

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

Tryone R. Williams)
)
 Plaintiff,) 20 CV 5639
)
 v.) Judge Martha M. Pacold
)
 Sheriff Thomas Dart, et al.,) Magistrate Beth W. Jantz
)
 Defendants.)
)

DECLARATION OF JOHN MUELLER

I, **John Mueller**, Director of Individual In Custody (IIC) Services with the Cook County Sheriff's Office, under penalty as provided by law pursuant to 28 U.S.C. § 1746, state that if called to testify, I would state the following:

1. I am currently employed as the Director of Individual In Custody (IIC) Services with the Cook County Sheriff's Office. This department was formerly known as "Inmate Services." I have been employed by the Cook County Sheriff's Office since 1994 and have been in a supervisory role within the Individual In Custody (IIC) Services Department since January 2003.

2. Part of my duties as Director of Individual In Custody Services is to manage the Cook County Department of Corrections ("CCDOC") individual-in-custody grievance process. Based on my current position and prior positions with the CCDOC, I am familiar with the sheriff's order, rules, regulations, policies, customs and practices of the individual-in-custody grievance process. This includes Chapter 7 of the 4th edition CCDOC Inmate Information Handbook attached as Exhibit E to Defendants' Statement of Facts in this pending litigation.

3. IIC Services is the Department responsible for processing, tracking, organizing and the record retention of individual-in-custody grievance documents submitted by individuals in the custody of the Cook County Sheriff at the Cook County Department of Corrections.

4. An IIC Grievance is a formalized written complaint that individuals in custody may use to seek review of a problem related to conditions of confinement.

5. Pursuant to the CCDOC - IIC Grievance Procedure, individuals in custody are advised to complete a Grievance Form if the individual believes that he or she has been injured, harassed, abused, or threatened.

6. The IIC grievance forms are available on each living unit or by through the Correctional Rehabilitation Workers (“CRWs”) assigned to the tiers/units.

7. An individual in custody may request a grievance form from any sworn member or any IIC Services staff member. If a form is not available, an individual in custody may use blank paper or any other type of paper to file a grievance.

8. The CCDOC - IIC Grievance Procedure require individuals in custody fill out and submit an IIC Grievance Form within fifteen (15) days of the alleged grievable offense, and then to appeal the grievance response, within 15 days from receipt, in order to exhaust administrative remedies. Filing an appeal of a grievance response is required in order to exhaust an individual in custody’s administrative remedies.

9. Between March 22, 2020 and August 2, 2021, because of the COVID-19 pandemic, the CCDOC - IIC Grievance Procedure was altered to reflect safety precautions necessary during that time period. Individuals in custody still were required to fill out and submit an IIC Grievance Form within fifteen (15) days of the alleged grievous offense, and then to appeal the grievance response, within 15 days from receipt in order to exhaust administrative remedies. Filing an appeal

of a grievance response was still required in order to exhaust an individual in custody's administrative remedies. However, the grievance responses and appeal responses were returned to individuals in custody through inter-office mail delivered to each individual through their tier/living unit correctional officer or correctional rehabilitation worker (CRW). This was done in order to minimize contact and exposure when the virus was spreading quickly.

10. The individual in custody is instructed to hand the completed grievance form directly to the CRW or a Correctional Supervisor when he/she makes their daily rounds.

11. Upon receipt of an IIC Grievance form, the CRW, IIC Services Supervisor or Correctional Supervisor signs and dates the form and immediately provides the individual in custody with a copy of the submitted grievance. It is the responsibility of the individual in custody to retain a copy of any submitted grievance for his/her record(s).

12. A CRW shall collect and log grievances in the IIC Grievance database on a daily basis, with the exception of days off.

13. Different parties respond to grievances, depending on the subject matter of the grievance. The CCDOC or other responding party (for example, Cermak, or the food service provider) has 15 business days upon receipt to provide a response/remedy, if no exceptions apply.

14. The IIC Services Department retains copies of the completed and processed grievance forms, including responses, in a database.

15. Each grievance has an individual and unique grievance tracking number automatically issued/generated by the IIC Grievance database.

16. IIC Services has been asked to perform a search of all individual in custody grievance records pertaining to Tyrone R. Williams, Booking 20200608070, who was held in custody at the CCDOC from June 08, 2020 to October 21, 2021.

17. IIC Services has searched the CCDOC - IIC Grievance database and records for all grievances filed/submitted by Tyrone R. Williams, Booking 20200608070.

18. Ten grievance documents were located. This number includes six compliant grievances and four grievances marked as "non-compliant," for failure to comport with the grievance submission policies/procedures. These grievances are attached as Exhibit C to Defendants' Statement of Facts in this pending litigation.

19. IIC Services has located no additional grievance documents filed/submitted by Tyrone R. Williams, Booking 20200608070, related to his or her custody at the CCDOC beginning on the date of June 08, 2020 and ending on October 21, 2021.

20. The statements provided herein are not based on my personal knowledge, sole recollection, or memory, but rather were gathered by reviewing the records and documents in the possession of the Cook County Sheriff's Office and by consulting persons employed in the Cook County Sheriff's Office.

Pursuant to 28 U.S.C. § 1746, I verify under penalty of perjury that the foregoing is true and correct, to the best of my diligent inquiry, knowledge and belief.

DATED: 12/1/2023


John Mueller
Director, Individual In Custody Services
Office of the Cook County Sheriff
Cook County Department of Corrections