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# Crisis Mismanagement: How the Orland Park Public Library made things worse for itself by listening to terrible lawyers...

May 26, 2014 · 1 Comments



ORLAND PARK ([ECWd](#)) -

If you have been following closely the mess that the Orland Park Public Library Board of Trustees (the OPPL-BoT) has made for themselves since it was discovered in October of 2013 that child pornography is, to this day, still accessible in that library, you would see that at almost every step of the way the Board's attorneys at Klein, Thorpe, & Jenkins have given them exactly the wrong advice and that the Board has been relying heavily on the guidance of "crisis managers".

They've certainly been following the "wrong advice", if the point of said advice was to lessen the crisis that the OPPL-BoT has found itself in. But, if the point of the advice was to dig the OPPL-BoT deeper into a still-growing crisis and generate close to \$100,000 in legal fees at this point, then the Library's "crisis management strategy" has been a resounding success. It has certainly enriched the coffers at Klein, Thorpe, & Jenkins, that's for sure.

It's important for Americans to question the wisdom of public bodies employing anyone in the field of "crisis management" to begin with; is this really in the public's best interest? Big corporations have "crisis managers" whose jobs involve spinning bad news and mitigating public relations disasters. A good crisis manager for a major corporation can spin an oil spill into seeming like it's not a big deal at all, or even that it's a good thing in some way. Crisis managers are paid to lie to the public on a company's behalf and do whatever it takes to "spin" bad news (while often attacking the company's critics). The truth doesn't matter to a crisis manager, only the perception that's trending most aggressively on Twitter.

## **Bridget Bittman: "Crisis Manager"**

The "Crisis Management Team" for the Orland Park Public Library has been largely led by a woman named Bridget Bittman, who earns about \$80,000/year (including benefits) in the position of "communications manager" for the OPPL. When not in crisis management mode,

Bittman's job requirements involve being a liaison with the press about events at the Library and responding to other such media inquiries.



### Bridget Bittman Lying to Media

On December 17th, 2013, Bittman (along with the Library's Director, Mary Weimar) were honored by the American Library Association at a "Crisis Management Workshop" held at the Burr Ridge RAILS location for their "crisis management leadership". This would be like an organization honoring Rod Blagojevich for being a prime example of an honest politician and effective governor. Everything that Bittman and Weimar have done on the OPPL's behalf has succeeded only in digging the Library into deeper trouble. At every step of the way, the attorneys at Klein, Thorpe, & Jenkins seem to have also encouraged Bittman and Weimar to make these mistakes instead of preventing them from causing the OPPL more chaos.

If you didn't know better, you'd think that the attorneys at Klein, Thorpe, & Jenkins have actively been encouraging disasters for the OPPL...perhaps because the more trouble they get themselves into then the higher the ultimate legal bills will be for the KTJ firm, which bills \$200/hour per attorney to work on all the paperwork and complaint responses generated by the latest blunders committed by Bittman, Weimar, and the OPPL-BoT at large.

Let's examine the "crisis management" strategy employed by the OPPL-BoT since October of 2013 and see if we can detect a pattern and practice of this Board willfully and knowingly breaking the law with their attorneys' full knowledge, consent, and encouragement. This is important because the OPPL-BoT is far from the only government entity in our state to behave this way. It's instructive to think about how sensible people and good public servants would have responded to each event below, instead of the "Crisis Response" conceived by Bittman, Weimar, and the Klein Thorpe Jenkins legal team.

### **"Crisis Events" – and the OPPL's response to them**

**EVENT #1:** On October 5th, 2013, the OPPL-BoT received an emailed complaint from a patron named Megan Fox about her spotting a man sexually arousing himself in the Library's second floor computer area, in full view of passersby (including children!). Library staff had refused to stop the man and had instead told Megan that this sort of thing happens all the time in this Library and there was nothing they could do about it. Megan asked the OPPL-Bot why this behavior was allowed when the Village of Orland Park has a disorderly conduct ordinance that prohibits lewd conduct like public masturbation in a public place like a Library, and such behavior is, thus, a crime in Orland Park and the OPPL could call the police on the masturbators.

**CRISIS RESPONSE:** The OPPL-BoT chose from Day One to attack Megan Fox as a critic of the Library and to use the police against her. Legal invoices produced under FOIA show that Mary Weimar started meeting with E. Kenneth Friker of the Klein, Thorpe, & Jenkins firm on or about October 6th, 2013, immediately upon receipt of Fox's email. By 10/8/13, the decision was made for Weimar to email Police Chief Tim McCarthy and ask him to harass Megan over a video of Megan singing a song about the Second Amendment at a Tea Party event back in 2010. Weimar urged the police to harass Megan, claiming that a Library employee didn't like that Megan was singing about gun ownership on YouTube. Weimar told the Police Chief over email that her employee felt "uncomfortable" and afraid over Megan's three-years-old video...and Weimar felt that a manufactured harassment of Megan over this video would scare her away. The "Crisis Response" here seems to have been a public body digging up dirt on a mother of two who complained about something horrible she encountered in a public building, in an effort to intimidate the woman into shutting up and going away.

**EVENT #2:** On October 21st, 2013, Megan Fox and Kevin DuJan attended the first of a series of OPPL-BoT monthly meetings to present to the Board the findings of their investigation into what had been going on in this Library. Because the OPPL-BoT never responded to Megan's email complaint of 10/5/13 and Library Director Weimar and Board President Nancy Wendt Healy would not take Megan's calls to talk about the man she had seen being allowed to arouse himself sexually in the Library, Megan and Kevin used FOIA from 10/5/13 to 10/21/13 to unearth the Library's internal incident reports and also Orland Park police reports to see just how often men masturbated in the Library and did other things that were violations of the law. It should be noted that if the Library Board had behaved in a professional manner at this point and if they had used basic customer service skills to address the problem with Megan (as they should have done) then this "crisis" for the Library would have never escalated. It was, in fact, the Library's own "Crisis Management Team" that consistently chose to escalate and worsen this "crisis" for them.

**CRISIS RESPONSE:** The OPPL-BoT chose not only to ignore Megan Fox and hope that she'd just go away, but they brought in James Fessler from the law firm Klein, Thorpe, & Jenkins to intimidate Megan Fox and Kevin DuJan at the October Board Meeting. In retrospect, Fessler did a lot of things at that meeting that violated the Open Meetings Act (but Fox & DuJan were not experts on the OMA at the time and didn't realize it). For instance, Fessler is not a Board Member but he largely conducted the meeting instead of Board President Nancy Wendt Healy. Fessler made DuJan state his address aloud in an Open Meeting, which is not provided for under the OMA and is considered an intimidation tactic. Fessler unreasonably restricted the topics that Fox and DuJan could speak about at the meeting and violated the Board's own rules for Public Comment in other ways. Fessler is a bully, but went too far when speaking in a condescending way to Megan, going so far as to smirk at her in a sexist manner and tell her that she had no right to demand answers from the Board regarding their bad behavior. A video clip of Fessler's behavior was posted to YouTube and gained 13,000 hits in short time, with people outraged that the Board's attorney was allowed to treat the public so badly during an Open Meeting.

**EVENT #3:** In October and November of 2013, the OPPL-BoT engaged in a strategy of games playing and stall tactics regarding FOIA production that seems to have been directed by Klein, Thorpe, & Jenkins, based on the huge sums this firm charged the Library for "Freedom of

Information Act matters”. Because of the way that Fessler treated them at the October Board Meeting, Fox & DuJan decided to keep digging into the Library’s emails and other documents, looking for evidence of the Board knowing that sex crimes were being committed in the building but the Board choosing to do nothing about that. Not only did they ultimately find a report of child porn being accessed in the Library (without the police ever being called!) but they found emails where Board Member Diane Jennings was openly talking about the “perverts looking at their filth” on the second floor, where Megan had encountered the man openly arousing himself in full view of anyone walking by. The pieces started to fall into place that for many years the OPPL-BoT was well aware that they had a serious problem in this building that made the library a dangerous place for children and they deliberately chose to do nothing about it.

**CRISIS RESPONSE:** It appears that Klein, Thorpe, & Jenkins advised the OPPL-BoT to fight just about every FOIA request and force Fox & DuJan to file tedious Requests for Review with the Public Access Counselor to get the documents they needed for their investigation. In just October, November, and December of 2013 alone the Library wasted \$14,000 on legal fees to Klein, Thorpe, & Jenkins related to fighting FOIA production. The Library lost on every single FOIA challenge and in the end all the documents had to be produced. But, the Library was able to stall production in hopes that Fox & DuJan would tire of this investigation and would go away. In fact, emails obtained via FOIA show Mary Weimar, the Library Director, regularly telling different Village officials and Board members that “*in a week Ms. Fox and her colleague will tire of this and move on with their lives*” and things to that effect. Perhaps past experience with situations where the public gave up in the face of obstruction convinced the OPPL-BoT it was worth rolling the dice by refusing to produce embarrassing documents, hoping that Fox & DuJan would tire of the Request for Review process and would “move on with their lives” and let the Library off the hook.

**EVENT #4:** In early November the local media started taking an interest in what was going on at the Library and Bridget Bittman launched a campaign of aggressively lying to the media. For the most part, reporters just print whatever the Library says without ever fact-checking, since reporters give public bodies the benefit of the doubt when it comes to the truth. That’s a truly stupid thing for them to do in Illinois, but it’s what they do. Bittman repeatedly lied in the Chicago Tribune, the Orland Park Patch, and the Orland Park Prairie that no sex crimes had ever occurred in the Orland Park Public Library and the media printed her lies as if they were true. The media never bothered to FOIA the police and obtain Deputy Chief John Keating’s investigation #2013-00136850, which listed 37 times in recent years when police should have been involved in matters that occurred in the Library (with many occasions when the Library did not call the police when things like child porn being accessed in the Library were reported). Bittman continued lying until Dan Proft and Bruce Wolf of 89 WLS AM radio busted her live on the air on November 6th, 2013 when she claimed in an interview that child porn had never been accessed...but Dan Proft had the report in his hand and forced Bittman to admit that, yes, child porn had been viewed or downloaded in the Orland Park Public Library and police were not called as they should have been. Bittman refused to ever appear on WLS again after that and took to only issuing canned statements to the media; she would not give live interviews after Dan Proft busted her.

**CRISIS RESPONSE:** The American Library Association (a private group funded largely by George Soros and other wealth donors on the ideological Left) advises libraries to lie to the media and to control what media outlets they grant interviews to. It's called "managing the message" and it also involves counting on reporters being unwilling to report anything critical of or damaging to a public library. The ALA counts on reporters wanting to feel good about themselves and they view public libraries as good things, so they are reluctant to ever report negative stories on libraries because reporters do not want their peers to give them grief about harming libraries with such reporting. If you've spent any time around reporters in recent years you will know that they are pretty lazy by nature and are interested only in keeping their cushy jobs. These are not men and women who aspire to be the next Woodward & Bernstein or Nellie Blye. If a public library issues a statement saying it did not do anything wrong and that no sex crimes were committed in the library then the media will largely report those talking points word-for-word uncritically without ever fact-checking to see if any of it was true. A FOIA request made to the OPPL-BoT, for instance, asking for all the FOIA requests made to the library from October 2013 forward revealed that not a single reporter had asked the Library for any documents related to the child porn being accessed in the building. Instead, the reporters were only interested in digging up dirt on Megan Fox and Kevin DuJan that would help Bittman's strategy of defaming, discrediting, and attacking them as the Library's critics; and reporters in the Chicago Tribune, the Southtown Star, the Orland Park Patch, and the Orland Park Prairie were only too happy to carry more water for Bridget Bittman and the rest of the Crisis Management Team at the OPPL.

**EVENT #5:** From January 2014 to more or less the present, the OPPL-BoT has been engaged in a strategy of violating the Open Meetings Act at every Board Meeting, believing that there are no real consequences for doing this. In January, Board President Nancy Wendt Healy came right out and said at the meeting that her lawyers at Klein, Thorpe, & Jenkins told her that she did not have to follow the OMA and that she would be restricting public comment at that meeting. Fox & DuJan filed an immediate Request for Review with the AG's office...and it took until May 13th for the Public Access Counselor (PAC) to determine that, yes, the OPPL-BoT violated the law. The PAC told the OPPL-BoT to promise never to do that again. In the meantime, the OPPL-BoT was emboldened by seemingly getting away with breaking the law on January 20th, so they held an illegal special meeting on February 12th to ram through all sorts of controversial votes on a day that the OMA specifically said they could not hold a meeting. Mind you, the OPPL-BoT had a normal monthly meeting coming up on February 17th, but the Board believed it could get away with not holding public comment at a special meeting...and so that is why it seems they decided to ram through controversial votes on February 12th, when they seemed to feel that they could do so and not hear any outrage or objection from the public. In their eyes, this pattern of behavior has worked so well for them that they have willfully and at times gleefully violated the OMA every month since, always in inventive new ways designed to restrict public comment or attack their enemies in the public. They invent new rules, for instance, in attempts to discourage public comment from people they don't want to hear from...hoping every month that they'll find the magic recipe of lawbreaking that will chase Fox & DuJan away.

**CRISIS RESPONSE:** It should be noted that lawyers from Klein, Thorpe, & Jenkins are sitting right next to President Nancy Wendt Healy when she violates the Open Meetings Act and they encourage her to do so over the objections of the public. Megan Fox and Kevin DuJan alerted the

Board to the fact that the February 12th, 2014 meeting they were holding on Abraham Lincoln's Birthday was illegal because they were not permitted to hold a meeting on a state holiday, but the Board's attorney Dennis G. Walsh (the one that "wrote the book" on the OMA) told the Board to ignore Megan and hold the illegal meeting anyway. Memorably, Walsh scoffed at Megan and said that he "knew the law" and that the Board could get away with this. The PAC ultimately ruled on May 19th, 2014 that the February 12th special meeting was illegal, just as Fox & DuJan said it was. But to this day Dennis G. Walsh and the rest of the legal eagles at Klein, Thorpe, & Jenkins maintain that "the meeting happened" and that everything the Board voted on that day is legal, despite the fact that the OMA clearly states that votes on items for final action must be made with recital and deliberation at a properly held open meeting that is convenient for the public. An illegal special meeting on February 12th is none of those things in Illinois and everything that the OPPL-BoT did that day is thus void ab initio (null from the beginning). We expect the PAC to rule any day now on the legal status of seven or eight policy actions (and even a Board appointment!) that were done on February 12th at the illegal meeting, which the Klein, Thorpe, & Jenkins firm continues to encourage the Board to treat as legal despite being done in direct violation of the OMA.

It certainly seems that after observing this public board for seven months now that the overarching "crisis management strategy" is to overwhelm the public and the system with lawbreaking, so that there's just too much going on for the public to fight or pay attention to.

It's cost Megan Fox and Kevin DuJan a small fortune out of their own pocket to fight the OPPL-BoT, while the OPPL-BoT simply uses tax dollars to pay Klein, Thorpe, & Jenkins and the rest of its "Crisis Management Team". Fox & DuJan spend five or six hours a day working on research to prove that the OPPL-BoT has engaged in wrongdoing, when that's time and resources they could be using on other things. The OPPL-BoT believes if it keeps dragging this out that Fox & DuJan will become exhausted, run out of resources, or be forced to "move on with their lives" as Mary Weimar keeps insisting. The fact that Megan Fox is six months pregnant and will be having a new baby soon also seems to be factored into decisions made by this Board, because they feel that when her baby is born that Megan will be unable to come to any more Board Meetings and the OPPL-BoT will be rid of her.

Though the OPPL-BoT has often accused Fox & DuJan of being a "Tea Party Group", in reality the Tea Party in Illinois has done nothing to help with the investigation into the Orland Park Public Library being an access point for child porn. Local churches have not lifted a finger either, saying that they prefer not to get involved in "controversial" issues like these. It's really a sad day in our state and our country when child porn being accessed, viewed, downloaded, and distributed in a public library is too "controversial" an issue for churches and Tea Party groups to become involved with...but this fight has been left to just one suburban mom and her gay friend in Chicago to fight.

The fatal flaw in the OPPL-BoT's crisis management strategy is that Fox & DuJan are not going to give up until the point of access to child porn is removed from the Orland Park Public Library and the OPPL-BoT faces legal consequences for willfully violating the Open Meetings Act. Additionally, Fox & DuJan plan on holding the law firm Klein, Thorpe, & Jenkins accountable for its crisis management advice to the OPPL-BoT, since it seems the Board would not have

committed so many Class-C misdemeanors if their attorneys had not encouraged them to roll the dice and break the law, under the belief there would never be any negative consequence for doing so.

This is an ongoing Case Study in how a public body manages to create more “crisis” for itself when devoting gross amounts of public resources to “crisis management” instead of acting in the public’s best interests.

How much tax money will this Board have spent and how many laws will it have broken before the matter of the Orland Park Public Library being an access point for child porn in the southwestern Chicago suburbs is resolved?



Bittman making mad dash for another False Police Report



Photo from Megan Fox