

COOK COUNTY COMMISSION ON HUMAN RIGHTS
69 West Washington Street, Suite 3040
Chicago, Illinois 60602

George BLAKEMORE, Complainant)	
)	
)	Case No. 2015PA005
v.)	
)	
CIRCUIT COURT OF COOK COUNTY;)	Entered: March 23, 2015
COOK COUNTY SHERIFF’S OFFICE;)	
“PRIVATE SECURITY FOR THE)	
RICHARD J. DALEY CENTER;” Ernestine)	
DURHAM; The Honorable Patricia BANKS,)	
Respondents)	
)	

ORDER

On February 26, 2015, Complainant George Blakemore (“Blakemore”) filed a complaint with the Cook County Commission on Human Rights (“Commission”) against the Circuit Court of Cook County (“Circuit Court”), the Cook County Sheriff’s Office (“Sheriff’s Office”), an otherwise unnamed private security firm operating at the Richard J. Daley Center in downtown Chicago (“Private Security”), Ms. Ernestine Durham (“Durham”), and Cook County Circuit Court Judge Patricia Banks (“Judge Banks”) (collectively, “Respondents”). This complaint alleges that the Respondents discriminated against Blakemore on the basis of his race and sex in violation of the Cook County Human Rights Ordinance (“Human Rights Ordinance”) by denying him the use of a public accommodation. *See* Cook County Code of Ordinances (“County Code”), § 42-37(a).

After reviewing the allegations in the complaint, the Commission now dismisses. The Commission does not have jurisdiction over allegations of race and sex discrimination involving access to public accommodations within the City of Chicago.

BACKGROUND

Although the Commission does not reach the merits of the allegations, they are briefly summarized here: On January 22, 2015, Blakemore alleges that he attended a free public seminar by the Elder Justice Center of the Circuit Court of Cook County. Compl. ¶ I.A. The event took place in Room 2005 of the Richard J. Daley Center (“Daley Center”). *Id.* The Commission takes notice of the fact that the Daley Center is a downtown landmark in the heart of the City of Chicago that contains a number of courtrooms and government offices and occupies the city block bounded by Randolph Street on the north, Washington Street on the south, Dearborn Street on the east and Clark Street on the west. “Richard J. Daley Center,” online at <http://www.thedaleycenter.com/> (visited Mar. 20, 2015).

Blakemore was offended when Durham allegedly asked him to vacate a seat at the seminar that an African American woman subsequently occupied. Compl. ¶ I.B. Similarly, Blakemore alleges that during a question and answer portion of the seminar, Judge Banks limited him to one question of the speaker and did not allow him to ask a second question that he hoped to pose. *Id.* at ¶ I.C. Blakemore also claims that he overheard Judge Banks ask Durham to get security. *Id.* at ¶ I.D. Durham returned with a Cook County Sheriff’s Officer whose mere presence, Blakemore asserts, was intimidating. *Id.* Finally, Blakemore states that while other seminar attendees were invited to a post-seminar reception, two unnamed Daley Center security guards and two unidentified Deputy Sheriffs stopped him. *Id.* at ¶ I.E. Blakemore believes (without providing any details as to how) that these officers were acting under the direction of Judge Banks. *Id.*

DISCUSSION

The Human Rights Ordinance prohibits any “person that owns, leases, rents, operates, manages, or in any manner controls a public accommodation in Cook County” from “discriminat[ing] concerning the full use of such public accommodation by any individual on the basis of unlawful discrimination.” County Code, § 42-37(a). Race and sex are among the unlawful bases for discrimination under the Human Rights Ordinance. *Id.* at § 42-31 (defining “unlawful discrimination”). And though Blakemore’s complaint is likely non-meritorious with respect to a violation of this provision of the Human Rights Ordinance,¹ that is not the basis of this Order. Instead, the County’s Human Rights Ordinance provides that:

If a municipal ordinance regulates conduct, which is prohibited under this article and provides remedies, this article shall not apply within that municipal jurisdiction with respect to such conduct.

County Code, § 42-33(b).

Section 2-160-070 of the City of Chicago’s Human Rights Ordinance provides a remedy for race and sex discrimination in the use of a public accommodation located within the City of Chicago. And so, whatever the merits of Blakemore’s complaint, the County’s Human Rights Ordinance, by its own express terms, does not apply.

Blakemore – having tried and failed on repeated occasion to bring public accommodations cases to this Commission that are beyond its jurisdiction – is already well aware of this limitation. *See, e.g., Blakemore v. Kinko’s*, 2002PA011 (CCHRC July 14, 2003) (dismissing public accommodation claim on grounds that the Commission does not have jurisdiction over discrimination at public accommodations in the City of Chicago); *Blakemore v. Chicago Comm’n on Human Relations*, 2001PA019, -020 (CCHRC Aug. 21, 2002) (same); *Blakemore v. Metropolitan Pier & Exposition Authority*, 2001PA006 (July 12, 2001) (same);

¹ The complaint contains no allegations that raise any inference of race discrimination. And, standing alone, the request that a man vacate a seat so that a woman can occupy it is more likely to be evidence of adherence to quaint social etiquette than it is unlawful sex discrimination. Further whatever these Respondents did or did not do, Blakemore has not included any allegations, especially with respect to the two individually named respondents, that if proven true would establish that they control the Daley Center to a sufficient degree to liable for public accommodations discrimination there.

Blakemore v. Metropolitan Water Reclamation District, 2001PA004 (Mar. 14, 2001) (same). If this is a political act by which Blakemore is seeking an amendment to section 42-33(b) of the Human Rights Ordinance, that is a project best pursued with the Cook County Board of Commissioners – the forum in which the County’s ordinances are debated, supplemented, rescinded and modified.

The repeated use of the Commission’s investigative and adjudicative docket to file complaints that are outside of the Commission’s jurisdiction, on the other hand, is an abuse of process and a waste of the Commission’s limited resources. Each such complaint filed in bad faith delays the Commission’s resolution of another case on its docket that is within its jurisdiction.² In a federal or state court, a litigant filing a complaint under such conditions would be subject to sanctions. *See* Fed. R. Civ. P. 11, Ill. S. Ct. R. 137. Instead, the Commission will simply dismiss this complaint with the request that Blakemore respect, if not this Commission, then the hundreds of other parties that are availing themselves of its jurisdiction within the bounds of the law. *See* County Code, § 42-34(b)(1).

CONCLUSION

For the foregoing reasons, the Commission orders that Complaint No. 2015PA005 be DISMISSED for LACK OF JURISDICTION. In accordance with CCHR Pro. R. 480.100(A), any party may file a request for reconsideration with the Commission within 30 days of the date of this order.

March 23, 2015

By delegation:



Ranjit Hakim
Executive Director of the Cook County
Commission on Human Rights

² It also places the complainant in the risky position that by the time the Commission recognizes its lack of jurisdiction, the time to file with the correct administrative agency will have expired.