



"The world has watched the deaf community come of age. Together we've overcome our own reluctance to stand up for our own rights."

Dr. I. King Jordan, President Emeritus
Gallaudet University

BOARD OF DIRECTORS

November 16, 2017

President

Corey Axelrod
president@iadeaf.org

Governor Bruce Rauner
Office of the Governor
207 State House
Springfield, IL 62706

Vice President

Kevin Ryan
vicepresident@iadeaf.org

Dear Hon. Governor Rauner:

Secretary

Leon Devriendt
treasurer@iadeaf.org

The recent dismissal of John Miller as director of the Illinois Deaf and Hard of Hearing Commission (IDHHC) will not change much at IDHHC, and was a bit too late.

Membership Secretary

Elke Weinbrenner
membership@iadeaf.org

In 2015, several commissioners attempted to address the multitude of long-standing issues at the IDHHC, issues that were present well before you became Governor. The IDHHC chair and vice chair at the time attempted to respond to multiple complaints regarding hostile work environments and vindictive behavior on the parts of John Miller and Janet Lambert, the assistant director at IDHHC. Suspensions were issued, but Gregory Bassi and Linda Lingle from your office intervened. Shortly after, the IDHHC director and assistant director returned to work, and you replaced the commissioners that took action.

Member at Large

Edison Lopez, Jr.
elopezjr@iadeaf.org

Chicago Chapter of IAD

Earl Weston
CCIAD@iadeaf.org

Regardless of whether procedural errors were made, these commissioners recognized the fundamental issues with the IDHHC. It is unfortunate your office failed to be responsive in the first place; as a result, the issues with the IDHHC continued to spin out of control.

Fox Valley Chapter of IAD

Ramesh Phadke
FVIAD@iadeaf.org

We have witnessed a complete dereliction of responsibility by the commissioners you appointed to serve on the IDHHC. These commissioners, led by Chair Dennis O'Brien and Vice Chair Lori Krakora, have failed to fulfill their fiduciary duties. The commissioners had ample opportunities to address IDHHC's continuous failures in satisfying mandates established in law, but disregarded their responsibilities to address dismal staff performance and develop a plan of action to improve the agency's outcomes. Instead, commissioners continuously allowed the IDHHC staff to operate months at a time without needing to demonstrate any signs of improvement.

Illini Chapter of IAD

Shelley Williams
Illini@iadeaf.org

Jacksonville Chapter of IAD

Joseph Vieira
JIAD@iadeaf.org

McLakes Chapter of IAD

Tom Bruhn
McLakes@iadeaf.org

The Deaf community has contacted your office on multiple occasions to stress the urgency of filling the vacant commissioner positions with competent individuals who have diverse professional and educational backgrounds. To this end, the current commission is not reflective of the Deaf, DeafBlind and Hard of Hearing community or the professionals that serve the community in question. A fully represented commission, one with qualified and competent individuals, that can provide appropriate oversight to an equally qualified and competent director would result in better outcomes than hastily moving IDHHC under the Department of Human Services' (DHS) purview.

IDHHC staff members also inappropriately authorize decisions for the agency, decisions that are supposed to be voted on by commissioners. Recent meeting minutes do not show commissioners approving a budget proposal for FY19. Additionally, until the November 9th meeting, there were zero (0) commissioner meetings since May 2017. However, during the November 9th Commissioners meeting, the staff members announced they decided to proceed with implementing a system to test and license cued speech transliterators. A review of the last three years' IDHHC meeting minutes shows no vote from the commissioners to put this initiative in action. The staff's power overreach is concerning, a concern as commissioners have not taken action to address and implement control.

This is the latest in a long string of activities in which staff members exerted control over the commissioners, a byproduct of commissioners truly not knowing their legal obligation and authority.

Commissioners have expressed concern about a severely outdated commissioner's manual and lack of new commissioner orientation training. Yet, IDHHC staff members continue to manipulate information shared with commissioners regarding their duties. For example, the November 10, 2016 training done by IDHHC attorney Tonia Bogener that was open to the public focused on the agency's roles and responsibilities in satisfying the mandates established in law. However, Ms. Bogener but did not discuss in-depth the commissioners' fiduciary and legal duties as a part of ensuring IDHHC satisfies the mandates in law.

Of additional concern was Ms. Bogener and Ms. Lambert's recommendation to the commissioners during the November 9, 2017 meeting that commissioners convene to issue their own concerns and recommendations via a separate letter after IDHHC worked with the Governor's Office to submit the report requested in SR528.

Why did Ms. Bogener and Ms. Lambert attempt to limit the commissioners' authority and exclude them from taking an active part in developing recommendations for the General Assembly as requested by SR528?

Ms. Bogener and Ms. Lambert's efforts to exclude commissioners is indicative of an ongoing pattern of staff members preventing commissioners from carrying out their fiduciary responsibility of representing and serving the deaf community. This is a blatant, intentional effort to diminish the powers of the commissioners.

Additionally, as our attorney expressed in his letter to your office dated November 2, 2017, our members are not confident the Commission would act in good faith and be transparent in collecting, disseminating and accurately reporting all comments received from the Community regarding SR528. As Ms. Bogener confirmed during the November 9th meeting, Ms. Bogener and Ms. Lambert would be the only two with access to all feedback given and be responsible for coordinating the translation of messages left in American Sign Language to written English. Considering IDHHC's staff recent history of retaliation when individuals advocated for better services and accountability, we encouraged our members to send feedback directly to your office.

It will not reflect well on your office that the two hearing staff members in question who have contributed to the problematic issues at IDHHC will lead the effort in working with the Governor's Office and make recommendations on what would be best for Deaf, DeafBlind and Hard of Hearing Illinoisans.

Given all of the above, it would be ill advised for Ms. Bogener and Ms. Lambert to have any involvement with developing recommendations for the report in question.

Our concerns are further perpetuated by the lack of transparency on Chair O'Brien's part. During the November 9th meeting, one of the commissioners asked Chair O'Brien who from IDHHC was working with the Governor's Office on SR528. Chair O'Brien, a commissioner you appointed, shared he did not have to answer this question. Why the secrecy from other commissioners who, along with Chair O'Brien, are responsible to oversee the IDHHC?

During several previous commissioner meetings, Chair O'Brien also made political statements and slandered organizations and individuals exercising their constitutional rights to petition the IDHHC, a government agency, for improved services. Our members shared concerns regarding this behavior with Veronica Vera, IDHHC's previous spokeswoman, and requested she share with your office. We also filed grievances directly with the Commissioners regarding Vice Chair Krakora's openly critical comments about organizations exercising their constitutional rights to petition government for redress of grievances. Chair O'Brien and Vice Chair Krakora's actions infringe upon Article 2, Section 3.4 of the IDHHC bylaws, which states, "The individual member's duties and responsibilities are to be objective in evaluating the programs, problems and policies of the commission."

Furthermore, Article III, Section II of the IDHHC bylaws stipulates the Chair and Vice Chair shall be "selected at the last regularly scheduled meeting of the calendar year." The last scheduled meeting for the 2017 calendar year was on November 9, 2017. This omission of an election was malfeasance and gross negligence on Chair O'Brien and Vice Chair Krakora's parts and could be interpreted as an abuse of power to extend their terms as officers.

All in all, Chair O'Brien and Vice Chair Krakora's conduct are commonplace within the agency. A reappointment of Chair O'Brien and Vice Chair Krakora as commissioners will not reflect well on your office and reelection campaign efforts.

Your term as Governor is not yet over. You still have time to act on reforms to improve the quality of life for Deaf, DeafBlind and Hard of Hearing Illinoisans. We hope you join leaders on both sides of the aisle to provide the IDHHC with new management, staff members and commissioners. We are also aware of your desire to move IDHHC under the Department of Human Services' purview; however, that is a reaction to the problem, not a solution. A new slate, not a move under DHS where IDHHC would lose its autonomy, is what the IDHHC needs.

We have several recommendations to cost-effectively streamline IDHHC's services and maximize the state's investment in providing resources to Deaf, DeafBlind and Hard of Hearing Illinoisans. We know what we need and what it will take. Unfortunately, these decisions are often left to non-Deaf individuals, resulting in millions of dollars being wasted yearly.

We are ready to meet with your office and share our recommendations.

Sincerely,

Illinois Association of the Deaf Board of Directors

Corey Axelrod
Corey Axelrod
President

Kevin Ryan
Kevin Ryan
Vice President

Leon Devriendt
Leon Devriendt
Secretary

Elke Weinbrenner
Elke Weinbrenner
Membership Secretary

Edison Lopez Jr.
Edison Lopez, Jr.
Member at Large

Earl Weston
Earl Weston
Chicago Chapter Representative

Ramesh Phadke
Ramesh Phadke
Fox Valley Chapter Representative

Shelley Williams
Shelley Williams
Illini Chapter Representative

Joe Vieira
Joe Vieira
Jacksonville Chapter Representative

Tom Bruhn
Tom Bruhn
McLakes Chapter Representative

Cc:

Senator Julie A. Morrison (via email)

Representative Michelle Mussman (via email)

Senator Sam McCann (via email)

Mr. Andrew Perkins, Chief Senate Liaison (via email)

Mr. Chris Kantas, Policy Advisor (via email)

Mr. Andrés J. Gallegos, Esq., Robbins, Salomon & Patt, Ltd. (via email)

Mr. Joe Linder, President, Association of Late Deafened Adults (ALDA) Chicago (via email)

Mr. Bryen Yunashko, President, Chicagoland DeafBlind Alliance (via email)

Ms. Deirdre Keane, President, Hearing Loss Association of America, Chicago Lincoln Park Chapter (via email)

Ms. Teri Hedding, President, Illinois Registry of Interpreters for the Deaf (via email)

Ms. Janet Tusk, President, Hearing Loss Association of America, Illinois Cochlear Implant Chapter (via email)