

Complaint filed over chief deputy's beer purchase

Records show Tichava bought four cases with county-issued credit card

By Matt Schury

Todd Milliron of Yorkville filed a complaint with Kendall County State's Attorney Eric Weis against Sheriff's Department Chief Deputy Terry Tichava during the citizen's comment portion of the Kendall County Board meeting Tuesday.

Milliron is a Green Party candidate for Kendall County Board and a supporter of Robert Lea, an independent running against incumbent Sheriff Richard Randall.

Randall was out of town during the meeting and Commander Phil Smith was representing the Sheriff's Office at the meeting.

In his complaint, Milliron states, "employee misuses of Elan Kendall County Sheriff issued credit card to buy four cases of Miller Lite 24 pack can beer" in June 2006. Milliron signed the complaint during the meeting and had Kendall County Chairman Anne Vickery sign the complaint as a witness.

Reading his remarks, Milliron told the board he obtained a receipt from the

Bellettini Foods in Seneca, Ill., for purchases made Wednesday, June 23, 2006.

"I have prepared a written complaint that I am going to sign and present to the County Board to witness and hand to the State's Attorney who I hope will do the right thing- check out my facts, forward my complaint to the Illinois Attorney General for additional investigation," Milliron said. "I did not think this looked right two months ago and I know now it is wrong, something needs to be done, someone needs to be held accountable for this lack of oversight."

The receipt shows a total purchase of \$95.80 apparently made by Tichava whose name appears at the bottom of the receipt. The purchases on the receipt show the four cases of beer, coffee cakes, diet soft drinks and three bags of ice.

"Please note that four cases of Miller Lite, 24 pack cans and three bags of ice were purchased for \$59.56," Milliron said. "Why is Sheriff Randall claiming this is a legitimate Sheriff's Department business expense?"

Milliron noted that the purchase was made at 4:16 p.m. on a Wednesday and wondered if Tichava was on duty when the purchase was made. Milliron told the board that he thought he heard Randall say his officers were on duty 24 hours a day.

In the complaint to Weis, Milliron asks that his office investigate whether Tichava was on duty as the normal hours of business operations for the Sheriff's Office are 8 a.m. to 4:30 p.m. Milliron also asks the state's attorney to "request other questionable Elan credit card receipts from 12-1-04 to present."

Milliron continued that he has had trouble recently obtaining documents through numerous Freedom of

the sheriff coming back and meeting with Eric (Weis) over this."

After the meeting, Vickery commented on the complaint.

"That's the kind of stuff we've been looking for but we've never been able to get it ourselves," Vickery said. "How unfortunate that that kind of stuff has to show up under these kinds of circumstances during this time. It's just unfortunate."

She added that it would be up to the State's Attorney to take any further action.

Weis said he would examine the complaint this week or next week after Randall returns to Kendall County.

"If it is something that I can review I will," Weis said.

However, he added that if the complaint requires more than a simple review he will most likely "refer it to an independent law enforcement agency to review, probably the Attorney General's office."

"I obviously can't represent the county and the sheriff at the same time if there are issues between the two offices," Weis said.

Weis declined to further comment. He explained that type of complaint Milliron filed is generally forwarded to another agency if it is determined that there is a dispute of the facts or another legal review of the documents is needed.

During a break in the meeting, member Bob Davidson said it might not be worth the trouble to have the State's Attorney investigate.

"What are we going to do- spend some more money to say 'yeah he was wrong or say yeah he was right?'" Davidson asked. "He (Tichava) resigned. Let's leave the cost where they belong and let's get on with life."

Davidson added that he felt Milliron was "right on the edge of playing

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"The issue is a dead issue," Davidson said. "He's gone, the issue is over with and as far as I'm concerned it's history," Davidson said.

Robert Lea, an independent candidate for sheriff in the Nov. 2 election, said he felt more action should be taken.

"Chief Tichava is just part of the problem he is just not the entire problem, it's the culture of the department. It's about the openness of the department," Lea said. "I really think his resignation is just too little too late."

Tichava, who has been Chief Deputy since January 1989, came under fire four months ago when the county approved a \$188,000 settlement for a sexual harassment lawsuit filed by Tichava's former secretary Lisa Easi. The county's insurance company also paid out \$193,000 in attorney's fees from pre-trial proceedings.

In the suit, Easi alleged that Tichava sexually harassed her when she was

out for drinks a couple of times per month." The response further states that Tichava and Easi would "mutually exchanged jokes, banter, and innuendo on a daily basis, a lot of it suggestive or sexual in nature."

A week after the settlement was approved, Randall said that he would continue to stand by Tichava.

"That's why I'm not getting out of the kitchen," Randall said at the time. "I can take the heat."

In the letter to the editor sent in June, Vickery said "I am calling for the resignation of Tichava and I also think the Sheriff should tone it down a bit."

Vickery declined to comment on Tichava's retirement until she knew more of the circumstances.

Randall declined to comment further and Tichava could not be reached for comment as of press time.

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In the suit, Easi alleged that Tichava sexually harassed her when she was employed as a secretary in the Sheriff's Office.

Easi states in the suit that Tichava "made comments and remarks about plaintiff's body, sexual behavior, touched her private parts and physically tried to force plaintiff into compromising situations." She also alleged that Tichava sexually harassed her when she was employed as a secretary in the Sheriff's Office.

Easi also says in the suit that she was fired after she complained to management and filed a discrimination charge with the Equal Opportunity Commissioner against Tichava alleging sexual harassment.

Testimony from Easi in the pre-trial hearings alleges these situations and inappropriate touching took place during parties, on the Tichava's boat and at drinking establishments.

Easi also mentions in the suit that she was fired after she complained to management and filed a discrimination charge with the Equal Opportunity Commission against Tichava alleging sexual harassment.

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Earlier this month, Tichava sent a letter to Yorkville's Chief of Police Rich Hart saying he wanted to know how a video of him being pulled over during a traffic stop two years ago got into the hands of Todd Milliron, a County Board candidate and supporter of Robert Lea, an independent running against Randall in this fall's election.

Tichava was pulled over by Yorkville Police Officer M. Garrett Carlyle in May of 2008 for an alleged seatbelt violation. The video of the traffic stop, on Route 126 just east of Route 71, shows Tichava getting out of his unmarked county squad car after being pulled over by Carlyle, and loudly confronting the officer about the traffic stop.

Tichava also said in his letter that the release of the video placed the department in "civil jeopardy," which Hart said he took as the threat of a lawsuit against the department.

Yorkville City Attorney Kathleen Field Orr responded with a letter to Tichava stating that there was "no rules violation or possible criminal conduct regarding the release of this video."

"To the contrary, the Freedom of Information Act mandates a release of the video so long as the release does not obstruct an ongoing criminal

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Milliron continued that he has had trouble recently obtaining documents through numerous Freedom of Information Act requests that he has made to the Sheriff's Office. He distributed a copy of his most recent FOIA filed with that office asking for some of the credit card transactions from June 2 to July 3, 2006.

"This stone-walling and cherry picking of receipts by the Sheriff's Department has been going on for two months," Milliron said.

Tichava said he expected to meet with Weis and Randall Friday to discuss Milliron's complaint.

"It is very explainable, this isn't some hidden dark secret or anything like that," Tichava said. "I just feel very uncomfortable saying anything prior to

Randall returns to Kendall County.

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However, he added that if the complaint requires more than a simple review he will most likely "refer it to an independent law enforcement agency to review, probably the Attorney General's office."

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"What are we going to do- spend some more money to say 'yeah he was wrong or say yeah he was right?'" Davidson asked. "He (Tichava) resigned. Let's leave the cost where they belong and let's get on with life."

Davidson added that he felt Milliron was "right on the edge of playing politics and that ain't what this meeting's about. You gotta bitch, make your bitch, get it over with, get out of here and then leave it to us to figure out what to do."

He added that the county auditor looked into the situation with receipts a while ago.

"When the auditor don't come back and say there is still a problem... They've picked up old stuff that we picked on three years ago," Davidson said. "Politics, that's all it is."

"It's kind of like my Dad always said 'I'd rather vote for the devil that I know than the devil I don't know,'" Davidson said.

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