



**OFFICE OF THE INSPECTOR GENERAL**  
*Illinois State Toll Highway Authority*

**NOTICE OF POSTING**  
**OIG Case # IG-21-003**  
**Respondent: Sylvia (Rivera) Rosado**

Pursuant to 605 ILCS 10/8.5 (e)(3), the attached redacted summary report is being posted to the Illinois Toll Highway Authority's public website. As required by law, the Office of the Inspector General for the Illinois Toll Highway Authority (OIG) sent a copy of this report to the Respondent and gave her until December 20, 2021 to provide suggested redactions or a written response. Respondent provided no suggested redactions but submitted a written response that is included, as she requested, with this posting.

The OIG issued a Summary Report of Investigation (SRI) following an investigation that established reasonable cause to find that Support Services Assistant Sylvia Rivera (now Rosado) violated Tollway policies when she used her position and work relationships at the Tollway to seek favorable treatment from her supervisor who ultimately effectuated the dismissal of her child's DUI arrest. Based on these findings, the OIG recommended that Rivera be disciplined up to and including discharge, as appropriate under the circumstances.

The Tollway agreed with the OIG findings, initiated the disciplinary process and placed Rosado on unpaid suspension. Ultimately, Rosado returned to work after serving a 38-day unpaid suspension with the understanding that future misconduct would be grounds for immediate discharge.



# OFFICE OF THE INSPECTOR GENERAL SUMMARY REPORT OF INVESTIGATION

OIG Case #IG-21-003

Date: June 17, 2021

This report provides a summary of evidence set out in the investigative materials provided, and the Office of Inspector General's (OIG's) analysis of that evidence. An index of these investigative materials is attached.

## I. INTRODUCTION

The Office of the Inspector General has completed an investigation of an allegation that Sylvia Rivera (Rivera), Support Services Assistant, sought and received special treatment from ISP respecting her child's, [REDACTED] DUI arrest in 2016. Specifically, it was alleged that Rivera met with the D15 Commander, [REDACTED], and requested that [REDACTED] "cancel" the arrest.<sup>1</sup>

This investigation established reasonable cause to find that Rivera violated Tollway policies when she used her position and work relationships at the Tollway to seek favorable treatment from [REDACTED] who ultimately effectuated the dismissal of [REDACTED] DUI arrest. When interviewed, Rivera admitted that she contacted [REDACTED] on January 25, 2016, the morning after she found out about her child's DUI arrest, and asked [REDACTED] to intercede on her behalf to see what [REDACTED] could do to help Rivera and [REDACTED]. Rivera confirmed that [REDACTED] arrest was dismissed, and her child was not prosecuted for DUI.<sup>2</sup> Rivera further asserted that she would take the same action today if the situation arose again.

Based on these findings, the OIG recommends that Rivera be disciplined up to and including discharge, as appropriate under the circumstances.

## II. APPLICABLE RULES

### A. Illinois Tollway Policy and Procedure Manual

#### 1. Chapter 7. Employee Conduct and Discipline, Section A: Employee Conduct

The Tollway Employee Policy Manual provides in relevant part:

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<sup>1</sup> The complainant also alleged that Rivera manipulated or destroyed evidence regarding District 15's Freedom of Information Act (FOIA) log. This allegation was not sustained. While Rivera is a FOIA Liaison for District 15, she only receives requests for video and CAD reports, and does not handle records requests or requests involving arrests. Rivera denied knowing about a FOIA request for [REDACTED] arrest information, and there is no evidence that she was aware of the request or helped to destroy responsive records.

<sup>2</sup> OIG is aware that after [REDACTED] left [REDACTED] D15 command, the ISP Division of Internal Investigations conducted an investigation of [REDACTED] that included this matter, which resulted in the initiation of the disciplinary process against [REDACTED].

To ensure orderly operations and provide the best possible work environment, the Tollway expects employees to follow rules of conduct that will protect the interests and safety of both the employees and the organization. Violations of the rules of conduct may result in disciplinary action, up to and including discharge. The rules of conduct include, but are not limited to, the following:

- Use of the employee's official position for personal gain.
- Unauthorized personal use of telephones, mail system, or other Tollway equipment.
- Other conduct unbecoming a Tollway Employee

### **III. BACKGROUND**

#### **A. Parties Involved**

1. Sylvia Rivera, Support Services Assistant

Rivera is a Support Services Assistant assigned to the Illinois State Police District 15 at the Central Administration Building in Downers Grove, Illinois. Records reflect that she has worked for the Tollway since 2003.

2. [REDACTED] Captain Illinois State Police District 15

[REDACTED] was the Commander of Illinois State Police District 15 from 2013 to 2019. [REDACTED]

### **IV. SUMMARY OF INVESTIGATION**

#### **A. Emails**

1. Email Rivera to [REDACTED] January 25, 2016

OIG obtained an email from the Tollway email archive from Rivera's Tollway email account to [REDACTED] Tollway email account, with the following Subject Line; "5 minutes of your time plz" The body of the email provides in full:

[REDACTED]  
I need to talk to you about a personal matter whenever you're in please.  
Thanks

#### **B. Documents**

1. Freedom of Information Act Request

The Complainant provided correspondence relating to a FOIA request made by a [REDACTED] [REDACTED] that was sent to "ISP FOIA Officer" on October 9, 2019. The request contained the following:

Hello,

Please be advised the date of arrest was 01/24/16, arrestee was [REDACTED] DOB [REDACTED] offense was for DUI, report number [REDACTED] and we are looking for the field/investigative report generated by [REDACTED]. If you can please search using these parameters and inform me of the results, it would be appreciated.

Sincerely,  
[REDACTED]

The ISP FOIA Office sent a response letter dated November 9, 2019 that acknowledged the request but asserted that, "The ISP is not able to identify any public records responsive to your request based on the information that you have provided".

### C. Interviews

#### 1. Sylvia Rivera

On March 5, 2021, OIG Investigators interviewed Sylvia Rivera, via Webex, in the presence of Union Representative [REDACTED]. Rivera was provided both orally and in writing, Administrative Advisements for Union Employees which she signed and acknowledged understanding. Rivera was asked, both orally and in writing, for consent to audio and video record the interview to which she consented.

In Summary, Rivera provided the following:

Rivera has worked for the Tollway since 2003 as a Support Service Assistant, and has been assigned to ISP District 15. Her job duties include time keeping for staff members, fingerprinting, office action requests, civil subpoenas, and she serves as the FOIA liaison.

Rivera admitted that she contacted [REDACTED] after she learned of her child's arrest and spoke to [REDACTED] directly. She said she went straight to [REDACTED] because she did not want the news of her child's arrest to be shared around the office. When she met with [REDACTED] in [REDACTED] office, Rivera said she asked [REDACTED] to intercede on her behalf to prevent the arrest and ticket from going any further. [REDACTED] asked her for the tickets pertaining to the arrest, and she gave them to [REDACTED]. Rivera claimed that she never directly asked for the ticket to be taken care of, but she was concerned that it would go on her child's record and did ask [REDACTED] to keep it from going to court. Rivera was aware that [REDACTED] obtained the arrest report and while she does not know what [REDACTED] did after that, she knew that the arrest went away. Rivera felt that [REDACTED] did this as a favor to her; and she never gave [REDACTED] anything in return.

Rivera conceded that she did not know of any other DUI arrests that were handled the same way as her child's. At some later point Rivera recalled that [REDACTED] told her that [REDACTED] was being investigated and that her child's arrest was a part of the investigation. [REDACTED] told her to not worry, because [REDACTED] handled everything the way [REDACTED] was supposed to. She believed [REDACTED]

helped her because [REDACTED] respected her and knew she was a good person. [REDACTED] said kids make mistakes. Rivera stated [REDACTED] if she could go back and do it again, she would not have done anything differently. She did not regret her actions and said she was only trying to help her child. [REDACTED] helped her and she is appreciative.

Rivera explained that her FOIA role involves responding to video requests and CAD reports. She does not handle requests for arrests or records. Rivera said she was not aware of any FOIA requests that came into District 15 about her child's arrest, because a request like that would have been handled by her supervisor, [REDACTED], Support Services Manager.

## **V. ANALYSIS AND FINDINGS**

This investigation established reasonable cause to find that Sylvia Rivera violated Tollway policies when she sought and received special treatment from the then-District 15 Commander to have her child's DUI arrest cleared so that she was not prosecuted and nothing appeared on her record.

Facts revealed in this investigation, and subsequently confirmed by Rivera's own interview, show that on January 24, 2016, Rivera's child, [REDACTED] was arrested by Illinois State Police for Driving Under the Influence. The morning after she learned of [REDACTED] arrest, Rivera emailed [REDACTED] using the Tollway system asking for [REDACTED] for help on a personal matter. Rivera said that she explained the situation in person to [REDACTED] in [REDACTED] office and asked for [REDACTED] assistance to prevent the ticket and arrest from going any further, and [REDACTED] asked for copies of the tickets. Rivera confirmed that she requested [REDACTED] help to prevent the arrest from going to court and to keep the arrest off [REDACTED] permanent record. Rivera considered [REDACTED] action to be a personal favor, and she did not give [REDACTED] anything in exchange for [REDACTED] help. Rivera stated she did not regret her actions and she would have not changed any of her actions.

These facts support a finding that Rivera engaged in conduct unbecoming a Tollway employee and used her official position to seek special treatment to take care of her child's arrest, and did so on Tollway time and using Tollway resources.

## **VI. RECOMMENDATION**

This investigation established that Rivera violated several Tollway policies when she sought special treatment from [REDACTED] to make her child's DUI arrest go away. For these violations the OIG recommends that the Tollway take disciplinary action against Rivera up to and including discharge.



**OFFICE OF THE INSPECTOR GENERAL**  
*Illinois State Toll Highway Authority*

**RESPONDENT SUGGESTED REDACTIONS/PUBLIC RESPONSE**

**OIG Case # IG-2021-003**

**Respondent:**

**Sylvia (Rivera) Rosado**

Pursuant to 605 ILCS 10/8.5 (e)(3), the attached Response of Sylvia (Rivera) Rosado is being made public at her request.



**OFFICE OF THE INSPECTOR GENERAL**  
*Illinois State Toll Highway Authority*  
Theodor J. Hengesbach –Inspector General

Date, December 03, 2021

RESPONDENT'S SUGGESTIONS FOR REDACTION/PUBLIC RESPONSE

Re: Sylvia (Rivera) Rosado

OIG Case # IG-21-003

Please check the appropriate line and sign and date below. If no line is checked the Office of Inspector General will not make your response public when the redacted report is made public.

Below is my public response. Please make this response public when the summary report is made public; or

Below are my suggestions for redaction. I do not wish for these suggestions to be made public.

Sylvia Rosado  
Respondent's Signature

12/19/21  
Date

Instructions: Please write or type suggestions for redaction or a public response on the lines below. If you prefer, you may attach separate documents to this form.

This is an unfortunate and regretful situation which took place 6 years ago. I acted under an emotional state at the time. Additionally, I'd like to clarify that the statement in this report stating that I asserted that I would take the same action today if the situation arose again is incorrect. My answer was that back then, I didn't regret helping my daughter because I did not know I was doing anything wrong at the time. Today, I know that my actions at the time were wrong, and I would never take the same actions again.

Return this form and any attachments by December 20, 2021.

to:

Office of the Inspector General  
Illinois State Toll Highway Authority  
2700 Ogden Avenue  
Downers Grove, IL 60515

Or fax documents to fax number 630-795-7661