

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

SDAHRIE HOWARD, DENISE HOBBS, )  
ELLENOR ALTMAN, TAVI BURROUGHS, )  
and SHADONNA DAVIS, individually and on )  
behalf of all others similarly situated, )

Case No. 17- cv-08146

Plaintiffs, )

Judge Matthew F. Kennelly

v. )

COOK COUNTY SHERIFF’S OFFICE, )  
THOMAS J. DART, both individually and in )  
his official capacity as Sheriff of Cook County, )  
and COOK COUNTY, )

Defendants. )

SHARON WILSON, CASSANDRA )  
SHELTON, RITA MCCOY, REAY )  
PRICE, PATRICIA BROWN CONLEY, )  
ONEKA CONLEY, MONSHAI )  
ADDISON, LISA YATES, LAKISHA )  
MAKLIN, KIMBERLY BOWEN, )  
ANGELIQUE WESTMORELAND, )  
GLORIA ELLIS, ALEXIS TAYLOR )  
ERICA MASON, MARIA TEJEDA, )  
TANISHA HENDERSON, SHARON )  
TAYLOR, DONNETTA MYRANT, )  
SYBIL KEYS, TANISHA CRIBBS, )  
ROMANITA PEREZ, SHELEDA )  
GROVES, ESTHER JONES, KIMBERLY )  
CRAWFORD ALEXANDER, SUSANA )  
PLASENCIA, EVETTE TREJO, )  
BALVINA RANNEY, LAURA )  
MLINARCIK, JESSICACORREA, )  
PATRICIA JAGIELSKI, LORI )  
HERNANDEZ, ANGELIQUE HERRERA, )  
ALICIA WEBSTER, KELLY SHIELDS, )  
BRIDGET INSLEY, LYNETTE )  
FLOWERS and TAWANDA WILSON )

Case No. 17-cv-08248

Judge Matthew F. Kennelly

On behalf of themselves )

and a class of similarly situated	)
female employees,	)
	)
Plaintiffs,	)
	)
v.	)
	)
COOK COUNTY SHERIFF’S	)
DEPARTMENT, COOK COUNTY, a	)
unit of local government, and THOMAS	)
DART, in his official capacity,	)
	)
	)
Defendants.	)

**REVISED JOINT PRELIMINARY INJUNCTION ORDER**

Plaintiffs in Case No. 17-cv-8146 and Case No. 17-cv-8248 propose and the Defendant Thomas Dart does not oppose entry of the following Order in the aforementioned cases:

The Parties to this Joint Preliminary Injunction Order are: Cook County Sheriff Thomas Dart (“Sheriff”); Plaintiffs Howard, et al. on behalf of themselves and all others allegedly similarly situated and Plaintiffs Wilson, et al. on behalf of themselves and all others allegedly similarly situated.

The Court Orders as follows:

During the pendency of this litigation, the Sheriff’s Office will:

1. Preserve (a) all incident and disciplinary reports and (b) all video evidence of reported incidents of indecent exposure, exhibitionist masturbation, and other sexual misconduct directed at female employees in the Cook County Department of Corrections (“CCDOC”)<sup>1</sup> and the Cook County Court Services Division (“CCCSD”).<sup>2</sup>
2. Permit prospective class members to print their own incident report and provide it to counsel, subject to the entry of a protective order to protect detainee privacy. If printing is

<sup>1</sup> Cook County Department of Corrections (“CCDOC”) includes all jail divisions (including Cermak Health Services) as well as all tunnels and the lockup in the basement of the Leighton Criminal Courts building referred to as the “bridge.”

<sup>2</sup> The Court Services Division of the Cook County Judicial System includes the following fourteen courthouses: Leighton Criminal Courts Building, the Daley Center, Rolling Meadows, Skokie, Bridgeview, Markham, Maywood, 51st Street, 111th Street, Belmont and Western, Harrison and Kedzie, Grand and Central, 555 West Harrison Street and 1100 S. Hamilton Avenue.

unavailable, the Sheriff's Office agrees to provide a copy of their incident report when requested for the purpose of providing it to counsel, subject to the entry of a protective order to protect detainee privacy. Regarding female civilian employees and Cook County medical and mental health employees who report indecent exposure, exhibitionist masturbation, or other sexual misconduct by detainees, the Sheriff's Office agrees to direct shift supervisors to provide a printed copy of that individual's own incident report if they make a request for the purpose of providing it to counsel, subject to the entry of a protective order to protect detainee privacy. The Sheriff's Office agrees to direct Cook County investigators assigned to an incident report to contact the employee, female civilian employee, or Cook County medical and mental health employee who made the report at either the work email or work phone number reflected on the report.

3. The Sheriff's Office will issue a directive to all employees prohibiting retaliation against any person for participating in the litigation, reporting any incident of sexual misconduct, or complaining about detainee sex harassment.

#### **A. Incident Reports**

The Sheriff's Office will:

1. Issue a directive that no employee should be discouraged or prevented from filing incident reports of indecent exposure, exhibitionist masturbation, and other sexual misconduct at the CCDOC and CCCSD.
2. Notify all employees that properly submitted incident reports of indecent exposure and exhibitionist masturbation at the CCDOC or CCCSD, which means the completion of a written incident report, will be accepted and processed.

#### **B. Permissible Use of Force, Handcuffing and Movement**

1. Officers may use appropriate force or handcuffing to stop detainees from engaging in exhibitionist masturbation, indecent exposure or other physical aggression directed at another person. Officers must make a verbal demand to cease the behavior prior to using force to terminate the behavior. Officers trained in the use of OC spray may spray detainees who masturbate at them or others to terminate the misconduct.
2. All personnel will be made aware of the above policies. All Cook County medical and mental health employees who work at the CCDOC will be made aware of the above policies
3. No officer will be disciplined, or threatened with discipline, for taking action that is consistent with the provisions set forth in the provision set forth in B1.
4. Detainees previously accused of indecent exposure, masturbation, or sexual misconduct will be handcuffed at all times during transport from the CCDOC to Court Services

Division of the Cook County Judicial System facilities, and will remain handcuffed at all times, unless otherwise ordered by a criminal court judge, until their return to the CCDOC.

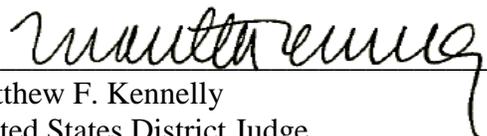
5. Detainees will be properly handcuffed during visits with Cook County medical and mental health employees who work at the CCDOC, including at the dispensary, unless the mental health or medical professional requests removal of the handcuffs.

### **C. Detainee Clothing**

1. The Sheriff's Office will issue a directive reminding all detainees that all detainees are required to be appropriately clothed in CCDOC issued uniforms at all times when outside their cells, except when showering. Detainees refusing an instruction to leave a public area because they are not properly dressed may be escorted back to their cells.
2. All detainees with a reported incident of indecent exposure or exhibitionist masturbation will be provided with and required to wear a jumpsuit designed to thwart indecent exposure and exhibitionist masturbation. The jumpsuit will be promptly provided, and its use required, upon the first report of the behavior by any sworn or civilian personnel, without awaiting an inmate disciplinary hearing or adjudication.
3. If the Sheriff's Office has an insufficient number of jumpsuits, then it will manufacture or purchase more.

Dated: December 13, 2017

Enter:

  
\_\_\_\_\_  
Matthew F. Kennelly  
United States District Judge

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