

Dear Joint Commission on Ethics and Lobbying Reform Members:

On October 31, 2017 I was invited by state Representative Mark Batinick to provide testimony about a complaint I filed against then state Senator Ira I. Silverstein, which was filed in late November 2016. Rep. Batnick asked if I would mention Silverstein by name and said if I did testify "there would be a backlash against my campaign." At the time, I was running for public office. Nevertheless I chose to testify in support SB402 which sought to prohibit sex harassment under the State Employees and Officials Ethics Act. At the time of speaking about my complaint at the hearing for SB402, I was not aware that the Office of the Legislative Inspector General was vacant and soon thereafter, come to find out the Office of the LIG had been vacant since December 2014. The exposure of the vacancy urged this legislature to appoint then interim LIG Julie Porter who investigated my complaint along with 26 others.

I spoke with Porter on the phone around mid-November 2017 before meeting with her for a face-to-face interview later that month and asked her what rights did I have and she replied "none that I can think of." The shock of going through a process that I knew was designed to protect the accused, a process that afforded only the accused with rights, including the advantage of having his colleagues determine the outcome of my case was extremely stressful and added to the injustices I had already experienced, not only by Silverstein's abusive behaviors when he killed my bill SB2151 twice, once in April 2016 and again in July 2016 but also after knowing that my complaint was swept under the rug for nearly one year until I spoke about it at the SB402 hearing.

After Porter issued her summary report in late January 2018 and the LEC approved to publish it, all without informing me of the contents of the report prior to it being published, I requested my name be redacted from the report. Ultimately after 10 months and the intervention of my State's Attorney, my name was finally redacted. Within weeks, I approached former state Representative Jeanne Ives with a legislative proposal that listed numerous rights that I felt we, as complainants should be entitled. Ives filed the bill on February 14, 2018 and the bill died before the end of Spring session. The following year, I approached Representative Anne Stava-Murray and she filed the bill at the beginning of Spring session in 2019. Stava-Murray and I worked with other stakeholders and came to a resolution on the rights that would be implemented in the newly created section of the SEOA that provided complainants with rights. Please keep in mind that my complaint against Silverstein was not sexual harassment. I filed my complaint as abuse of power and Porter informed me during our face-to-face interview in late November 2017 that she would investigate sex harassment.

Last year August 2019, Governor J. B. Pritzker signed the bill that included the rights for complainants that I authored into law. I had an objection to the fine that was imposed against victims and saw that the bill was amended few months later on December 2019 and moved the fine under the Confidentiality Clause of the SEOEA. Regardless, my intent was to provide all complainants with these rights not just victims of sex harassment, other forms of harassment and discrimination because my complaint was not filed as sex harassment, which I had explained to Porter.

I am requesting that this body file a bill to ensure that all complainants are entitled to the rights I authored which passed into law on December 2019. This can be easily done by expanding the definition for complainants with the language I originally proposed. The Ethics reform that has been done to date has been done as if sex harassment has been the only issue affecting the People of the State of Illinois. By submitting my written testimony I want to inform this body that sex harassment is not the only violation of the SEOEA that has adversely affected the people, therefore all complainants, anyone who files a complaint alleging any violation of the SEOEA should be entitled to complainant rights and be treated as a person.

Just before Porter concluded her investigation into my complaint against Silverstein, I asked her if she thought complainants should have rights and she said, "No, there are other avenues you can take if you want rights. You were merely a tip that was filed with the government." As much as I disagreed with her response, I hope you will agree with me that the people who file complaints are more than "just a tip" and that we are a person who ought to be entitled to the rights under the Complainant Bill of Rights provision of the SEOEA.

Thank you,  
Denise Rotheimer



All my best, Denise