



January 15, 2024

Re: Inspector General Quarterly Report (4th Qtr. 2023)

Dear Honorable Clerk Iris Martinez, Executive Staff, and all the residents whom we serve:

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 Clerk of the Circuit Court (CCC) Office of the Inspector General (OIG) during the period beginning October 1, 2023, through December 31, 2023.

OIG 2023 Complaints¹

At the start of 2023, the OIG had 66 pending case files (with 51 being part of a joint investigation with the Office of the Independent Inspector General). During 2023, the OIG closed 65 of the 66 pending case files that predated 2023, however the OIG had to reopen a closed case from 2022 for additional investigation. One case involving a larger scale investigation partnered with Management Information Systems (MIS) and the Finance Bureau remains open. In total, 64 of the 66 pending cases were closed in 2023.

In 2023, the OIG received 90 new case files, totaling 156 active case files this year. The OIG closed 114 (73%) of the cases. Of the closed cases, 80 (51%) of the cases were closed through summary report. 59 (37%) of the summary reports were closed with sustained findings. The remaining 34 (22%) closed cases were closed administratively.

42 (27%) cases are pending at the start of 2024Q1, which include cases related to a joint investigation with the OIIG.

OIG Q4 Complaints

The OIG had 44 open cases pending at the beginning of Q4: one reopened case from 2022Q2, one case from 2022Q4, 18 cases from 2023Q1, 14 cases from 2023Q2, and 11 cases from 2023Q3. 13

¹ Upon receipt of a complaint, a review process is conducted to determine if the OIG has jurisdiction over the complaint. A Case File is opened if the OIG determines that the complaint involves a violation of Clerk's Office rules and regulations that warrants an investigation by the OIG. If a full investigation is conducted, a summary report is written and delivered to the Honorable Clerk, Chief of Staff, General Counsel, and the Chief Human Resources Officer. If, during its investigation, the OIG finds evidence that warrants closure without a finding (lack of jurisdiction, better suited for another agency, etc.), an administrative closure memo will be drafted. In cases where another Clerk's Office department is better suited to address the complaint, a Management Inquiry will be opened, and the OIG will follow up with the department to make sure the complaint was resolved. The OIG does not provide updates to or results of its investigations outside of the OIG and does not provide copies of reports or memos to anyone outside of the OIG, Honorable Clerk, Chief of Staff, General Counsel, and Chief Human Resources Officer.

of the 44 cases were closed. In Q4, the OIG closed a total of 14 cases: four cases were administratively closed and 10 case files were closed via summary report.

During Q4, the OIG received a total of 123 complaints through the OIG telephone hotline, mail, web, email, fax, direct report, and the QR Code Customer Service Survey. Of the 123 complaints, 14 complaints came from employee complainants and 109 came from non-employee complainants. Out of the 123 complaints, 111 were classified as Management Inquiries, and 12 opened as case files investigated by the OIG.

Of the 278 cases active during Q4 (cases and Management Inquiries), 216 were closed, leaving 62 pending at the end of the quarter.

OIG Summary Reports

During the 2023Q4, the OIG closed 14 total case files with 10 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.

CF 23-03-091. The OIG received a customer survey complaint from a data entry clerk ("clerk") alleging acts of discrimination by the traffic Associate Chief Deputy Clerk (ACDC). The clerk claimed their request to work through lunch was denied due to their choice to use the restroom when others were at lunch. The clerk returned from the bathroom and observed the ACDC exiting the office. A colleague informed the employee that the ACDC had just asked where everyone was. The following day, the employees submitted their work through lunch requests for that day and the previous day. The clerk stated that their request for the day prior was denied by ACDC, although it is typical that the direct manager handles time requests. The clerk asked their direct manager about the rejected time and was directed to resubmit the request. However, when interviewed, the manager denied the clerk's statement and alluded to other issues involving the clerk's time and being away from their desk too long. The manager stated the ACDC notifies them if they plan to reject any time requests. The ACDC could not recall denying the clerk's work-through-lunch request. The ACDC said rejections are due to the lack of comments entered, but comments were provided on the clerk's time requests.

The clerk also alleged that the ACDC used profanity and tossed documents at or to employees and managers on numerous occasions. Another manager stated that they have been approached by multiple employees regarding the inappropriate behavior of the ACDC, confirming the allegation to be accurate and current. The OIG sustained the allegation against the ACDC of having a verbal or physical altercation with another employee. The allegations against the ACDC of sexual harassment or discrimination of another employee are non-sustained. Though the OIG could not find evidence that rose to the level of discrimination against a protected race, class, gender, or age specifically, we found that the ACDC has mistreated employees. Thus, the OIG sustained findings that the ACDC's conduct demonstrated a disregard for the best interest of the Clerk's Office and did not meet the higher standard of conduct that managers must meet above other employees.

CF 23-03-115 – 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 23-03-151. The OIG received a request from the Associate Clerk of Operations/Administration to investigate the potential violation of the Code of Ethics by a court clerk. After a traffic stop the court clerk posted on their Facebook “Good morning, and Happy Hump Day. For the first time in years, I was stopped by the cops, supposedly, for not making a complete stop. No cars were coming, and I just tapped and went. But thanks to my work ID, he said have a nice day. Thanks Officer Romero...” During the court clerk’s interview, they stated they could not recall what they posted on Facebook regarding the traffic stop. They admitted to being pulled over by an officer for not coming to a complete stop on their way to work. They recalled apologizing to the officer. The court clerk stated when asked by the officer where they were going, they replied “to work” as they showed their Cook County ID, which was around their neck. They stated the officer instructed them to be careful, have a nice day, and allowed them to go to work. Based on the investigation, it appears the officer used his discretion to not issue them a violation, which demonstrates that the officer was not affronted by the interaction and did not perceive that the employee attempted to manipulate the situation by using their work ID for favorable treatment. Therefore, the OIG found the allegation that the employee abused her position as inconclusive.

CF 23-04-198. The OIG received a request from the Executive Clerk of Court Operations/Administration, requesting an investigation into an allegation made by an individual on the Clerk’s Facebook page. The individual stated, “They should all be arrested!!!! [A named CCC clerk] would remove/deleted/alterd court filings as reject filings. [The clerk] was being paid off by attorneys of [a named law firm].” The clerk stated they work with various attorneys who request information by email; however, they did not know the attorneys by name or who worked at the law firm. The OIG showed the clerk a Facebook picture of the individual; the clerk stated they did not know or recognize the individual. An attorney from the named law firm stated, “We have no personal or professional acquaintance with the [clerk] you mention below. No member of our firm engaged in the conduct contained in [the Facebook] post as referenced”. The attorney confirmed they knew the individual, stating they had a long acquaintance with them as the opposing party on a parentage case. The attorney also stated the individual filed other suits against members of their law firm and various judges, which all were dismissed. Therefore, the OIG finds the allegations that the employee violated GRR 4.1.2; 4.1.5 are non-sustained.

CF 22-05-227. The OIG was presented with allegations that a supervisor and two office managers were bullying and harassing an office clerk. The office clerk stated that they did not feel that their supervisor is supportive of their work ethic and described them as being antagonistic. It was alleged that the office clerk had been providing customers with wrong information on ways to pay tickets and not knowing how to monitor cases. Other managers tried to correct the office clerk, but the office clerk became argumentative and told them that they had no idea what they were talking about. One of the office managers stated that the allegations of harassment by management staff were untrue, but rather it was the office clerk who had been harassing the managers when asked to do their job. Another employee witnessed the office clerk bullying one of the office managers and being disrespectful towards another. Neither manager had ever raised their voice at the office clerk at that time. The witness documented the incidents and sent them to their supervisor. Therefore, the office clerk’s complaints mainly focus on their disagreement with operational decisions made by the management staff. The office clerk could not provide witnesses to support their allegations of discrimination, racism, harassment, intimidation, bullying, or workplace mobbing. Therefore, the OIG found the allegations against the supervisor and two office managers are non-sustained.

CF 23-05-250. The OIG received a request from the Executive Clerk of Court Operations & Administration asking for an investigation of allegations of workplace violence between a court clerk

and a court clerk trainer (“trainer”). The first incident was when the trainer informed the court clerk that the court clerk left two court orders on the printer from the day before, the court clerk responded by aggressively yelling, “Don’t tell me those are my orders.” The second incident occurred when the trainer was directed by their supervisor to provide coverage for court room 1110, the court clerk stated, “Leave your ass on the other side.” The trainer recalled a third incident that occurred when they and the court clerk were on separate Zoom court calls in room 1101, the trainer asked them to speak softer and they replied by yelling, “Go back where you came from. Take your ass to the 17th floor.” The court clerk stated the trainer shushed them during one of the above incidents but they could not recall what their response was. The court clerk did not recall the other incidents and denied that anything happened between them. A manager recalled an incident when the trainer attempted to help the court clerk but the court clerk stated to the trainer “Go sit your ass over there where you belong.” Based on the preponderance of the evidence the OIG sustained the allegations that the employee violated the CCC Workplace Violence Policy.

CF 23-08-362. The OIG received six complaints from office clerks at the Records Center. The complainants alleged that one of their supervisors made derogatory and discriminatory comments towards employees who either maintained or had applied for accommodations under the Americans with Disabilities Act (ADA).

Several witnesses (many who wanted to remain anonymous out of fear of retaliation) corroborated allegations that their supervisor was heard making derogatory statements related to employees’ ages and physical abilities and expressing their desire to remove them from the Records Center. The OIG also reviewed recorded meetings where the supervisor was heard making derogatory and insulting statements about employees.

The OIG found the superior’s conduct violated the CCC Anti-Harassment policy and treated and proposed to treat employees unfavorably because of their age and/or disability.

CF 23-09-427. The OIG received a complaint from Records Center manager regarding allegations of an office clerk making copies of CCC court documents for personal gain or any gainful purpose. The complainant accused the office clerk of making copies of court documents and placing them in their personal brief case. The office clerk denied the allegations but would not submit to a search of their brief case and alleged that the copies they had made were personal medical documents. The accused was charged with destroying an original court document. The accused had initially denied destroying said document but later admitted that it was a loose document that was found in a court file folder in which it did not belong, therefore, they tore it into two pieces and threw it into the garbage located under their desk. The office clerk stated that they were very familiar with CCC policies yet destroyed a CCC document. The allegation of destruction of CCC property was sustained. The allegation of using CCC property for personal use was sustained. The allegation of making copies of CCC court documents for personal gain was inconclusive.

CF 23-10-438. The OIG received an email thread from operations regarding a manager from the Archives department that included a hardship request along with a complaint against their superior from the Records Center. The email stated that the move to the Records Center would be a hardship due to lack of transportation and currently depends on public transportation to take their kids to school along with the means to and from work (the OIG later learned that the complainant acknowledged always having a car). The complainant alleged the Records Center manager made racial comments towards former Clerk Dorothy Brown, but never notified either other managers or the OIG. The complainant also stated that they had not had positive encounters with the Records Center manager, which would

create a hostile work environment; however, the complainant stated that they were not intimidated by their superior. Based on the preponderance of the evidence, the OIG's findings were non-sustained. The OIG does not have the authority to stay a personnel decision from Court Operations, but it recommends that Operations monitor the claims of possible hostility between the complainant and their superior.

CF 23-11-512. An anonymous complaint alleged that an associate clerk was using security cameras to watch over employees at the Record Center in real time, a violation of the Collective Bargaining Agreement. The complaint did not provide any details or proof of its claim. The OIG determined in its investigation that few CCC employees have access to the camera feed – not including the named associate clerk – and even fewer computers have access to the camera feed, making it unlikely that the named associate clerk would have had access to the camera feed, let alone being able to watch it without someone else intentionally providing the associate clerk access. The case was closed as inconclusive.

OIG Projects

In Q4, the OIG decided that the case management system built with Microsoft and MIS in 2023Q2 would no longer be beneficial to implement due to its complexity. The OIG will continue to maintain and improve its current case management system.

Finally, in Q4, 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. The OIG completed its first wave of investigations and began cases from the additional waves.

In 2023Q3, the Inspector General took on the interim Director of Compliance (DOC) position in July when the then-DOC resigned. In December 2023, the Clerk's Office hired a DOC. The Inspector General is working on supporting the DOC through their transition and drafting the DOC's semi-annual report, with the intention of the DOC being fully independent and self-efficient within 2024Q1.

OIG Team

The OIG is composed of an Inspector General, Deputy Inspector General, four inspector general investigators, and an executive assistant. Four members of the OIG team are certified by the Association of Inspectors General (AIG) as Certified Inspector General Investigators and one member is certified as an Inspector General. Six team members of the OIG are members of the AIG IL and National Chapter. The OIG attended the AIG Inspector General Institute in August 2023, all investigators became certified as either Inspector General Investigators or Inspector General Inspectors/Evaluators. The Deputy Inspector General is scheduled to attend the AIG training in Q1 for certification.

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 'Anthony Linh Nguyen', with a long horizontal stroke extending to the right.

Anthony Linh Nguyen
Inspector General

CC: Tiffany Brooks, Chief of Staff
Hon. Judge Gloria Chevere, Senior Policy Advisor
Jim Dasakis, Chief Human Resource Officer
Alvin Portis, General Counsel