the OIG closed a total of 27 cases. 19 cases were administrative closed, with 8 case files closed via summary report.

OIG Summary Reports

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.

During the fourth quarter of 2022, the OIG closed 27 total case files with 8 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 22-06-250. CDC ██████████, ACDC ██████████, and manager ██████████ were accused of discrimination and harassment. The OIG interviewed the complainant, ██████████; CDC ██████████; ACDC ██████████; manager ██████████; and union representatives. The complainant could not provide witness support for any of her allegations of discrimination. Both union representatives stated they had not observed any actions by the supervisors that would be considered discriminatory or harassing. Additionally, ██████████ alleged that her FMLA rights were violated because they were denied accommodations to "self-manage" their medical condition. FMLA is a federally protected leave and not the same as a reasonable accommodation to be used while on the job. According to CDC ██████████ and ACDC ██████████, the clerk was instructed submit the ADA reasonable accommodation form which never did. In sum, there was insufficient evidence to support claims. In fact, the evidence suggests that CDC ██████████ and ACDC ██████████ acted within the scope of their duties. The allegations against CDC ██████████ and ACDC ██████████ were non-sustained. In contrast, the OIG finds by a preponderance of the evidence that manager ██████████ did violate the Clerk's General Orders 4.1.2 by making non-offensive physical contact with ██████████. ██████████ admitted that she patted the ██████████ on the shoulder. The allegation that ██████████ violated General Rule 4.1.2. was sustained.

CF 22-06-321. At this time, this case will not be summarized. This case is part of a larger scale investigation involving numerous cases and will be discussed at a later stage.

CF 22-08-413. Manager ██████████ was accused of amending a court order and disregarding a Judge's ruling. The OIG discovered that the Sheriffs received a copy of the court order prior to its correction. This resulted in failure of the Sheriff's office to carry out the Court's order. It is the responsibility of the bond court clerks and the manager to maintain the proper record and not distribute incomplete or unfinished orders to other stake holders. The fault lies in the process, and therefore, rests with both the court clerk and the managers. The OIG found manager ██████████ responsible for the error. ██████████ violated GRR 4.1.11 and Code of Ethics Section Six (A) and Section Seven (A); the allegations against ██████████ were sustained.

CF 22-09-452. The OIG received an incident report that 100 USD was taken from clerk ██████████ ██████████ purse. OIG conducted a thorough investigation regarding the theft and after reviewing the evidence and interviewing all involved parties, the OIG determined that there was insufficient evidence to sustain an allegation of theft. The OIG found that Manager ██████████ violated GRR 4.1.11, in that he failed to report an incident to his supervisors. Manager ██████████ lack of documented action failed to exhibit competence and facilitate the performance of other employees. He violated GRR 4.1.12, in that his lack of supervision, and demonstrated a disregard for the best interest of the Clerk's Office. Further, he violated Code of Ethics Section Seven, (A) and (D). Manager ██████████ never reported the incident to his supervisors thereby failing to exhibit a higher standard of conduct than other employees.

CF 22-09-458. ██████████ was accused of entering two orders of protection into Odyssey and neglecting to send them to the Sheriff's Office to be entered into LEADS. The record reflects that ██████████ entered the orders into Odyssey the same day and displayed diligence and attentiveness in her responsibilities. ██████████ was new to the role and lacked the proper training on the steps to process each type of order, specifically how to provide notice to CCSO so the OP is reflected in

LEADS. The OIG does not believe [REDACTED] was negligent in her actions. As such, allegations that [REDACTED] violated the General Rules and Code of Ethics regarding her diligence in her responsibilities were non-sustained.

CF 22-10-495. The OIG received a notification that CCC employee [REDACTED] was detained by CCSO after they discovered a handgun in his backpack as he attempted to enter the Richard J. Daley Center. It was determined that [REDACTED] had a valid CCL, allowing his release. The OIG found [REDACTED] in violation of GRR 4.1.4 as he was not authorized to bring his weapon into the Daley Center. Further, the OIG believed [REDACTED] mistakenly failed to secure his weapon prior to his entrance to the court building, therefore, constituted a violation of GRR 4.1.3, 4.1.12, and Section VI Code of Ethics.

CF 22-10-499. CCC OIG received a complaint that alleged Honorable Clerk Iris Martinez violated the Cook County Code of Ethics by using her position, resources, and authority to advocate that the Illinois Law Enforcement Training and Standards Board (ILETSB) grant a law enforcement certification and waiver of law enforcement training for Executive Clerk [REDACTED]. While not under its jurisdiction, the Clerk of the Circuit Court often looks to Cook County ordinances and rules to establish its own regulations. At no point within the Code of Ethics discussion of political activity does it limit one's advocacy or repudiation of a particular law, ruling, or candidate. Nor does it prohibit any of the conduct asserted by the complainant. The issue was not decertification but whether the board was authorized to review the training history of a candidate seeking public office. Clerk Martinez questioned the board's responsibility to do so. Clerk Martinez' assertions, notwithstanding the complainant's implication regarding the motivation, were well within the bounds of the board's affairs. As such, the OIG found the allegations against Clerk Martinez for violation of Cook County Ordinances and CCC General Rules and Regulations and Code of Ethics non-sustained.

CF 22-11-518. ACDC [REDACTED] was accused of negligence in performance of duties by leaving time-sensitive tasks incomplete since 2020. Upper management in the [REDACTED] division discovered multiple boxes and records that contained unopened mail with payments located in former CDC [REDACTED] office. After further investigation, the OIG determined the [REDACTED] failed in her responsibility to properly process tickets, manage her staff, and timely open the mail. This failure was pervasive, long standing, and detrimental to the Clerk's Office. In accordance with GRR 4.1.11 and 4.1.12; and Code of Ethics Sections Six and Seven; the OIG sustained allegations.

Case Management

Following up on the Q3 2022 report on the investigative process, the OIG focused on working with Labor Relations and Court Operations to formalize reporting and minimize multiple platforms for case tracking. During Q4, the OIG continued memorializing all external and internal complaints within the Clerk's Office.

In Q4, the OIG continued to utilize the case management system created in Q3 2021 and tracked all complaints and discipline throughout CCC. The OIG has worked closely with Labor Relations and Court Operations to implement and track information related to the functions of each unit. The OIG is currently imputing all data and will plan to diversify the effort as staffing comes online. Additionally, as Labor was recently overhauled, the OIG will focus in Q4 to work with Labor to simplify the tracking and reporting of discipline, movements, and other employment actions. The OIG organized a standing biweekly meeting for Labor Relations, Court Operations, Human Resources, Personnel

Services, and General Counsel to discuss disciplinary issues that involve recently closed OIG investigations, disciplinary issues on employees in supervisory roles, management inquiry tracking, and grievance hearing updates.

Finally, in Q4 2022, the OIG continued working on the 2022Q2 joint investigation with the Office of the Independent Inspector General (OIIG). Both offices entered a memorandum of understanding relative to the investigation. The joint investigation allows our office to extend certain powers held by the OIIG in the investigation of employees of the Clerk of the Circuit Court.

OIG Team

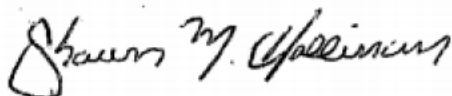
In Q4, the OIG onboarded two new investigators. The OIG is now composed an Inspector General, Deputy Chief, and four Inspector General Investigators. Three of the Inspector General Investigators are certified by the Association of Inspectors General (AIG) as Certified Inspector General Investigators and are members of the AIG IL Chapter.

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,



Shawn Hallinan
Deputy Chief

cc: James Murphy-Aguilu, 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
Mary Anne Spillane, Chief Human Resource Officer
Tiffany Brooks, General Counsel