

Office of the Executive Inspector General
for the Secretary of State
Summary Report

This investigation by the Office of the Executive Inspector General has resulted in a determination that reasonable cause exists to believe that a violation has occurred and this summary report is issued in compliance with 5 ILCS 430/20-50(a).

I. Allegations

On April 14, 2021, [Complainant] notified the Office of Inspector General (OIG) that Chicago North facility PSR Cesar Lopez was alleged to have made inappropriate remarks to two coworkers, Individual A and Individual B, sometime during February or March 2021. [Complainant] submitted statements from Individual A and Individual B as well as [Identifying Information Redacted] ([IDENTIFYING INFORMATION REDACTED]s) [SOS Employee 1] and [SOS Employee 2] documenting their knowledge of the allegations. During interviews conducted between April 16 and June 2, Individual A, Individual B, [SOS Employee 1] and [SOS Employee 2] each confirmed the accuracy of their prior written statement.

II. Investigation

Inspector Raynor conducted a telephonic interview with Individual A on April 16, about her statement ([Identifying Information Redacted]). In her statement Individual A stated:

03-12-21 A couple weeks ago, not sure exactly what time or date it was, but I was at the annex where me ceasar and a couple of coworkers of mine were at. My coworker [SOS Employee 3] heard and was a part of the conversation. It all started because he wanted to show me a picture of his [family members] private jet. Cesar then proceeded to show me a picture of it saying if I wanted a sugar daddy that he is willing to be it. He then said that he would take me around the world in the jet. The conversation escalated to him saying he would kidnap me and put me in his basement. [SOS Employee 3] was as shocked as I was. She tried to get an address out of him in case it ever does happen. While he was saying and showing pictures of him as a teen or a couple years back saying ‘wouldn’t I like to be with him.’ The only reason it stopped was because I decided to walk away and take a car for a road test.

(All errors in original).

During the interview, Individual A reported that during late February or early March 2021, she was working in the Annex building at the Chicago North facility, when Lopez had approached her and showed her a picture of a private airplane on his cell phone. Individual A recalled Lopez boasting that his [family member] owned the plane, and said he could fly her anywhere she wanted to go. She said Lopez told her to let him know if she ever needed a “sugar daddy,” to which she had responded she was not looking for one. Individual A said coworker [SOS Employee 3], who was standing nearby and had overheard the conversation, had interjected and said to Lopez that he would have to kidnap Individual A to get her to go with him on the plane. Individual A said Lopez laughed and agreed; saying he could kidnap Individual A and hide her in his basement. Individual A said [SOS Employee 3] then asked Lopez for his home address, saying she needed to know where he lived just in case he kidnapped Individual A. Individual A stated that Lopez had just laughed. Individual A said Lopez, who is in his fifties, showed her a photo on the cellphone of himself in high school, and asked her if she would have liked to have “been with him” back then. Individual A clarified she had interpreted “to have been with” to have meant “dated.” Individual A said she had not responded to Lopez’ question, and the conversation ended soon thereafter because she left the Annex building to attend to an applicant.

When asked why she had not reported Lopez’ remarks immediately following their conversation, Individual A said she had just started working at the facility in February and although she thought Lopez was “weird,” she did not consider him a threat. She said that a few days later, [Identifying Information Redacted] [SOS Employee 2] confronted her about Lopez’ comments, saying she had overheard [SOS Employee 3] and another employee talking about what Lopez had said. Individual A said she confirmed the incident to [SOS Employee 2] and subsequently to [Identifying Information Redacted] [SOS Employee 1] as well.

In the interview, Individual A confirmed that Lopez had also made an inappropriate remark about coworker Individual B’s physical appearance shortly after the conversation in the Annex building. She recalled that shortly before closing one afternoon, she had been standing at the counter in the facility near Lopez when Individual B had walked past them. Lopez had remarked that Individual B, who is thirty years old, had the body of a twenty year old. Individual A said she believed Individual B heard what Lopez had said and Individual A told Lopez he should not say things like that about coworkers. Individual A did not recall what reaction if any, Lopez had had to her admonishment. Individual A stated that Lopez has not engaged her in any subsequent conversations and she is not aware of other allegations against Lopez.

On April 26, 2021 Inspector Raynor conducted a telephonic interview with [Identifying Information Redacted] [SOS Employee 3] who confirmed that she had heard the conversation between Lopez and Individual A regarding the airplane. [SOS Employee 3] stated that she had heard Lopez bragging that his [Family Member] owned a plane and asking Individual A if she

needed a “sugar daddy.” [SOS Employee 3] said she told Lopez he would have to kidnap Individual A to get her on a plane with him. Lopez had responded that he would kidnap Individual A and hide her in his basement. [SOS Employee 3] said she was taken aback by Lopez’ remark and consequently had asked for his home address in case he actually kidnapped Individual A. [SOS Employee 3] said Lopez is much older than Individual A who was a new employee, and she did not think Lopez should be asking to be Individual A’s “sugar daddy.” [SOS Employee 3] stated she has no knowledge of any other incidents.

Individual B confirmed in a telephonic interview on April 26, 2021 the accuracy and completeness of her written statements (([References the investigatory file and is not part of the summary report])). In her written statements, Individual B wrote:

03-12-21 A few weeks ago, a ~~male employee~~ Ceasar made me feel uncomfortable by making inappropriate comments about my appearance and age. He had approached another female employee while in my presence and told her “Wow, she’s thirty years old, but her body is as if it is twenty.” On another occasion, the same male employee repeatedly asked the female employee while in my presence if he can be her “sugar daddy” and kept persisting even though the female employee looked visibly uncomfortable. The actions of this male employee made me feel uncomfortable and I do not feel comfortable continuing to work with him.

03-30-21 A few weeks ago, Ceasar made me feel uncomfortable by making inappropriate comments about my appearance and age. I was at counter #2 when he approached another female employee while in my presence and told her “Wow, she’s thirty years old, but her body is as if it is twenty.” On another occasion, we were at the Annex and the same male employee repeatedly asked the same female employee while in my presence if he can be her “sugar daddy” and kept persisting even though the female employee looked visibly uncomfortable. The actions of this male employee made me feel uncomfortable and I do not feel comfortable continuing to work with him.

(All errors in original)

Individual B offered that she had submitted a second statement because she wanted to be slightly more specific in her description of the events. Individual B related to Inspector Raynor that she had overheard parts of the conversation that had taken place in the Annex building in late February or early March 2021, in which, Lopez had asked Individual A if he could be her “sugar

daddy.” She said that a short time later she had seen Individual A and Lopez talking at the counter, and overheard Lopez say something about Individual B having the body of a younger woman. Individual B said Lopez has since kept his distance from her. Individual B said she did not address Lopez’ comment.

Inspector Raynor interviewed [Identifying Information Redacted] [SOS Employee 2] about her written statement (([References the investigatory file and is not part of the summary report]) which reads as follows:

03-5-21 Good Afternoon, It has been brought to my attention that Cesar Lopez has made inappropriate comments to [Individual A]. During the week of March 1st to March 5 I overheard two different employees talking about how “creepy” his comments were to her. After I heard the second comment I went to upper management to inform them of the potential inappropriate behavior. I was asked to talk to [Individual A] and confirm what I had heard. She did not want to make a statement and told me she didn’t have an issue with his comments. She is a new hire.

[SOS Employee 2] confirmed that her written statement was accurate and complete.

Inspector Raynor interviewed [Identifying Information Redacted] [SOS Employee 1] about his written statement (([References the investigatory file and is not part of the summary report]) which reads as follows:

03/05/21 JC, An issue was brought to my attention on Wednesday 03/04/2021, I was told in passing that Caesar was being inappropriate with one of our female employees [Individual A]. I asked [Individual A] if it was true and if anyone else was present when the inappropriate statement was said. [Individual A] did confirm the statement was said and that [Individual B] another female employee was present. [Individual B] was spoken to and she confirmed the statement. [Individual B] added that Caesar at a different time was inappropriate with her also, making her feel uncomfortable by statement he made to her. I asked them both if they would be willing to write a statement and told them that I was going to go to management and write a statement of my own.

[SOS Employee 1] confirmed that his written statement was accurate and complete.

Inspector Raynor interviewed [Identifying Information Redacted] [SOS Employee 4] on April 27, 2021 in a telephonic interview. [SOS Employee 4] stated that [Identifying Information Redacted] [SOS Employee 2] and [SOS Employee 1] had brought the matter of Lopez’ conduct to his attention on or about March 5, 2021. [SOS Employee 4] had alerted [Identifying Information Redacted][SOS Employee 5], who in turn contacted DSD. [SOS Employee 4] described Lopez as

“creepy” explaining he is sometimes excessively talkative and at other times reclusive. [SOS Employee 4] said that he has no knowledge of prior allegations against Lopez.

On May 5, 2021, Inspector Raynor assisted by Inspector Maxam conducted an interview with Cesar Lopez at OIG in Oak Brook. Lopez was accompanied by [Identifying Information Redacted], [Union Steward]. Covid mitigation protocols were followed for the duration of the interview. At the outset of the interview, Lopez acknowledged his duty of compliance with SOS policy 1.1.8 in answering questions honestly. Lopez was informed the purpose of the interview was to address allegations he had made inappropriate remarks to and about coworkers Individual A and Individual B. Lopez contended the allegations against him were not true. This Inspector asked Lopez if he recalled a conversation with Individual A in the Annex building, in the presence of [SOS Employee 3] in late February or early March 2021. Lopez said he recalled the conversation. Lopez said he had been “joking” when he had asked Individual A if he could be her “sugar daddy.” He said he had told Individual A if she needed a “sugar daddy,” he would volunteer for the job. Lopez was asked about the context in which he had said he would kidnap Individual A. Lopez said he had showed Individual A a picture of his [family member]’s private plane and told Individual A he could fly her anywhere she wanted to go. Lopez said [SOS Employee 3] had soon joined in the conversation and said he would need to kidnap Individual A in order for her to go on a trip in the plane with him. Lopez said he jokingly said something to the effect that he would kidnap Individual A and keep her hidden in his basement, but said they were all just goofing around and none of what he said was meant to be taken seriously. Lopez contended the whole conversation had been in jest and he had no idea he had offended anyone. Lopez vowed he had not pursued Individual A romantically and that he never had any sexual intent in anything he said. Lopez acknowledged he has consistently undergone Sexual Harassment training, but said he had no idea he had done anything wrong. Lopez stated that he could not recall having made the comment regarding Individual B’s body.

When asked whether he had made a remark about Individual B’s thirty year old body looking more like that of a twenty year old, Lopez said he could not recall having said it.

III. Recommendation

[The information in this paragraph is redacted because it relates to an allegation that the OEIG determined was unfounded. The OEIG concludes that an allegation is “founded” when it has determined that there is reasonable cause to believe that a violation of law or policy has occurred, or that there has been fraud, waste, mismanagement, misconduct, nonfeasance,

misfeasance, or malfeasance. Therefore, the Commission exercises its discretion to redact this subsection pursuant to 5 ILCS 430/20-52(a).]^{1,2}.

[The information in this paragraph is redacted because it relates to an allegation that the OEIG determined was unfounded. The OEIG concludes that an allegation is “founded” when it has determined that there is reasonable cause to believe that a violation of law or policy has occurred, or that there has been fraud, waste, mismanagement, misconduct, nonfeasance, misfeasance, or malfeasance. Therefore, the Commission exercises its discretion to redact this subsection pursuant to 5 ILCS 430/20-52(a).]^{3,4,5}.

However, this investigation has also resulted in a determination that reasonable cause exists to believe that Lopez’s misconduct may have implicated various SOS policies including the provisions relating to professionalism, workplace harassment and discrimination, and sexual harassment among potential others.

The OEIG recommends that the Secretary of State take whatever disciplinary action it deems appropriate with respect to Lopez. The OEIG also recommends that the Secretary of State implement measures to help ensure that Lopez does not continue to engage in such inappropriate

¹ [The information in this paragraph is redacted because it relates to an allegation that the OEIG determined was unfounded. Therefore, the Commission exercises its discretion to redact this paragraph pursuant to 5 ILCS 430/20-52(a).]

² [The information in this paragraph is redacted because it relates to an allegation that the OEIG determined was unfounded. Therefore, the Commission exercises its discretion to redact this paragraph pursuant to 5 ILCS 430/20-52(a).]

³ [The information in this paragraph is redacted because it relates to an allegation that the OEIG determined was unfounded. Therefore, the Commission exercises its discretion to redact this paragraph pursuant to 5 ILCS 430/20-52(a).]

⁴ [The information in this paragraph is redacted because it relates to an allegation that the OEIG determined was unfounded. Therefore, the Commission exercises its discretion to redact this paragraph pursuant to 5 ILCS 430/20-52(a).]

⁵ [The information in this paragraph is redacted because it relates to an allegation that the OEIG determined was unfounded. Therefore, the Commission exercises its discretion to redact this paragraph pursuant to 5 ILCS 430/20-52(a).]

conduct and behavior in the workplace in the future. Finally the OEIG recommends a copy of this report be placed in Lopez's personnel file.

No further investigative action is warranted and this case is considered closed.

Date: June 21, 2021

Office of Executive Inspector General for the Illinois
Secretary of State
324 W. Monroe St.
Springfield, Illinois 62704

Megan E. Morgan
Acting Executive Inspector General

Tammy Raynor
Special Agent II

INVESTIGATIVE REPORT - SUPPLEMENTAL

In Re: Cesar Lopez, Public Service Representative
Case Number: 21-0030
Date of Report: August 20, 2021

Subsequent to the submission of the Investigative Report on June 21, 2021, the Department of Personnel received a rebuttal from subject Cesar Lopez on July 29, 2021 as part of the disciplinary process. In his rebuttal Lopez claimed that the allegation that he had made inappropriate comments to and about coworkers was not factual. Lopez offered that fellow employee [SOS Employee 6] “was present that day in the Annex and he is a witness that those allege[d] comments are out of context and were not the exact words said that day.”

At the request of the Department of Personnel, Inspector Raynor sought to interview [SOS Employee 6] regarding his recollection of the conversation between Lopez and the complainants that gave rise to the allegations. Inspector Raynor, on August 17, 2021, interviewed [SOS Employee 6] who stated that he could not recall the conversation and did not want to be involved in the matter.

This Supplemental Investigative report contains no facts which alter the OEIG’s initial recommendation. No further investigative action is warranted and this case is closed.

Date: August 20, 2021

Office of Executive Inspector General for the Illinois
Secretary of State
324 W. Monroe St.
Springfield, Illinois 62704

Megan E. Morgan
Acting Executive Inspector General

Tammy Raynor
Special Agent II

RECEIVED
SECRETARY OF STATE

AUG 31 2021

CHICAGO - PERSONNEL



OFFICE OF THE SECRETARY OF STATE
JESSE WHITE • Secretary of State

August 27, 2021

Cesar Lopez
[REDACTED]

Re: 8-day Suspension

Dear Mr. Lopez:

This letter serves as an official notice of your suspension for just cause in accordance with the Department of Personnel Rule 420.430(c). The effective date of your eight (8) working day (59 hours) suspension is September 2, 2021 through September 11, 2021. You will be expected to return to work on September 14, 2021. Your rebuttal was carefully considered, but did not cause me to alter my decision in this matter.

Your conduct resulting in suspension was in violation of the following policies of the Office of the Secretary of State:

STATEMENT OF POLICIES

Charge #1: Failure to treat all members of the public and other employees promptly, fairly, impartially, and with equal dignity; in violation of the Office of the Secretary of State Policy Manual, Chapter 1, Number 1, Article 1: Courtesy, paragraph 1.1.1(a).

Charge #2: Verbal harassing behavior including but not limited to Sexual innuendoes, suggestive comments, insults, humor, and jokes about sex, anatomy or gender-specific traits, sexual propositions, threats, repeated requests for dates, or statements about other employees, even outside of their presence, of a sexual nature; in violation of the Office of Secretary of State Policy Manual Chapter 2, Number 39.1, paragraph 2.39.1(B)(1)

Future similar infractions may result in disciplinary action up to and including discharge. Furthermore, you are not permitted on state property, including but not limited to your work location, unless for personal business. If you have personal business that must be conducted with the Office of the Secretary of State, i.e. driver's license, title registration, etc., you must contact Lindsay Richmond with the Department of Personnel @ (312) 793-5515 to obtain permission. Upon receipt of this letter, it will be necessary that you turn in your ID badge and any state-owned supplies, equipment, tools, uniforms, credit cards and keys to your supervisor.

Sincerely,

[REDACTED]
Rocco M. Abbinanti, Director
Department of Driver Services

RMA/lr 21-112

HAND DELIVERED/PROOF OF RECEIPT REQUIRED

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SECRETARY OF STATE

AUG 31 2021

CHICAGO - PERSONNEL



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

Proof of Hand Delivery

1.	CESAR LOPEZ	21844
	Employee Name (Printed) Receiving Document	Employee ID Number
Acknowledge receipt of a letter dated		8-27-2021
		Date
Served by	John CARDONE	
	Supervisor Name (Printed) Serving Letter	
	[Redacted]	8/27/2021
	Employee Signature	Date

1.	JOHN CARDONE	
	Supervisor (Printed) Serving Letter	
Hand delivered the above referenced letter on		8-27-2021
		Date
At approximately		1:12 p.m.
		Time
	[Redacted]	8.27.21
	Supervisor Signature	Date

** If employee refuses to sign document	
[Redacted]	8-27-21
Witness Signature	Date

RECEIVED
SECRETARY OF STATE

JUL 20 2021

CHICAGO - PERSONNEL



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

July 20, 2021

Cesar Lopez
[REDACTED]

Re: Proposed 8-day Suspension

Dear Mr. Lopez:

This letter is to inform you that an eight (8) working day (60 hours) suspension has been proposed in accordance with the Department of Personnel Rule 420.430(c). The suspension is based on the following charges:

STATEMENT OF CHARGES

Charge #1: Failure to treat all members of the public and other employees promptly, fairly, impartially, and with equal dignity; in violation of the Office of the Secretary of State Policy Manual, Chapter 1, Number 1, Article 1: Courtesy, paragraph 1.1.1(a).

Charge #2: Verbal harassing behavior including but not limited to Sexual innuendoes, suggestive comments, insults, humor, and jokes about sex, anatomy or gender-specific traits, sexual propositions, threats, repeated requests for dates, or statements about other employees, even outside of their presence, of a sexual nature; in violation of the Office of Secretary of State Policy Manual Chapter 2, Number 39.1, paragraph 2.39.1(B)(1)

FACTS GIVING RISE TO SUSPENSION

On or about April 14, 2021, the Department of Driver Services submitted statements to the Office of the Executive Inspector General (OEIG) alleging that you made inappropriate comments to your coworkers in February or March 2021. An investigation was initiated.

During the course of its investigation, the Office of the Inspector General (OIG) interviewed several witnesses regarding the allegations above. Those witnesses indicated that you were showing your coworker (hereinafter referred to as "INDIVIDUAL A") a photo of your [REDACTED] private jet. You asked INDIVIDUAL A if she wanted a "sugar daddy" and offered to be hers. You also threatened to kidnap INDIVIDUAL A and put her in your basement.

You also showed INDIVIDUAL A a photograph of your younger self and asked if she would have 'like to been with you back then'.

Witnesses also reported that you made a comment about another coworker's (hereinafter referred to as "INDIVIDUAL B") age and physical appearance. When INDIVIDUAL B walked past, you commented that "she has a body of a 20 year old".

On or about May 5, 2021, you participated in an interview with Investigators from the OIG. During that interview, you admitted to asking INDIVIDUAL A if she needed a "sugar daddy". You also acknowledged that you informed INDIVIDUAL A you would kidnap and hide her in your basement. When the Investigators asked if you made a comment about INDIVIDUAL B's age and appearance, you advised them you could not recall.

Your comments were alarming and inappropriate for the workplace. Your actions violated Secretary of State Policies as cited in Charges #1 and #2, above.

From receipt of this letter, you have four (4) working days within which to submit any statement or evidence you wish to be considered in your defense. Your rebuttal must be received by July 27, 2021. After the expiration of the rebuttal period, you will be notified as to the decision in your case.

Sincerely,

Rocco M. Abbinanti, Director
Department of Driver Services

RMA/lr

21-112



7/20/21

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JUL 20 2021

CHICAGO - PERSONNEL

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Proof of Hand Delivery

I,	Cesar Lopez	21844
	Employee Name (Printed) Receiving Document	Employee ID Number
Acknowledge receipt of a letter dated		7.20.21
		Date
Served by	Rosita Perez	
	Supervisor Name (Printed) Serving Letter	
	[Redacted]	17/20/2021
	Employee Signature	Date

I,	Rosita Perez	
	Supervisor (Printed) Serving Letter	
Hand delivered the above referenced letter on		7.20.21
		Date
At approximately		12:19 p.m.
		Time
[Redacted]		7.20.21
Supervisor Signature		Date

** If employee refuses to sign document	
[Redacted]	7-20-21
Witness Signature	Date