

COOK COUNTY COMMISSION ON HUMAN RIGHTS

69 West Washington Street, Suite 3040

Chicago, Illinois 60602

Danielle MITCHELL, Complainant)	
)	
v.)	Case No. 2009E049
)	
COOK COUNTY JUVENILE)	Entered: July 11, 2014
TEMPORARY DETENTION CENTER,)	
Respondent)	

ORDER

On July 20, 2009, Complainant Danielle Mitchell (“Mitchell”) filed a complaint against her employer, Respondent Cook County Juvenile Temporary Detention Center (“JTDC”), alleging that she was harassed and discriminated against based on her disability in violation of the Cook County Human Rights Ordinance (“Human Rights Ordinance”). The Cook County Commission on Human Rights (“Commission”) has not yet made an evidence determination with respect to this matter, but on June 24, 2014, Mitchell represented to Commission staff that she wished to withdraw her complaint. To effect Mitchell’s wishes, Commission staff mailed her a Withdrawal Request Form the same day. Commission staff advised Mitchell in a letter accompanying this form that if she did not execute and return the form (or contact the Commission to rescind her request) by July 8, 2014, her complaint would be dismissed on the basis of her oral representation.

The Commission’s Procedural Rules state that “[a] Complainant may request to withdraw a Complaint or any part thereof at any time.” CCHR Pro. R. 420.160. If the request is knowingly and voluntarily made, the Commission approves the request and enters an order dismissing the complaint. *Id.* The Commission’s Procedural Rules typically require that a complainant’s request to withdraw be in writing and signed by the complainant or his or her attorney of record, *see id.*, however, the Commission waives this requirement of a written withdrawal in cases where a complainant confirms his or her oral representation of a desire to withdraw with a voluntary action. *See, e.g., Beene v. Pactiv, LLC*, 2013E029 (CCHRC Apr. 10, 2014); *Austin v. Sears, Roebuck & Co.*, 2010PA001 (CCHRC Feb. 5, 2014); *Carter v. Cook County Sheriff’s Office*, 2011E020 (CCHRC Oct. 21, 2013); *Mallette v. Cook County Health & Hospitals System*, 2012E012 (CCHRC Jan. 6, 2014).

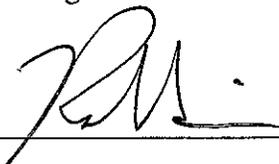
Here, Commission staff advised Mitchell that if she did not return the written Withdrawal Request Form by July 8, 2014, her complaint would be dismissed based on her oral statement. July 8, 2014 has passed without further contact from Mitchell, and, as such, the Commission presumes from the combination of Mitchell’s oral statements and her actions since,

that she has made a knowing and voluntary request to withdraw her complaint which should be granted pursuant to the Commission's Procedural Rules.

For the foregoing reasons, the Commission hereby grants Mitchell's request to withdraw her complaint and orders that complaint 2009E049 be DISMISSED pursuant to a VOLUNTARY WITHDRAWAL.

July 11, 2014

By delegation:

A handwritten signature in black ink, appearing to read 'R. Hakim', is written over a horizontal line.

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