



CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

20
23

Quarterly Report: Third Quarter 2023

October 13, 2023

DEBORAH WITZBURG | INSPECTOR GENERAL FOR THE CITY OF CHICAGO

To the Mayor, City Council, City Clerk, City Treasurer, and Community Members of the City of Chicago:

Enclosed for your review is the public report on the operations of the City of Chicago Office of Inspector General (OIG) during the third quarter of 2023, filed with City Council pursuant to Section 2-56-120 of the Municipal Code of Chicago.

This quarter, OIG marks substantial disciplinary results arising from our investigative work, a continuation of the more frequent and more rigorous enforcement of the City's ethics rules which I highlighted in [last quarter's report](#), improved outcomes in police misconduct investigations under our review, and both the identification and realization of opportunities to improve the economy and effectiveness of City operations.

Herein, we report on OIG's first concluded investigation into a City employee's fraudulent receipt of a federal Paycheck Protection Program (PPP) loan. This is the first public reporting out of a large-scale, ongoing effort; OIG obtained data for the more than 20 million PPP and COVID-19 Economic Injury Disaster Loans (EIDL) and analyzed over 350,000 issued in the Chicago area to identify disbursements to City officials and employees. OIG's proactive data analysis has identified over 1,000 EIDL and PPP loans issued to individuals within OIG's jurisdiction. Some of those loans may have been obtained legitimately, but a substantial number of the identified loans have indicators of potential fraud. We continue to investigate these matters and will continue to report publicly on investigative outcomes as appropriate.

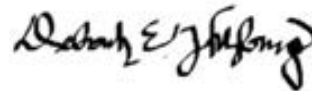
In this quarter, we successfully pursued a finding of probable cause to believe that a manager at a restaurant bribed a City inspector; this is the second such finding against a member of the public as a result of an OIG investigation, with the first reported last quarter. We will continue to pursue these cases, for as long as it is necessary, to send a clear message to all involved that City Hall is not for sale. Also this quarter, to ensure that OIG is able to fully exercise its legal mandate, we investigated allegations and sustained findings that a City licensee obstructed an OIG investigation, and separately successfully sued to enforce an OIG subpoena. If we are to meet our mission in holding bad actors accountable when they break the rules, we cannot tolerate attempts to interfere with our investigative efforts. Meanwhile, during this quarter, we were finally able to bring on board the additional investigative staff for which we budgeted in 2023 in order to increase capacity and begin the critical work of shortening the timelines of OIG investigations. We have fewer cases this quarter which have been open for more than a year than we did last quarter; we will continue the critical work of delivering sound results more quickly.

Meanwhile, our Public Safety section continues to oversee the operations of the Chicago Police Department (CPD) and the police accountability agencies. Last quarter, we reported on OIG's inquiry into CPD's enforcement of Rule 14 of its Rules of Conduct, prohibiting the making of false reports; effective enforcement of the rule is vital to an accountable and effective police function. In this quarter, we made recommendations to both CPD's Bureau of Internal Affairs (BIA) and the Civilian Office of Police Accountability (COPA) that they reopen materially deficient disciplinary investigations to account for potential Rule 14 violations. BIA agreed to do so, sustained a violation, and is taking steps to separate the accused member from CPD service. COPA declined, despite finding that an accused CPD member's statement was "wholly refuted" by video evidence.

Elsewhere, we are identifying practical opportunities and seeing real-world results in the effort to improve City operations. This report reflects our third follow-up on uncollected fees for commercial driveway permits; the failure to appropriately collect these fees results in as much as \$1.5 million in lost revenue each year. In already-realized results, a notification from OIG resulted in the Department of Building's revocation of the City licenses of individuals charged with bribery and related criminal offenses, and as a result of a notification we sent last year, 83% of non-emergency City vehicles are now equipped with GPS to enable better efficiency and accountability.

There is a great deal more work ahead, and I am grateful for the opportunity to do it alongside my OIG colleagues.

Respectfully,



Deborah Witzburg
Inspector General
City of Chicago

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This quarterly report provides an overview of the operations of the City of Chicago Office of Inspector General (OIG) from July 1, 2023, through September 30, 2023, and includes information required by the Municipal Code of Chicago (MCC).

I | Mission of the Office of Inspector General

OIG's mission is to promote economy, effectiveness, efficiency, and integrity in the administration of programs and the operation of City government.¹ OIG accomplishes its mission through investigations of allegations of misconduct, performance audits, evaluations and reviews, data analysis and visualization, and other inquiries.

When OIG investigates and sustains allegations of misconduct, it issues summary reports of investigations to the appropriate authority, City management officials, and/or the Mayor's Office, with investigative findings and recommendations for corrective action and discipline. Narrative summaries of sustained administrative investigations, i.e., those typically involving violations of the City's Personnel Rules, Debarment Rules, and Ethics Ordinance—and the resulting department or agency actions—are released in quarterly reports. OIG's investigations resulting in criminal sanctions or civil recovery actions are summarized in quarterly reports following public action (e.g., indictment) and updated in ensuing quarterly reports as court developments warrant.

OIG's performance audits, programmatic inquiries, and advisories are directed to the appropriate agency for comment and response and are then [published on the OIG website](#). From time to time, OIG also issues notifications to a City department for attention and comment; those notifications are summarized, along with any response, in the ensuing quarterly report.

OIG's data analysis and visualization work are available on its [Information Portal](#).

Finally, OIG issues reports as required by the City's Employment Plan and as otherwise necessary to carry out its functions in overseeing hiring and promotion processes across the City.

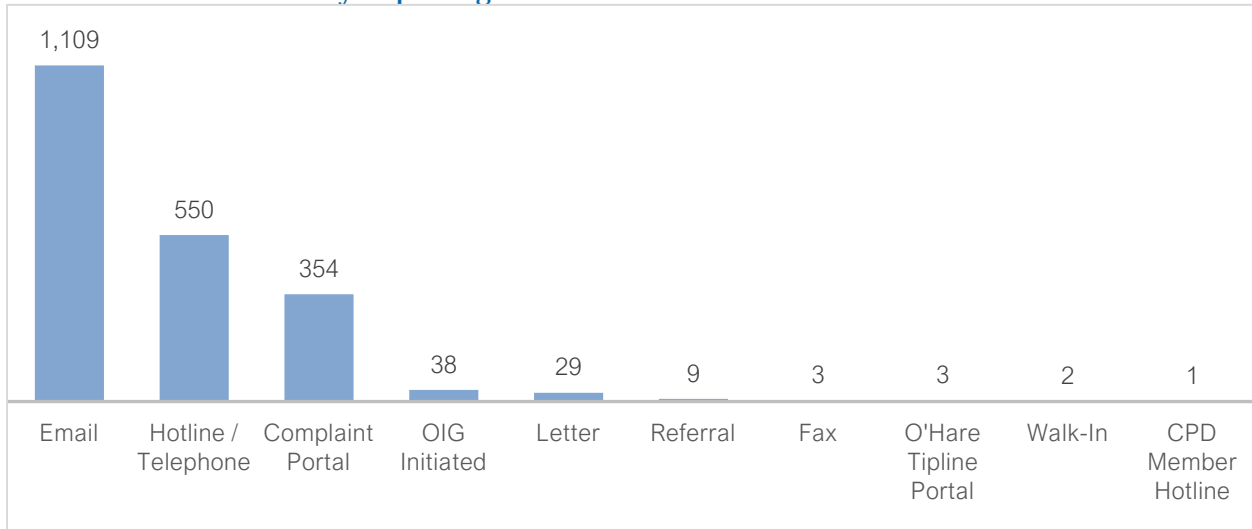
¹ "City government" includes the City of Chicago and any sister agency which enters into an Intergovernmental Agreement with the City for the provision of oversight services by OIG.

II | Intakes

1 | Intakes Received This Quarter

OIG received 2,098 intakes this quarter. The following chart shows the various reporting methods by which those intakes were received.

Intakes Chart 1: Intakes by Reporting Method



In determining whether to open an inquiry into issues raised during intake, among other factors, OIG evaluates the nature of the issue raised; which of OIG’s sections might be best equipped to address the issue; and, if an intake alleges misconduct, the potential magnitude or significance of the allegations.² Following this review, OIG may open an investigative or non-investigative inquiry, decline an intake, or refer it to another agency or City department. The following information outlines the actions OIG has taken in response to intakes received this quarter.

In Q3 2023, OIG referred 535³ intakes to City departments or other agencies.⁴ The total number of referrals (see chart below) may be greater than the number of OIG referred intakes, as a single OIG intake may be referred to more than one agency.

² As further described below, some intakes are discontinued when, after review in OIG’s intake process, they are determined to be not amenable to further consideration.

³ OIG referred 535 intakes to the agencies listed in Table 1. Some intakes were referred to more than one agency, resulting in a total of 547 referrals.

⁴ Pursuant to MCC § 2-56-120, OIG does not report here referred intakes in which “(i) the complaint addresses potential criminal conduct and has been referred to a state or federal law enforcement agency, and (ii) the investigation of the conduct at issue is ongoing, and (iii) in the judgment of the inspector general, public disclosure of the referral would compromise the effectiveness of the investigation.”

Table 1: Referred Intakes

Referred Agency	Number of Referrals
Chicago Civilian Office of Police Accountability	288
Chicago Police Department	176
Chicago Department of Human Resources	23
Chicago Public Schools Office of Inspector General	13
Chicago Fire Department	5
Chicago Park District Office of Inspector General	5
Illinois Department of Human Services Office of Inspector General	4
Federal Bureau of Investigation	2
Office of the Illinois Attorney General	2
Office of Executive Inspector General for the Agencies of the Illinois Governor	2
United States Postal Service Office of Inspector General	2
United States Small Business Administration Office of Inspector General	2
Alsip Police Department	1
Chicago Department of Housing	1
Chicago Department of Streets and Sanitation	1
Chicago Department of Transportation	1
Chicago Office of the Mayor	1
City Colleges of Chicago Office of Inspector General	1
Cook County Office of Independent Inspector General	1
Cook County Sheriff's Office of Professional Review	1
Dolton Police Department	1
Federal Trade Commission Office of Inspector General	1
Illinois Secretary of State Office of Inspector General	1
Illinois State Board of Elections	1
Illinois State Police	1
LaSalle County Sheriff's Office	1
Lemont Police Department	1
Los Angeles Police Department	1
Morton Grove Police Department	1
Schiller Park Police Department	1
Skokie Police Department	1
United States Citizenship and Immigration Services	1
United States Department of Health and Human Services Office of Inspector General	1
United States Social Security Administration Office of Inspector General	1
United States Department of State	1
Total	547

OIG may discontinue intakes that are, for a variety of reasons, not amenable to further consideration. Specifically, if after reviewing an intake is determined to lack sufficient information or clarity in describing the alleged misconduct, waste, or inefficiency to provide a basis for investigative follow-up, or is incoherent, incomprehensible, or factually impossible, it is designated as "Do Not Process" and is discontinued. If a communication received and cataloged as an intake

is determined to be an automated, accidental, irrelevant, or inappropriate electronic message, it is designated as “Spam” and discontinued. Finally, if a communication received and cataloged as an intake is determined to be a question or request for information that is directly answered by OIG, it is designated as an “Inquiry” and discontinued.

In Q3 2023, OIG discontinued 1,051 intakes.

Table 2: Discontinued Intakes

Category of Discontinued Intakes	Number of Discontinued Intakes
Do Not Process	561
Spam	159
Inquiries	331
Total	1,051

Pursuant to MCC § 2-56-050(b), if OIG receives an intake that constitutes a complaint alleging a violation of the Governmental Ethics Ordinance (GEO), MCC § 2-156, by any elected or appointed City officer, City employee, or any other person subject to the GEO, OIG may only: (i) decline to open an investigation if OIG determines that the complaint lacks foundation or does not relate to a violation of § 2-156; (ii) refer the matter to the appropriate authority if OIG determines that the potential violation is minor and can be resolved internally as a personnel matter; or (iii) open an investigation.

In Q3 2023, OIG declined 30 complaints alleging violations of the GEO.

Table 3: Ethics Complaints Declined

Category of Declined Ethics Complaints	Number of Declined Ethics Complaints
Complaint Lacks Foundation	7
Complaint of Same Alleged Conduct Already Received	4
Failure to Allege a Violation of MCC § 2-156	19
Total	30

III | Investigations

OIG's Investigations section conducts both criminal and administrative investigations into the conduct of City officers, employees, and other entities, including contractors, subcontractors, and lobbyists. OIG may initiate an investigation either in response to a complaint or on its own initiative.

The information to follow provides an overview of OIG's investigative work this quarter and fulfills the reporting requirements set out in §§ 2-56-080 and -120 of the MCC, as well as the Intergovernmental Agreement between the Public Buildings Commission (PBC)⁵ of Chicago and OIG.

A | Misconduct Investigations

1 | Investigative Activity This Quarter

As of the close of this quarter, OIG has 249 active investigations. During Q3 2023, OIG initiated 39 investigations, of which 20 were self-initiated, and concluded 33 investigations.

2 | Open Matters

OIG's 249 currently active misconduct investigations involve a range of subjects and types of alleged misconduct.

Table 4: Subject of Investigations

Subject of Investigations	Number of Investigations ⁶
City Employees	194
Elected Officials	22
Contractors, Subcontractors, and Persons Seeking Contracts	21
Licensees	4
Appointed Officials	3
Persons Seeking Certification of Eligibility	1
Other	4
Total	249

Table 5: Nature of Allegations Under Investigation

Nature of Allegations	Number of Cases
Misconduct	248
Ineffectiveness	0
Waste/Inefficiency	1
Total	249

⁵ Created by state legislation in 1956, PBC is responsible for planning, designing, and constructing municipal buildings, including schools, libraries, fieldhouses, and fire stations. See: <https://pbcchicago.com/>.

⁶ Counted here are the number of open investigations, not the number of unique subjects; that is, the same individual or entity may be the subject of more than one separate investigation.

a | *Illinois v. Chicago*, Consent Decree Paragraph 481 Investigations

Under collective bargaining agreements between the City of Chicago and certain members of the Chicago Police Department (CPD), OIG may only investigate allegations of misconduct concerning an incident or event which occurred more than five years prior to the date of the complaint or allegation with written authorization from CPD's superintendent. Pursuant to Paragraph 481 of the consent decree entered in *Illinois v. Chicago*, if OIG requests the superintendent's authorization to open such an investigation, the superintendent must respond within 30 days.

During this quarter, OIG did not request the Superintendent's authorization to open any investigation relevant to or reportable pursuant to Paragraph 481.

b | Investigations Open Over Twelve Months

As required by MCC § 2-56-080, OIG reports each quarter on active investigations which have been open for more than 12 months. Of OIG's 249 pending investigations, 130 have been open for more than 12 months. Most cases remain pending because (1) they are complex or resource-intensive investigations that may require resolution of legal issues or involve multiple subjects; (2) they involve allegations that may be the subject of criminal investigation being conducted jointly with law enforcement investigative or prosecutorial partners at the federal, state, or local level; or (3) they were extended to allocate resources to higher risk, more time-sensitive investigations. Where other explanations are relevant for cases remaining open beyond 12 months, they are noted in the table below.

Table 6: Investigations Open Over Twelve Months, Q3, 2023

Case ID ⁷	Legacy ID	General Nature of Allegations
C2022-000040115	20-0385	Residency violation
C2022-000040550	20-0842	Women-Owned Business Enterprise (WBE)/Minority Owned Business Enterprise (MBE) fraud
C2022-000040999	20-1334	Failure to follow department rules in the course of an investigation
C2022-000041000	20-1335	Unauthorized outside employment/residency violation
C2022-000041038	20-1375	Failure to follow department rules in the course of an investigation
C2022-000041039	20-1376	False statements/violation of department rules
C2022-000041400	21-0026	Bribery
C2022-000041454	21-0082	Theft
C2022-000041456	21-0084	Residency violation
C2022-000041504	21-0134	Procurement fraud
C2022-000041554	21-0191	Retaliation
C2022-000041580	21-0219	Failure to follow department rules regarding COVID-19 quarantine

⁷In early 2022, OIG launched a new case management system, which accounts for the new case number format.

Case ID ⁷	Legacy ID	General Nature of Allegations
C2022-000041693	21-0340	Falsification/improper use of City resources
C2022-000041793	21-0449	Theft
C2022-000041797	21-0453	Theft
C2022-000041798	21-0454	Theft
C2022-000041803	21-0459	Theft
C2022-000041808	21-0464	Theft
C2022-000041809	21-0465	Theft
C2022-000041810	21-0466	Theft
C2022-000041812	21-0468	MBE fraud
C2022-000041854	21-0511	Bribery
C2022-000041911	21-0571	Retaliation
C2022-000041916	21-0576	False statements/violation of department rules
C2022-000041959	21-0621	Unauthorized outside employment/COVID-19 leave fraud
C2022-000042143	21-0818	Failure to follow department rules
C2022-000042145	21-0820	False records submitted to City
C2022-000042213	21-0889	Prohibited political activity
C2022-000042259	21-0942	Failure to follow department rules
C2022-000042359	21-1049	MBE fraud
C2022-000042390	21-1080	Battery/failure to follow department rules
C2022-000042391	21-1081	Preferential treatment
C2022-000042445	21-1141	Falsification/retaliation
C2022-000042456	21-1153	Bribery
C2022-000042777	21-1482	COVID-19 leave fraud
C2022-000042779	21-1484	Procurement fraud
C2022-000042867	21-1579	Residency violation
C2022-000042912	21-1626	Ethics violation
C2022-000042921	21-1635	Time falsification
C2022-000042924	21-1638	Ethics violation
C2022-000042971	21-1687	Ethics violation/incompetence
C2022-000042973	21-1689	Failure to follow department rules
C2022-000043133	21-1855	Bribery
C2022-000043160	21-1884	Secondary employment violation
C2022-000043178	21-1903	Failure to follow department rules
C2022-000043294	21-2029	Failure to follow department rules/incompetence

Case ID ⁷	Legacy ID	General Nature of Allegations
C2022-000043295	21-2030	False information submitted to City
C2022-000043296	21-2031	Duty disability fraud
C2022-000043298	21-2033	Secondary employment violation
C2022-000043299	21-2034	Ethics violation
C2022-000043390	21-2126	Falsification
C2022-000043391	21-2127	Misappropriating City funds
C2022-000043401	21-2137	Theft
C2022-000043402	21-2138	Misappropriating City funds
C2022-000043426	21-2162	Violation of City employment plan
C2022-000043429	21-2165	Secondary employment/improper use of City resources
C2022-000043431	21-2167	Ethics violation
C2022-000043538	21-2276	Secondary employment violation
C2022-000043571	22-0006	Failure to follow department rules/incompetence
C2022-000043617	22-0052	Failure to follow department rules
C2022-000043618	22-0053	Providing false information to the City
C2022-000043794	22-0232	Bribery
C2022-000043815	N/A	Failure to follow department rules
C2022-000043827	N/A	Preferential treatment
C2022-000043833	N/A	Time fraud/Fraud
C2022-000043846	N/A	Sexual harassment
C2022-000043852	N/A	False statements
C2022-000043853	N/A	Ethics violation
C2022-000043854	N/A	Incompetence/inefficiency
C2022-000043865	N/A	Fraud
C2022-000043867	N/A	Retaliation
C2022-000043868	N/A	Ethics violation
C2022-000043880	N/A	Improper disclosure of information
C2022-000043881	N/A	Conflict of interest
C2022-000043889	N/A	Time fraud
C2022-000043895	N/A	Fraud/COVID-19 fraud
C2022-000043896	N/A	Ethics violation
C2022-000043897	N/A	False statements/Fraud
C2022-000043898	N/A	Contract Fraud
C2022-000043899	N/A	Criminal investigation

Case ID ⁷	Legacy ID	General Nature of Allegations
C2022-000043900	N/A	Fraud
C2022-000043902	N/A	Bribery
C2022-000043912	N/A	Ethics violation
C2022-000043917	N/A	Bribery
C2022-000043920	N/A	Misuse of position
C2022-000043921	N/A	Secondary employment violation
C2022-000043925	N/A	Procurement fraud
C2022-000043928	N/A	Bribery
C2022-000043937	N/A	Ethics violation
C2022-000043941	N/A	Ethics violation
C2022-000043944	N/A	Duty disability fraud
C2022-000043947	N/A	Procurement fraud
C2022-000043956	N/A	Residency violation
C2022-000043960	N/A	Sexual harassment
C2022-000043961	N/A	Ethics violation
C2022-000043967	N/A	Fraud
C2022-000043968	N/A	False statements
C2022-000043969	N/A	Retaliation
C2022-000043984	N/A	Residency violation
C2022-000043985	N/A	FMLA Abuse
C2022-000043991	N/A	Ethics violation
C2022-000044002	N/A	Ethics violation
C2022-000044003	N/A	Official misconduct
C2022-000044004	N/A	Residency violation
C2022-000044008	N/A	Ethics violation
C2022-000044010	N/A	Official misconduct
C2022-000044011	N/A	Ethics violation
C2022-000044022	N/A	Residency violation
C2022-000044024	N/A	Residency violation
C2022-000044038	N/A	Official misconduct
C2022-000044042	N/A	Fraud
C2022-000044043	N/A	FMLA abuse
C2022-000044044	N/A	Residency violation
C2022-000044045	N/A	Ethics violation

Case ID ⁷	Legacy ID	General Nature of Allegations
C2022-000044046	N/A	Official Misconduct
C2022-000044055	N/A	Bribery
C2022-000044064	N/A	Ethics violation
C2022-000044065	N/A	False statements

3 | Public Building Commission Complaints and Investigations

MCC § 2-56-030 empowers OIG to exercise its powers and duties with respect to any sister agency pursuant to an intergovernmental agreement with that agency, and it does so with respect to the PBC.

In Q3 2023, OIG received one new complaint related to PBC.

B | Sustained Administrative Investigations

OIG investigations may result in administrative sanctions, criminal charges, or both. Investigations leading to administrative sanctions involve violations of City rules, policies or procedures, and/or waste or inefficiency. For sustained administrative cases, OIG produces summary reports of investigation—a summary and analysis of the evidence and recommendations for disciplinary or other corrective action. OIG sends these reports to the appropriate authority as prescribed in the MCC, including the Mayor’s Office, and affected City departments.

Below is an overview of sustained investigative matters and, pursuant to MCC § 2-56-110, deidentified synopses of administrative investigations completed and eligible to be reported as sustained investigative matters. A matter is not eligible for reporting until, pursuant to the MCC, the relevant City department has had 30 days (with the potential for an extension of an additional 30 days) to respond to OIG’s findings and recommendations,⁸ and to inform OIG of what action(s) the department intends to take. Departments must follow strict protocols set forth in the City’s Personnel Rules, Procurement Rules, and/or applicable collective bargaining agreements, prior to imposing discipline or other corrective action.⁹

In addition to OIG’s findings, each synopsis includes the action taken by the department in response to OIG’s recommendations. These synopses are intended to illustrate the general nature and outcome of the cases for public reporting purposes and thus may not contain all allegations and/or findings for each case.

⁸ PBC has 60 days to respond to a summary report of investigation by stating a description of any disciplinary or administrative action taken by the Commission. If PBC chooses not to take action or takes an action different from that recommended by OIG, PBC must describe that action and explain the reasons for that action.

⁹ In some instances, OIG may defer the reporting of a matter against an individual until the conclusion of an investigation of other individuals connected to the same misconduct, so as to preserve investigative equities and to assure that the administrative due process rights of those subject to the continuing investigation are protected.

Table 7: Overview of Cases Completed and Reported as Sustained Matters

OIG Case Number	Department or Agency	OIG Recommendation	Department or Agency Action
C2022-000040584	Chicago Police Department	Impose discipline commensurate with the gravity of subjects' violations and past disciplinary records, and any other relevant considerations.	Three-day suspension for three subjects; five-day suspension for one subject.
C2022-000041505	Chicago Department of Aviation	Refer for placement on the ineligible for rehire list.	Referred for placement on the ineligible for rehire list.
C2022-000041875	Department of Streets and Sanitation	Discharge and refer for placement on the ineligible for rehire list.	Initiated discharge proceedings with the Department of Law.
C2022-000041916	Department of Water Management	Discharge and refer for placement on the ineligible for rehire list.	Discharged and referred for placement on the ineligible for rehire list.
C2022-000042127	Department of Streets and Sanitation	Discharge and refer for ineligible for rehire list.	Initiated discharge proceedings with the Department of Law.
C2022-000042357	Department of Buildings	Refer for placement on the ineligible for rehire list.	Referred for placement on the ineligible for rehire list.
C2022-000042869	Board of Ethics	Issue a finding of probable cause to believe that the subject violated the Governmental Ethics Ordinance.	Found probable cause to believe that the subject violated the Governmental Ethics Ordinance.
C2022-000042923	Department of Transportation	Find that the evidence established violations and place OIG's report in former employee's personnel file.	Found that the evidence established violations and placed OIG's report in the former employee's personnel file.
C2022-000043177	Department of Buildings	Impose discipline commensurate with the gravity of the subject's violations and past disciplinary record, and any other relevant considerations; refer the subject's spouse for possible license revocation and prosecution.	Referred the subject for placement on the ineligible for rehire list. Referred spouse to the Department of Business Affairs and Consumer Protection and Department of Law for further disciplinary action.

OIG Case Number	Department or Agency	OIG Recommendation	Department or Agency Action
C2022-000043238	Department of Public Health	Discharge and refer for placement on the ineligible for rehire list.	Referred for placement on the ineligible for rehire list after subject's resignation.
C2022-000043300	Department of Streets and Sanitation	Discharge and refer for placement on the ineligible for rehire list.	Initiated discharge proceedings with the Department of Law.
C2022-000043389	Chicago Police Department	Discharge and refer for placement on the ineligible for rehire list.	60-day suspension
C2022-000043539	Department of Transportation	Impose discipline commensurate with the gravity of the subject's violations and past disciplinary record, and any other relevant considerations.	Oral reprimand
C2022-000043890	Office of Emergency Management and Communications	Refer for placement on the ineligible for rehire list.	Referred for placement on the ineligible for rehire list.

1 | Leaving Duty Assignment Without Being Properly Relieved or Without Authorization (C2022-000040584)

An OIG investigation established that on multiple days, from February 2020 through October 2020, four Chicago Police Department (CPD) members did not return to their assigned district following their transport of arrestees to out-of-district court locations. Specifically, those members visited a woman residing in Chicago before returning to their assigned district.

OIG found that the members violated CPD Rules and Regulations, Article V, Rule 2 (impeding CPD's efforts to achieve its policy and goals), Rule 5 (failure to perform any duty), Rule 11 (incompetency or inefficiency in the performance of duty), and Rule 30 (leaving duty assignment without being properly relieved or without proper authorization). In addition, the members violated a provision in the City of Chicago Department of Fleet and Facility Management (2FM, now the Department of Assets and Information Services (AIS)) Vehicle and Equipment Use Policy, which stated that except for incidental, occasional, and non-routine events, City vehicles cannot be used for personal business or any other activity that is not specifically related to City business.

OIG recommended that CPD impose discipline on the accused members commensurate with the gravity of their violations, past disciplinary records, and any other relevant considerations. CPD agreed with OIG's findings and recommendations and suspended three of the members for three days and one member for five days.

2 | False Police and Violence in the Workplace Reports (C2022-000041505)

An OIG investigation established that a Chicago Department of Aviation (CDA) Motor Truck Driver (MTD) falsely accused another CDA employee of physical violence and filed a false police report and a false Violence in the Workplace report about the fabricated incident. Further, the MTD requested duty disability on fraudulent grounds after alleging that the injuries they suffered in the altercation prevented them from performing their job duties.

OIG reviewed video footage from the work site which showed that the MTD was not attacked and interviewed a witness who corroborated the video evidence. The MTD resigned from CDA prior to the conclusion of OIG's investigation.

OIG concluded that the MTD violated City of Chicago Personnel Rule XVIII, Section 1, Subsection 6 (false or misleading answer in document provided by the City), Subsection 10 (requesting or accepting a leave of absence on fraudulent grounds), Subsections 8 (false or misleading statement in an official inquiry), 15 (engaging in conduct prohibited by the Illinois Compiled Statutes), and 50 (conduct unbecoming a City employee).

OIG recommended that CDA refer the MTD for placement on the ineligible for rehire list maintained by DHR. CDA agreed with OIG's recommendation.

3 | Residency Violation (C2022-000041875)

An OIG investigation established that a sanitation laborer with the Department of Streets and Sanitation (DSS) violated the City's residency requirement. OIG's investigation revealed that the sanitation laborer resided outside the City, in Lockport, Illinois. OIG reviewed toll records and conducted multiple surveillances in which OIG observed the subject leaving the Lockport residence for work.

OIG found that the subject violated City of Chicago Personnel Rule XVIII, Section 1, Subsection 15 (engaging in any act or conduct prohibited by the Municipal Code of the City of Chicago, the Illinois Compiled Statutes, applicable laws of other states, or federal statutes) and Subsection 41 (failure to be an actual resident of the City of Chicago), as well as Municipal Code of Chicago § 2-152-050 (requiring that all officers and employees of the city shall be actual residents of the city).

In accordance with MCC § 2-152-050, OIG recommended that DSS terminate the sanitation laborer and refer them for placement on the ineligible for rehire list maintained by the Department of Human Resources (DHR). In response, DSS has initiated the disciplinary process in accordance with the City's personnel rules.

4 | Residency Violation (C2022-000041694)

An OIG investigation established that a Department of Water Management (DWM) sewer bricklayer resided in Burbank, Illinois in violation of the City's residency requirements for City employees. OIG reviewed utility records, conducted surveillances, interviewed the subject, and determined that the sewer bricklayer's purported City address belonged to one of their relatives. OIG observed the sewer bricklayer commuting to and from the Burbank residence, and in an interview with OIG, the sewer bricklayer admitted to spending most days in Burbank.

OIG found that the subject violated City of Chicago Personnel Rule XVIII, Section 1, Subsection 6 (failing to disclose any information requested or providing a false or misleading answer to any question in any application, questionnaire, information form, or other document provided by the City), Subsection 15 (engaging in any act or conduct prohibited by the Municipal Code of the City of Chicago, the Illinois Compiled Statutes, applicable laws of other states, or federal statutes) and Subsection 41 (failure to be an actual resident of the City of Chicago), as well as MCC § 2-152-050 (requiring that all officers and employees of the city shall be actual residents of the city).

OIG recommended that DWM discharge the subject and refer them for placement on the ineligible for rehire list. DWM agreed with OIG's recommendation.

5 | PPP Loan Fraud (C2022-000042127)

An OIG investigation established that a Department of Streets and Sanitation (DSS) general laborer engaged in fraud concerning Paycheck Protection Program (PPP) loans. Specifically, the general laborer applied for and received PPP funds for a fictitious hair salon business. The general laborer submitted falsified tax records with fabricated business income information in order to receive the loan. OIG reviewed the relevant PPP loan application documents and financial records, and interviewed the subject.

OIG found that the subject violated City of Chicago Personnel Rule XVIII, Section I, Subsection 15 (engaging in any act or conduct prohibited by...federal statutes), and in conjunction with United States Code Title 18 (18 U.S.C.) § 2 as an accomplice to these actions, 18 U.S.C. § 641 (embezzling, stealing, purloining, or knowingly converting to his use or the use of another or without authority, selling, conveying or disposing of any record, voucher, money, or thing of value of the United States or of any department or agency thereof, or any property made or being made under contract for the United States or any department or agency thereof; or receiving, concealing, or retaining the same with intent to convert it to his use or gain, knowing it to have been embezzled, stolen, purloined or converted), 18 U.S.C. § 1001 (knowingly and willfully falsifying, concealing, covering up by trick, scheme, or device a material fact, making materially false, fictitious, or fraudulent statements or representations, or making or using any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry), 18 U.S.C. § 1014 (knowingly making any false statement or report for the purpose of influencing in any way the action of the Small Business Administration), and 18 U.S.C. § 1343 (having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representation, or promises, transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice).

OIG recommended that DSS discharge the subject and place them on the ineligible for rehire list maintained by DHR. In response, DSS has initiated the disciplinary process in accordance with the City's personnel rules.

6 | Residency Violation (C2022-000042357)

An OIG investigation established that a former Chicago Department of Buildings (DOB) ventilation and furnace inspector resides in Palos Heights, Illinois, in violation of the City's residency requirement. OIG obtained documents revealing that the subject and their spouse own and maintain the Palos Heights residence, and that the subject regularly commuted to work from Palos

Heights. OIG conducted multiple surveillances and observed the subject commute to and from Palos Heights, and never observed them at their purported City address. In addition, gas and electrical service records and vehicle records all link the subject to the Palos Heights residence, at which the subject admitted to staying frequently to care for their spouse. During the course of OIG's investigation, the ventilation and furnace inspector retired from their City employment.

The ventilation and furnace inspector violated City of Chicago Personnel Rule XVIII, Section 1, Subsections 6 (failing to disclose information requested or providing false information in any information form or document provided by the City), 15 (engaging in any act or conduct prohibited by the Municipal Code), and 41 (failure to be an actual resident of the City of Chicago), and MCC § 2-152-050, which requires City employees to reside in Chicago.

OIG recommended that DOB refer the subject for placement on the ineligible for rehire list maintained by the DHR. In response, DOB referred the employee to DHR for placement on the ineligible for rehire list.

7 | Bribery (C2022-000042869)

An OIG investigation established that a former manager of a restaurant located in the City bribed a Chicago Department of Public Health (CDPH) sanitarian during a health inspection at the restaurant. Specifically, after the former manager escorted the sanitarian out of the restaurant following a health inspection, the former manager gave the sanitarian an envelope that contained a \$200 gift card for the restaurant and a \$100 bill. The sanitarian, who was not a subject of OIG's investigation and on whose part OIG found no evidence of misconduct, immediately re-entered the restaurant and returned the envelope, including the gift card and cash.

OIG concluded that the former manager violated Section 2-156-142(c) of the Governmental Ethics Ordinance (GEO), which prohibits any person from giving a City employee an improper gift with intent to violate the law. Offering a CDPH employee a gift card and cash is a violation of the MCC, as MCC § 2-156-142(a)(1)(iii) prohibits City employees from accepting any gift of cash, gift card, or cash equivalent.

Pursuant to the GEO, OIG requested that the Board of Ethics (BOE) issue a finding of probable cause to believe that the former manager violated the GEO. BOE voted unanimously to find probable cause at its September 11, 2023, board meeting. Pursuant to MCC § 2-156, the former manager is entitled to meet with BOE to respond.

8 | Submitting a Falsified COVID-19 Test (C2022-000042923)

An OIG investigation established that a former Chicago Department of Transportation (CDOT) concrete laborer submitted a falsified positive COVID-19 test via email to CDOT to request sick leave. OIG's investigation revealed that the subject called their CDOT supervisor to request sick leave, reporting that their daughter and daughter's boyfriend were sick and had tested positive for COVID-19. The concrete laborer was asked to submit proof of positive COVID-19 test results, which they provided. A follow-up by OIG with the COVID-19 testing center listed on the COVID-19 positive test result revealed that there was no record that the employee ever came in to get tested for COVID-19 and that the testing ID number for the COVID-19 test matched another individual, not the subject.

OIG concluded that the concrete laborer violated City of Chicago Personnel Rule XVIII, Section 1, Subsection 10 (requesting or accepting a leave of absence on fraudulent grounds), and 15 (engaging in any act or conduct prohibited by the Municipal Code of the City of Chicago, the Illinois Compiled Statutes, applicable laws of other states, or federal statutes, specifically forgery under 720 ILCS 5/17-3).

During the course of OIG's investigation, the concrete laborer was terminated from City employment for a separate disciplinary matter and was placed on the ineligible for rehire list maintained by DHR. Accordingly, OIG recommended that CDOT find that OIG's evidence established the violations and place OIG's report in the former employee's personnel file. CDOT agreed with OIG's recommendations.

9 | Conflict of Interest and Obstruction of an OIG Investigation (C2022-000043177)

An OIG investigation established that a project manager with the Department of Buildings (DOB) conducted permit reviews on behalf of the City for a permit expediting company licensed by the City and owned by the project manager's spouse. Additionally, the project manager failed to report to DOB that they applied for and obtained DOB permits for a property owned by the subject and their spouse. The subject also improperly approved a zoning review for their own property.

OIG found that the project manager's conduct violated City of Chicago Personnel Rule XVIII, Section 1, Subsections 48 (violating any departmental regulations, rules, or procedures – DOB Conflict of Interest Policy) and 50 (conduct unbecoming an officer or public employee). Furthermore, during the course of OIG's investigation, the spouse of the project manager knowingly made false statements to OIG regarding their relationship with the subject, which obstructed and delayed OIG's investigation. The spouse's conduct violated Municipal Code of Chicago (MCC) § 2-56-140 (obstructing OIG investigation) and § 2-56-145 (false statements to OIG), as well as MCC § 1-21-010(a) (false statement of material fact to City).

OIG recommended that DOB impose discipline against the project manager commensurate with the gravity of their violations and past disciplinary record, and any other relevant considerations. Further, OIG recommended that DOB refer this matter to the Department of Business Affairs and Consumer Protection (DBACP) to consider revoking the Regulated Business License of the spouse's permit expediting company and, subject to applicable rules and law, consider this matter if the spouse applied for any license, registration, or certification in the future. OIG also recommended that this matter be referred to DOL for possible prosecution of the spouse's violations of the MCC.

In response, DOB concurred with OIG's recommendations. DOB intended to terminate the employment of the project manager; however, the project manager elected to resign, and DOB indicated that it would refer them for placement on the ineligible for rehire list maintained by DHR. DOB forwarded the information related to the conduct of the spouse to DBACP and DOL for further action.

10 | Use of a Falsified City Paystub (C2022-000043300)

An OIG investigation established that a DSS Motor Truck Driver (MTD) submitted a doctored City paystub to a prospective mortgage lender. OIG's investigation revealed that the MTD provided the

lender with a City paystub purporting to cover a period when the employee was on duty disability, and during which time they therefore did not receive a legitimate City paystub.

OIG found that the subject's conduct violated several state, federal, and City statutes, including 720 ILCS 5/17-3(a) (forgery), 720 ILCS 5/17-24(b) (wire fraud), 18 U.S.C. § 1344 (federal bank fraud), and MCC § 1-8-100 (misuse of City seal). The MTD's conduct also violated City of Chicago Personnel Rule XVIII, Section 1, Subsection 11 (falsification of any attendance or other employment records), Subsection 15 (engaging in any act or conduct prohibited by the Municipal Code of the City of Chicago, the Illinois Compiled Statutes, applicable laws of other states, or federal statutes), and Subsection 50 (conduct unbecoming an officer or public employee).

OIG recommended that DSS terminate the MTD and refer them for placement on the ineligible to rehire list maintained by DHR. In response, DSS has initiated the disciplinary process in accordance with the City's personnel rules.

11 | Threatening a Member of the Public (C2022-000043389)

An OIG investigation established that a CPD member threatened the lives of a former romantic partner and the former partner's family members. The evidence established that while the former partner was moving out of the apartment they shared with the subject, the subject told them to call everyone they loved and tell them goodbye; the subject stated that they were going to kill the former partner and that they would kill the former partner's family members if they appeared at the apartment that evening. When CPD members responded to an emergency call from the former partner, it was also discovered that the subject had failed to adequately secure their firearm and failed to provide their current address to CPD.

OIG found that the subject's conduct violated CPD Rules and Regulations, Article 5, Rule 1 (violation of any law or ordinance, specifically 720 ILCS 5/26.5-2), Rule 2 (any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department), Rule 3 (any failure to promote the Department's efforts to implement its policy or accomplish its goals), Rule 6 (disobedience of an order or directive, whether written or oral), and Rule 26 (failure to provide the Department with a current address and telephone number).

OIG recommended that CPD discharge the subject and refer them for placement on the ineligible for rehire list maintained by DHR. In response, CPD found that the police officer violated CPD Rules and Regulations, Article 5, Rules 2, 3, 6, and 26, but found that the police officer's conduct did not violate Rule 1 because the police officer was not charged criminally and found guilty.¹⁰ CPD concluded that a suspension of 60 days was the appropriate penalty for the police officer and

¹⁰ OIG does not agree with CPD's interpretation of Rule 1 of its Rules and Regulations—which prohibits "violation of any law or ordinance"—as requiring a criminal conviction for a sustained violation of that Rule. This makes sense because, for instance, a violation of Rule 1 can be established by a preponderance of the evidence that the conduct was committed, a lower burden of proof than the "beyond a reasonable doubt" burden used in criminal cases. See, e.g., *Gonzalez v. Weis*, 2011 WL 10068809, at *9-11 (Ill. App. Ct. 1st Dist. June 17, 2011) (Rule 23 order) (affirming Chicago Police Board's decision (and reversing contrary decision by circuit court) to discharge a CPD member, in part, for Rule 1 violations for battery and resisting arrest even after he was acquitted in a criminal trial for battery and resisting arrest); see also *Teil v. City of Chicago*, 284 Ill. App. 3d 167, 170 (1st Dist. 1996) (affirming suspension of CPD member by Chicago Police Board and holding that proper burden of proof in an administrative proceeding, even one based on criminal conduct, is preponderance of the evidence).

informed OIG that it would notify the police officer of the assigned discipline.

12 | Unauthorized Secondary Employment (C2022-000043539)

An OIG investigation established that a CDOT laborer failed to obtain required approval for outside non-City employment. OIG reviewed bank records and social media records and interviewed the subject, and concluded that the subject received compensation for social media activity, and would therefore have been required to secure approval for secondary employment.

OIG found that the laborer violated City of Chicago Personnel Rule XVIII, Section 1, Subsection 43 (failure to comply with the requirements of secondary employment), and Personnel Rule XX, Section 3 – Outside Employment.

OIG recommended that CDOT impose discipline commensurate with the gravity of the subject's violations and past disciplinary record, and any other relevant considerations. In response, CDOT gave the employee an oral reprimand.

13 | Residency Violation (C2022-000043890)

An OIG investigation established that an Office of Emergency Management and Communications (OEMC) fire communications operator lived in Oswego, Illinois, in violation of the City's residency requirement. OIG obtained documents that revealed that the subject rented an apartment in Oswego and regularly stayed there. Major utility bills for the Oswego property were in the subject's name and toll road records showed that the subject regularly traveled between Oswego and the City before and after their scheduled work hours. OIG also observed the subject at the Oswego property during multiple surveillances.

OIG concluded that the fire communications operator's conduct violated City of Chicago Personnel Rule XVIII, Section 1, Subsection 15 (engaging in any act or conduct prohibited by the Municipal Code of the City of MCC § 2-152-050 ["[a]ll officers and employees of the city shall be actual residents of the city"]).

During the investigation, the subject resigned. OIG recommended that OEMC refer them for placement on the ineligible for rehire list maintained by DHR. OEMC followed OIG's recommendation.

C | Synopses of and Developments in Charged Criminal Cases

Criminal investigations may uncover violations of local, state, or federal criminal laws, which may be prosecuted by the U.S. Attorney's Office, Illinois Attorney General's Office, or Cook County State's Attorney's Office, as appropriate. For the purposes of OIG quarterly summaries, criminal cases are considered concluded when the subject(s) of the case is publicly charged by complaint, information, or indictment.

This quarter, OIG has one update regarding a criminal case related to an OIG investigation.

1 | United States of America v. William Mahon, 19-CR-226 (N.D. Ill.), OIG Case 19-0313

On December 17, 2021, William Mahon, a Department of Streets and Sanitation (DSS) deputy commissioner, was indicted on one count of conspiracy to falsify bank records and to deceive and obstruct the Office of the Comptroller of the Currency, and six counts of willfully filing a false income tax return. The charges stem from allegations that Mahon, a board member of Chicago-based Washington Federal Bank for Savings (WFBS), conspired to obstruct regulators and falsify bank records and that he filed numerous false tax returns.

On August 8, 2023, the U.S. Attorney's Office, Northern District of Illinois announced that Mahon, and two of his co-defendants, George Kozdemba and Janice Weston, pleaded guilty in federal court to conspiring to falsify bank records to deceive the Office of the Comptroller of the Currency. Mahon's guilty plea also included a charge for filing false income tax returns. Mahon faces up to five years in prison for the conspiracy charge and three years in prison for the tax offense. His sentencing is set for December 11, 2023.

On September 25, 2023, the U.S. Attorney's Office, Northern District of Illinois announced that a federal jury convicted co-defendants Miroslaw Krejza and Marek Matczuk for conspiring to commit embezzlement, falsifying bank records, and aiding and abetting embezzlement by WFBS employees. Krejza and Matczuk, real estate developers, embezzled millions of dollars from WFBS.

D | Synopses and Results of Administrative Appeals, Grievances, or Other Actions

In administrative cases, a City employee may be entitled to appeal or grieve a departmental disciplinary action, depending on the type of corrective action taken, and the employee's classification under City Personnel Rules and/or applicable collective bargaining agreements. OIG monitors the results of administrative appeals before the Human Resources Board and grievance arbitrations concerning OIG's disciplinary recommendations.

This quarter, OIG has one update on administrative appeals, grievances, or other actions.

1 | Subpoena Enforcement Action

In February 2023, OIG filed a lawsuit in the Circuit Court of Cook County to enforce a subpoena that OIG issued in the course of investigating an allegation of misconduct in City government. OIG's subpoena sought testimony from an individual who was not a City employee but whom OIG reasonably believed had information relevant to an investigation of a City employee who allegedly violated the City of Chicago Personnel Rules and the MCC. OIG filed the lawsuit because the subpoenaed witness repeatedly refused to comply with OIG's subpoena.

MCC § 2-56-030 grants OIG the authority to issue subpoenas to "compel the attendance of witnesses for purposes of examination and the production of documents and other items for inspection." OIG's subpoena authority is a tool that is essential to its investigations of misconduct in City government, expressly because subpoenas allow OIG to obtain relevant evidence from third parties who do not otherwise have a duty to cooperate in OIG investigations. Pursuant to MCC § 2-56-040, OIG only issues subpoenas when conducting authorized investigations of misconduct within City government and only when it has a reasonable belief that misconduct has occurred and the testimony, documents, or other items sought are relevant to OIG's investigation.

After OIG filed suit to enforce its subpoena, the witness agreed to comply with the subpoena and appeared to provide testimony pursuant to the subpoena. OIG subsequently filed a motion to dismiss the lawsuit, and the court granted OIG's motion and dismissed the lawsuit on August 8, 2023.

2 | Update on OIG Case No. C2022-000043238

In the Quarterly Report for the first quarter 2023, OIG reported on its investigation of an inquiry aide for the Chicago Department of Public Health who approached a custodial staff member from behind, yelled at the staff member, and grabbed a wastebasket that the staff member was holding, interfering with the staff member's ability to do their job.

OIG found that the inquiry aide's conduct violated the City of Chicago Violence in the Workplace Policy, Section III (violence prohibited) and City of Chicago Personnel Rule XVIII, Section 1, Subsections 23 (discourteous treatment), 33 (interfering with others on the job), and 50 (conduct unbecoming a City employee). CPDH concurred with OIG's findings and the Department notified OIG that it intended to request that the Department of Law draft a statement of charges in order to initiate discharge proceedings.

After the publication of the Quarterly Report, CDPH notified OIG that the inquiry aide retired after they were served with notice of a pre-disciplinary meeting. CPDH then referred the inquiry aide to DHR for placement on the ineligible for rehire list.

E | Special Investigations

In addition to its reactive investigative work in response to complaints, OIG engages in certain proactive investigative projects.

1 | Campaign Finance Investigations

The MCC bans City vendors, lobbyists, and those seeking to do business with the City from contributing more than \$1,500 each year to any elected City official or candidate's political campaign. Other rules and regulations, such as Executive Order 2011-4, place further restrictions on donations.¹¹

Campaign contributions that potentially violate the MCC are sometimes identified through complaints; OIG also, however, engages in proactive monitoring and analysis of campaign contribution data to identify and examine potential violations. In this quarter, OIG's Center for Information Technology and Analytics is in the final stages of developing and streamlining an automated data process to facilitate this proactive analysis—specifically, to identify potentially improper contributions made to elected City officials or candidates by restricted contributors. In this effort, OIG will integrate and match data from a variety of sources, including City contracts and records of payments made by the City to individuals and entities.

¹¹ Executive Order 2011-4 places a restriction on the mayor and City contractors by prohibiting City contractors, owners of City contractors, spouses or domestic partners of owners of City contractors, subcontractors to a City contractor on a City contract, owners of subcontractors to a City contractor on a City contract, and spouses or domestic partners of owners of subcontractors to a City contractor on a City contract from making contributions of any amount to the mayor. Any contract negotiated, entered into, or performed in violation of any of the provisions of this Order shall be terminable by the City.

Pursuant to MCC § 2-156-445, “[a]ny person who solicits, accepts, offers or makes a financial contribution that violates the limits set forth in this section...shall not be deemed in violation of this section if such person returns or requests in writing the return of such financial contribution within 10 calendar days of the recipient’s or contributor’s knowledge of the violation.” Accordingly, once a potential violation is identified, OIG notifies the donor and the donation recipient of the violation and provides the individual or entity 10 days to challenge the determination or cure the violation by returning the excess donation.¹² If the excess donation is returned in a timely manner, or it is determined that a violation did not occur, OIG closes the matter administratively. In the event the matter is not cured or successfully challenged, OIG will sustain an investigation and deliver the case to the BOE for adjudication.

This quarter, OIG closed one campaign finance matter that involved \$1,000 in disallowed contributions. Details are provided in the table below.

Table 8: Campaign Finance Activity

Case #	Donation Amount (Year)	Donation Source	Amount of Returned Funds
C2022-000044011	\$2,500 (2022)	Entity doing business with the City	\$1,000

2 | O’Hare 21

OIG provides oversight for major construction initiatives across the City. Specifically, OIG has worked with CDA to oversee the multi-billion-dollar expansion project at O’Hare International Airport, commonly known as O’Hare 21.

OIG manages the work of Integrity Monitors (IMs), professional services contractors charged with investigating, auditing, and testing various processes and contracts associated with O’Hare 21. The IMs are given full access to contractor records and personnel. They monitor contractors’ compliance with laws, policies and procedures, and various contractual requirements, and report to an Integrity Monitoring Committee; that committee is constituted of representatives of the Department of Procurement Services (DPS), CDA, and OIG.

Working with the IMs, OIG receives information, leads, and complaints regarding potential misconduct on the project. Participating with CDA and DPS on the monitoring committee, OIG works in concert with partner departments to develop strategies and approaches to problems considering shared interests and perspectives.

OIG has developed an [O’Hare 21-specific tipline](#) and [email address](#) to enable members of the public, employees, and contractors to more easily raise concerns about O’Hare 21 to OIG.

F | Recoveries

This quarter, there were no reports of financial recoveries related to OIG investigations.

¹² If the donor and/or recipient was already aware that the excess donation was a violation at the time the donation was made, then they may not be entitled to notice and opportunity to cure the violation and avoid a fine.

IV | Public Safety

Pursuant to the separate powers and duties enumerated in MCC § 2-56-230, the Public Safety section supports OIG's mission of promoting economy, efficiency, effectiveness, and integrity by conducting independent, objective evaluations and reviews of CPD, the Civilian Office of Police Accountability (COPA), and the Police Board, as well as inspections of closed disciplinary investigations conducted by COPA and CPD's Bureau of Internal Affairs (BIA).

A | Evaluations and Reviews

The Public Safety section conducts program and systems-focused evaluations and reviews of CPD, COPA, and the Police Board. Based on the findings of these inquiries, OIG makes recommendations to improve the policies, procedures, and practices of those entities. The following summarizes three Public Safety section reports released this quarter.

1 | Community-Police Mediation Pilot Program (#C2022-000044020)¹³

Pursuant to the Municipal Code of Chicago (MCC) §§ 2-56-030 and -230 and as required by ¶558(f) of the consent decree entered in *Illinois v. Chicago*, the Public Safety section conducted an inquiry into the City's pilot non-disciplinary, complainant-involved mediation program for misconduct complaints against members of CPD made by members of the public. The pilot program began in October 2022 in response to a consent decree requirement, which mandates that the City "develop a new mediation policy governing the resolution of disciplinary actions by the agreement of the CPD member and non-CPD member complainant."¹⁴ The non-disciplinary, complainant-involved mediation pilot program, known as the community-police mediation program, as outlined in the consent decree is distinct from a historical process referred to as "mediation," in which a CPD member accused of misconduct and the involved investigating agency might have reached an agreement as to the member's acknowledged violation of rules or policies and the discipline to be imposed. OIG did not examine the previously existing disciplinary mediation process, and instead examined the new community-police mediation program, which existed only in the form of a pilot as of May 2023.

Community-police mediation is a voluntary process wherein a community member and a member of the police department involved in a dispute meet, along with an impartial third-party mediator or facilitator, to address the conflict.¹⁵ The City's development of the community-police mediation program follows a national trend toward police-community mediation as seen in cities such as New Orleans, Los Angeles, Denver, and New York City.¹⁶ According to the National Association for Civilian Oversight of Law Enforcement (NACOLE), studies have shown that community-police mediation program participants were "more satisfied with the complaint resolution process than

¹³ Published July 25, 2023. See <https://igchicago.org/publications/community-police-mediation-pilot-program/>.

¹⁴ Consent Decree at ¶510-12, *State of Illinois v. City of Chicago*, No. 17-cv-6260 (N.D. Ill., Jan. 31, 2019).

¹⁵ Center for Conflict Resolution, "What is Mediation?," About Mediation, accessed May 30, 2023, <https://www.ccrchicago.org/about-mediation>.

¹⁶ CST Editorial Board, "Chicago is getting a mediation program for police misconduct complaints," Chicago Sun-Times, October 9, 2022, accessed April 21, 2023, <https://chicago.suntimes.com/2022/10/9/23392715/community-chicagopolice-mediation-center-conflict-resolution-trust-editorial>.

those involved in complaints subject to investigation” and were shown to help build understanding between a police department and its community.¹⁷

The objectives of OIG’s inquiry were to review and analyze the City’s policies and practices, outcomes and data, and to identify areas for further consideration in finalizing a program for the mediation of misconduct complaints involving non-CPD member complainants.

OIG identified several challenges with the community-police mediation pilot program. Those were:

- In general, more community members and CPD members did not proceed with mediation than did, where only eight mediation sessions were held during the pilot.
- CPD members’ work shifts and community members’ availability were an obstacle to scheduling timely community-police mediation sessions.
- Future resources for the community-police mediation program, including staffing and funding, have not been identified.
- Tracking and documentation of mediation referrals and outcomes in the Case Management System (CMS) is inconsistent.

OIG’s analysis of the community-police mediation pilot program raises questions for further consideration as the program is modified and implemented after the conclusion of the pilot. Those are:

- how the City plans to ensure long-term solutions for budgetary concerns, including both funding for the mediation provider(s) and funding to support COPA’s increase in workload and staffing;
- in its development of City policies, how the City will ensure clear guidelines for which City entity has ownership over the community-police mediation program, including the roles and responsibilities of all entities involved;
- how COPA and CPD will ensure that the information on the execution of the community-police mediation program in their internal guidance and/or policy aligns with the City’s interagency policy and each other;
- how the City will ensure that the mediation provider(s) consider the location and time limitations of community members when scheduling mediations, for example by offering alternatives such as virtual mediation sessions;
- how COPA, CPD, and CCR will coordinate to ensure that cases referred to community-police mediation are tracked and that the complaints are being addressed, either through mediation or through standard investigative practices; and
- how COPA and CPD will engage community members to inform them that non-disciplinary, complainant-involved mediation is an available option to resolve conflicts with CPD members through the community-police mediation program.

¹⁷ Cameron McElhiney, “Mediators’ Perspectives on Officer-Civilian Mediations,” 2020 NACOLE Webinar Series, March 17, 2020, accessed April 21, 2023, https://www.nacole.org/community_police_mediation_from_the_mediator_s_perspective.

2 | Enforcement of the Chicago Police Department's Rules Requiring Members to Report Misconduct (#21-0712)¹⁸

As mandated by the consent decree entered in *Illinois v. Chicago*, the Public Safety section conducted an inquiry into the enforcement of CPD's Rules 21 and 22, which prohibit CPD members from "[f]ail[ing] to report promptly to the Department any information concerning any crime or other unlawful action," and from "[f]ail[ing] to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department," respectively.¹⁹ Alleged violations of CPD's Rules and Regulations are usually investigated by BIA and COPA, both of which come within the scope of OIG's inquiry into the enforcement of CPD's rules imposing a duty to report misconduct.

Requirements which mandate CPD members to report misconduct by other members are in tension with the cultural "code of silence" which City leadership has acknowledged throughout the last decade. In order to overcome reticence to report misconduct and the fear of retaliation, policy experts suggest that members of law enforcement agencies should have multiple ways to report peer misconduct, including anonymously. Although requirements in the consent decree entered in *Illinois v. Chicago* and CPD's directives aim to encourage and improve CPD members' reporting of misconduct, OIG found that CPD members are currently operating under two sets of policies at odds with one another—one that ostensibly allows them to report misconduct in a myriad of ways, and another that invalidates any reporting done outside the Department's chain of command.²⁰

The objectives of OIG's inquiry were to determine whether:

- CPD's current training accurately and thoroughly educates members on expectations of compliance with Rules 21 and 22;
- the methods currently available to Department members to report misconduct align with the purpose of Rules 21 and 22;
- the available complaint data from COPA and BIA demonstrates compliance with and enforcement of Rules 21 and 22; and
- any structural obstacles exist that prevent the effective compliance with or enforcement of Rules 21 and 22.

OIG found the following:

1. CPD informs members of their duty to report misconduct during recruit training but does not formally reinforce this requirement through ongoing training or messaging.
2. consent decree provisions and CPD directives inhibit effective enforcement of Rules 21 and 22 and contravene best practices by establishing that certain methods of reporting do not satisfy members' duty to report misconduct.

¹⁸ Published August 3, 2023. See <https://igchicago.org/publications/enforcement-of-cpds-requiring-members-to-report-misconduct/>.

¹⁹ Chicago Police Department, "Rules and Regulation of the Chicago Police Department," April 16, 2015, accessed April 17, 2023, <http://directives.chicagopolice.org/#directive/public/6412>. Consent Decree, *State of Illinois v. City of Chicago*, No. 17-cv-6260 (N.D. Ill., Jan. 31, 2019).

²⁰ Consent Decree, *State of Illinois v. City of Chicago*, No. 17-cv-6260 (N.D. Ill., Jan. 31, 2019).

3. COPA and BIA do not consistently pursue violations of Rule 21 and Rule 22, which compromises enforcement of the rules, and inhibits any thorough analysis of failures to report—on the part of individual members or agency-wide.

To improve the enforcement of Rules 21 and 22, OIG recommended the following:

1. CPD should formally incorporate duty to report requirements into its in-service training program and should issue periodic communications to remind members of and refresh them on their duty to report misconduct.
2. CPD should resolve internal inconsistencies in its own policies which permit and protect anonymous reporting mechanisms but render anonymous reports inadequate to satisfy members' duty to report. Similarly, CPD should work with other entities as necessary to address the same inconsistency in the terms of the consent decree, in the interest of ensuring that members may discharge their duty to report without fear of, or exposure to, risks of retaliation.
3. CPD should take all necessary steps to enact policies allowing for trackable, verified, anonymous misconduct complaints made through OIG's CPD Member Hotline—or another, similar system—to satisfy members' reporting obligations.
4. CPD should regularly inform members of all methods available to report misconduct (i.e., contacting BIA, COPA, or OIG; anonymously reporting to COPA or OIG; and anonymously reporting via OIG's CPD Member Hotline) and include all methods within its training materials, directives, and on its CPD Employee Services webpage.
5. COPA and BIA should consistently pursue Rule 21 and/or Rule 22 violations when members fail to report misconduct or criminal activity, along with any other applicable rule violations, and should adopt or update policies and trainings as necessary to do so.

3 | Chicago Police Department 911 Response Time Data Collection and Reporting (#20-1327)²¹

OIG conducted an inquiry into CPD's data collection and reporting of response times for 911 calls for emergency police service. The objectives of the inquiry were to determine the completeness rates of CPD response times recorded by CPD and the Office of Emergency Management and Communications (OEMC), and to identify factors contributing to missing response time data for 911 calls for CPD service.

As a result of this inquiry, OIG found that CPD's data collection of 911 response times is incomplete; the Department fails to record timestamps for various statuses throughout the dispatch and police response for a substantial number of 911 calls. Calls for high priority emergency events had a higher rate of recorded response times for all statuses that occur during a unit's response (Acknowledge, Enroute, and On-scene) compared to calls for events with a lower priority classification. The timepoint in the police response process that is least often recorded is the On-scene time, or the time when the responding CPD unit arrives at the location of service; this remains true regardless of call priority level or geographic location. The On-scene status is the last time point in the sequence of events before responding members engage with an emergency event, which may contribute to the low On-scene time completeness rates. Additionally, the interface of the Computer Aided Dispatch (CAD) system, which records a timestamp when CPD members

²¹ Published September 6, 2023. See <https://igchicago.org/publications/chicago-police-department-911-response-time-data-collection-and-reporting/>.

enter their response status, displays the response status buttons sequentially, and is dependent on the previous status in the process being entered.

When an individual calls 911 for police service in Chicago, the call goes first to a 911 call taker within OEMC's emergency call center who creates an event in the CAD, selects the appropriate event type, and sends the event to an OEMC dispatcher for assignment to a CPD unit or units. The dispatcher monitors the availability of CPD units in their geographic area and assigns dispatch jobs based on event priority and availability of CPD units. OIG found that in both policy and practice, CPD and OEMC align in assigning the responsibility of recording response statuses to dispatched CPD members. OIG confirmed that when timestamps throughout CPD's response to 911 calls are entered, it is primarily CPD members and not OEMC staff who record the times. OEMC dispatchers have the ability to record times but do so less frequently. CPD lacks monitoring systems to ensure dispatched CPD members adhere to the response status data entry requirements laid out in CPD directive "U01-06: Portable Data Terminal," and overall data entry for response status timestamps remains inconsistent. Highly incomplete response time data impedes any analysis of factors contributing to fast or slow response times; process failures and areas for improvement; and any disparities which might exist across the city in the timeliness of 911 responses.

Further, OIG found that the City's current public reporting of CPD 911 response times and plans for improvement of the collection of response times focus on the On-scene time but neglect other critical time points in the 911 response process needed for a comprehensive review of how long it actually takes for police to arrive at the scene of an emergency. OEMC and CPD report that they will be transitioning to a new CAD system recently procured by the City. The new system promises to bring an automated solution for the recording of On-scene times. The new system will not, however, offer technological solutions to automate the collection of other times in the police response process. Similarly, the public dashboard of CPD 911 response time data published by the Office of Public Safety Administration (OPSA) only reports completeness rates for the On-scene timepoint and only calculates the time from Dispatch to On-scene. A complete analysis of police 911 response times must evaluate all critical intervals in the process to assess areas of need for procedural improvements and to identify drivers of delayed response times.

OIG recommended the following:

1. CPD should review the contents of its policy "U01-06: Portable Data Terminal" and provide guidance to members that reinforces their responsibility for the timely entry of PCAD statuses and timestamps throughout the event dispatch process, such as through Academy and field training, job supervision, and clear written guidance.
2. CPD should coordinate with OEMC to audit PMIS data for data completeness to ensure compliance with the response time data entry requirements of CPD policy.
3. CPD should collaborate with OPSA in the development and implementation of any new CAD system to optimize the user interface to reduce barriers to CPD members' consistent entry of status updates in real time.
4. CPD should ensure that all vehicles that respond to 911 calls are equipped with a PDT device, or equivalent equipment to enable use of the new CAD system.
5. to comprehensively evaluate response time data for operational improvements, CPD should:
 - a. analyze data for each time interval in the dispatch process, not only time from Dispatch to On-scene, and

- b. evaluate methodological best practices in calculating police response times and consider how methodological decisions will impact the reported results of its analyses, such as:
 - i. how missing data impacts response times analyses,
 - ii. how response times are calculated for a single emergency event that is called into 911 multiple times, and
 - iii. how response times are calculated for jobs where multiple CPD units are dispatched to a single event.

Of the five recommendations OIG made to CPD, the Department agreed with or reported that it had already begun work to implement three of OIG’s recommendations—#1, #3, and #4. CPD agreed to consider recommendations #2 and #5, citing limited manpower, technology, and bandwidth as potential barriers to implementation.

B | Review of Closed Disciplinary Investigations

Pursuant to its obligations under the MCC, the Public Safety section reviews individual closed disciplinary investigations conducted by COPA and BIA. OIG may make recommendations to inform and improve future investigations, and, if it finds that a specific investigation was deficient such that its outcome was materially affected, may recommend that it be reopened. Closed investigations are selected for in-depth review based on several criteria, including, but not limited to, the nature and circumstances of the alleged misconduct and its impact on the quality of police-community relationships; the apparent integrity of the investigation; and the frequency of an occurrence or allegation. The closed investigations are then reviewed in a process guided by the standards for peer review of closed cases developed by the Council of Inspectors General on Integrity and Efficiency. OIG assesses sufficiency across several categories, including timeliness, professional standard of care, interviews, evidence collection and analysis, internal oversight, and case disposition.

This quarter, the Public Safety section’s Investigative Analysis unit examined 320 closed disciplinary cases and opened 19 for in-depth review.

Table 9: Disciplinary Cases Reviewed

Agency	Cases Screened	Cases Opened
BIA	157	4
COPA	163	15
Total	320	19

1 | Recommendations to Reopen Closed Disciplinary Investigations

This quarter, OIG found one BIA investigation and two COPA investigations that contained deficiencies materially affecting their outcomes; one letter of recommendation to reopen was sent to BIA, and two to COPA. BIA accepted the recommendation. COPA accepted one recommendation and declined one recommendation. Additionally, by the end of the quarter:

- OIG received responses to two recommendations made in Q2 2023. COPA declined a recommendation and BIA accepted a recommendation.

There are no pending responses from agencies on recommendations to reopen materially deficient investigations.

Below are summaries of investigations that have reached a final disciplinary decision.

a | Recommendation to Reopen to Obtain an Affidavit Override (#C2022-000030399)

OIG reviewed a COPA investigation involving allegations of unprofessional conduct where the accused CPD member used profanity and a racial slur directed at the complainant during a traffic stop. The complainant was a passenger in a vehicle stopped by CPD members for an expired license plate sticker on August 13, 2018, at approximately 9:00 p.m.

The traffic stop, which was captured on body worn camera (BWC) footage, began with a CPD member approaching the driver and explaining that they were stopped for having an expired license plate sticker. While that CPD member engaged with the driver, the accused CPD member approached the passenger side of the vehicle and shined their flashlight around the inside of the vehicle, including the unoccupied backseat. The CPD member who had approached the driver returned to the CPD vehicle to conduct a name check on the driver while the accused CPD member stayed at the passenger side of the vehicle and continued shining their flashlight about the vehicle.

The driver of the car, in which the complainant was a passenger, then told the accused CPD member that they felt like they were being treated like a criminal over an expired license plate sticker and said, "This is what makes people nervous." The complainant then asked the accused CPD member, "Y'all about to kill us?" The accused CPD member replied to the complainant saying, "What the fuck is wrong with you, saying some stupid shit like that. You got fucking problems in the head. You watch YouTube too much, asshole." The accused CPD member did not ask either the complainant or the driver to exit the vehicle and did not conduct a protective pat-down on either. The accused CPD member instead returned to the CPD vehicle to discuss the complainant's comments with the other CPD member.

After the accused CPD member entered the CPD vehicle, they continued to make profane, disparaging remarks about the complainant. At one point, the accused CPD member shouted, "Fucking ignorant as fuck!" loudly, while approximately ten feet away from the vehicle the complainant occupied and while the windows on both vehicles were down and the accused CPD member's door was open. After writing a citation for the expired license plate sticker, the driver's license was returned to the driver and the accused CPD member returned the insurance card by throwing it through the passenger side window onto the dashboard, while telling the complainant, "You're a tool. Look it up." The accused CPD member then turned off their BWC.

COPA conducted a preliminary investigation and administratively closed the case without a report documenting the agency's basis for an administrative closure.

The BWC video evidence confirmed that the accused CPD member did, in fact, use derogatory and profane language in addressing the complainant, as alleged. However, COPA's closing of the case did not account for the availability of objective, verifiable evidence to support the complainant's allegations.

Accordingly, OIG recommended that COPA reopen the investigation to pursue an Affidavit Override, which would enable COPA to investigate the matter to conclusion. Due to the public nature of the incident, the CPD member's actions may have undermined public confidence in CPD, which underscores the importance of a full investigation into the complainant's allegations.

COPA accepted OIG's recommendation to reopen this investigation but declined to reinvestigate and recommended that the incident be investigated by the Bureau of Internal Affairs (BIA). COPA determined that while the CPD member's conduct was "certainly unprofessional and potentially worthy of discipline," it did not fall within COPA's jurisdiction to investigate complaints of verbal abuse that involve the use of descriptive classes in a derogatory manner unless the complaint was accompanied by another allegation within their jurisdiction.

BIA accepted COPA's recommendation and reopened the investigation, obtaining an Affidavit Override, and serving the accused CPD member with an allegation of using verbal abuse towards the complainant during the traffic stop. BIA sustained the allegation against the accused and issued a one-day suspension.

b | Recommendation to Reopen to Fully Account for Available Evidence (#C2022-000030952)

OIG reviewed an investigation conducted by a CPD accountability sergeant involving an unknown CPD member. The complainant alleged that a witness called for police service on July 9, 2020, after the complainant's mother observed two "little boys" attempting to break into the mother's vehicle. According to the complainant, the witness was informed by the call taker, an unknown CPD member, that CPD could not be dispatched because the vehicle had previously been reported stolen.

The accountability sergeant originally assigned to conduct the investigation spoke to the complainant by phone, and the complainant repeated the same information contained in the original complaint. There was no indication in the investigative report regarding the phone conversation with the complainant, nor anywhere else in the case file, to suggest that the accountability sergeant attempted to schedule an appointment for the complainant to sign an affidavit. Instead, the accountability sergeant submitted a request to administratively close the investigation on the same day as the phone conversation with the complainant because the accountability sergeant had been unable to locate a record of the call for service at issue in the complaint. The case file did not include a negative search result report, nor the search terms and parameters used. The request to administratively close the investigation was approved and the investigation was terminated on September 9, 2020.

OIG conducted a query of calls for service data and located what appeared to be the call at issue, placed on July 9, 2020. OIG discovered the event number for this incident's call and found that the related OEMC Event Query report indicated the call had been transferred to CPD's Alternate Response Section (ARS). The existence of this record appears to contradict the stated basis for the administrative closure of this investigation.

OIG recommended BIA reopen this investigation to account for and analyze all available evidence, including the service call record, and to determine if such evidence would materially affect the outcome of BIA's investigation.

BIA accepted OIG's recommendation and reopened the investigation. BIA unsuccessfully attempted to contact the complainant via multiple phone calls, emails, a certified mailing, and a home visit. BIA also requested the audio of the service call for the incident but was unable to obtain it as the request was made past the retention period.

Ultimately, BIA determined the complainant's mother's vehicle was stolen on January 13, 2019, and that CPD officers located and recovered the stolen vehicle later the same day. BIA also learned that the vehicle was returned to the complainant's mother and cleared from the Law Enforcement Stolen Auto database. However, due to BIA's inability to recover the 911 audio in order to identify the ARS call taker, BIA concluded its investigation with a finding of Not Sustained against the unknown CPD police officer.

c | Recommendation to Reopen to Account for All Potential Rule Violations (#C2022-000032521)

OIG reviewed a BIA investigation involving a civilian CPD member concerning allegations that they falsely represented themselves as a law enforcement officer during a traffic stop.

A civilian CPD member was stopped by a Lieutenant with a non-CPD police department for speeding and disregarding a stop sign. The Lieutenant provided BWC video of the traffic stop to CPD. Upon being pulled over, the accused CPD member can be seen immediately asking for a supervisor and refusing to roll their window down. The video shows the Lieutenant repeatedly requesting that the CPD member roll their window down and provide their driver's license; the CPD member clearly states, "I am law enforcement, that is what I am trying to tell you. I know the law...". The Lieutenant asks the CPD member if they are a police officer somewhere; however, the CPD member's response is inaudible. The Lieutenant then asks if they are a Chicago Police officer. Again, the CPD member's response is inaudible, but according to the report generated by the Lieutenant who conducted the traffic stop, the CPD member answered "yes," which is consistent with the context of the BWC video. The Lieutenant then went over the radio and instructed a responding unit how to approach the scene of the stop. According to BIA's investigative file, the law enforcement agency sought criminal charges against the CPD member for Impersonation of a Public Servant; however, the status of the review of those charges is not reflected either in BIA's investigative file or in publicly available information.

During the accused CPD member's interview with BIA, the CPD member was permitted to watch the BWC video of the traffic stop. When BIA asked the CPD member if they represented themselves as law enforcement, the CPD member stated, "No I did not." Later during the interview, when asked again about their statement that they were law enforcement, the CPD member stated, "I said I work for law enforcement..." The BIA investigator did not confront the CPD member with the discrepancy between their statement and what was captured on BWC and in the police report generated by the Lieutenant who initiated the stop.

BIA concluded that the CPD member represented themselves as law enforcement, and that they represented themselves as a Chicago Police Officer during the traffic stop. BIA sustained allegations that the CPD member violated Rules 2 and 3 of CPD's Rules and Regulations and recommended a ten-day suspension.

OIG's review of the investigation found that BIA failed to consider whether the CPD member violated Rule 14, either when they falsely stated to the Lieutenant that they were a Chicago Police

Officer, or during their interview with BIA, when the CPD member stated that they did not represent themselves as law enforcement, which directly contradicts the video evidence that the accused member was permitted to watch.

OIG recommended that BIA reopen this investigation to conduct and document an analysis of all applicable violations, including whether the CPD member made false statements. BIA accepted OIG's recommendation and reopened the investigation.

BIA conducted a follow-up interview with the accused CPD member. During the follow-up interview, the CPD member contradicted their response made during the initial interview related to how they identified themselves to the lieutenant. Further, the CPD member again gave a contradicting response to a statement made earlier during the follow-up interview.

BIA sustained an additional allegation that the CPD member violated Rule 14-Making a false report, written or oral when they "made contradictory statements about the incident under investigation." BIA recommended that the CPD member be separated from the Department.

d | Recommendation to Reopen to Address The Conduct of All Involved CPD Members (#C2023-000000079)

OIG reviewed a COPA investigation against an unknown female CPD member for making unnecessary physical contact while on duty, and a CPD member for displaying their middle finger at a member of the public. A CPD Lieutenant initiated a complaint against the unknown female CPD member after observing her on BWC video grabbing, pulling, and pushing an unidentified youth during an incident involving the recovery of a firearm. COPA's electronic file in its case management system (CMS) contained a note dated March 31, 2022, which stated that a CPD member was captured on BWC displaying their middle finger; the note is accompanied by a screenshot of the BWC footage that shows the CPD member holding up their middle finger.

On March 25, 2022, a CPD member conducted an investigatory stop of a subject after learning from another CPD member watching police observation device (POD) camera surveillance footage that a subject possessed a firearm. During a protective pat down, the CPD member felt an "L-Shape object" consistent with the shape of a firearm in the front waistline of the subject's pants. The CPD member attempted to handcuff the subject who began to resist. Multiple officers converged on the scene in response to a call for emergency assistance. As CPD members were attempting to place the subject into custody, a bystander is heard screaming "fucking assholes" on a CPD member's BWC video, to which the accused CPD member responds by looking back toward the bystander and muttering, "Shut the fuck up bitch," while putting up the middle finger of their left hand. A CPD member physically stops the accused CPD member from engaging further with the bystander by pushing the accused CPD member's arm down and telling them to stop. It is unclear whether the CPD member who stopped the accused CPD member from further engagement with the bystander reported the accused CPD member's conduct pursuant to CPD's Rule 22, which requires members to "report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department."

To identify the unknown CPD member, COPA reviewed the OEMC data from the incident and determined that all CPD personnel whose presence on the scene could be verified were designated as male. COPA also reviewed CPD Attendance and Assignment Sheets; however, according to COPA's review, the female officers "either failed to match the description of the unknown officer or

were not on scene.” COPA did not attempt to interview any of the CPD members on scene to identify the unknown female officer.

COPA administratively closed the investigation after an unsuccessful identification of the unknown female officer and “[d]ue to lack of clearly objective evidence of misconduct.”

COPA failed to investigate the allegation its agency made against the accused CPD member who displayed their middle finger toward a civilian or their use of profanity. Specifically, COPA offered no analysis of whether the accused CPD member’s conduct may have violated CPD’s Rule 8, which prohibits “disrespect to or maltreatment of any person, while on or off duty.” It is imperative that CPD members conduct themselves in a manner that promotes public trust and fosters positive relationships with members of the community. Further, the expectation is that officers exhibit professionalism, integrity, and respect, as outlined in General Order G01-01 “Vision, Mission Statement, and Core Values.” CPD members are to demonstrate professionalism both on and off duty, hold themselves and others accountable, and endeavor to gain the trust and respect of the public. To earn the trust and respect of the public, and maintain it, officers must demonstrate sound judgment. Department members must “recognize that the respect ... owe[d] to ...[community members] is not conditional, and ...recognize that respect as a value must permeate every police action ... [undertaken].”

OIG recommended that COPA reopen this investigation to interview the CPD members on scene to identify the unknown female officer. OIG further recommended that COPA investigate to a finding the allegation that the accused CPD member displayed their middle finger toward a civilian, and their use of profanity as captured on BWC video. Lastly, OIG recommended that COPA conduct an analysis to determine whether the CPD member who physically stopped the accused CPD member from further engagement with the bystander reported the accused CPD member’s conduct, and if not, whether their failure to do so constituted a violation of Rule 22 and other applicable rules and directives.

COPA declined to reopen the investigation stating that “the likelihood to obtain evidence through witness interviews at this time would be small” and “given the age of the case...COPA does not believe that an investigation would result in a material discipline.”

e | Recommendation to Reopen to Address Improper Use of Force (#C2023-000000131)

OIG reviewed a COPA investigation against a CPD member related to the arrests of two individuals who were on the scene of a homicide investigation. The allegations were initiated by a CPD Lieutenant following video of the arrests posted on social media showing the accused CPD member “punching or attempting to punch” an arrestee.

According to COPA’s investigative file, on October 3, 2021, a relative of an individual who was arrested was found on a street with a gunshot wound to their head around 3:00 p.m. The accused CPD member and several other Department members responded to the scene and began cordoning off the crime scene with crime scene tape. At the same time, several individuals gathered near the shooting scene. Around the corner from the scene, the accused CPD member and other Department members repeatedly told an arrestee (“Arrestee A”) and other individuals to stay behind the crime scene tape. The accused CPD member’s BWC captured Arrestee A initially

not complying with verbal directions and subsequently showed Department members pushing Arrestee A and two other individuals toward the crime scene tape.

After all three individuals present were on the other side of the crime scene tape, the accused CPD member continued to exchange words with the arrestees and directed profanities toward them. The CPD member's BWC video shows them going under the crime scene tape and approaching an unidentified man while Arrestee A stepped between the two of them. A Tactical Response Report (TRR) completed by the CPD member and Arrestee A's Arrest Report state that the CPD member approached the unidentified man "to conduct an investigation for drinking on the public way" and Arrestee A "immediately got into [the CPD's member's] path blocking [them] from reaching the other subject." According to the incident narrative in the Arrest Report, Arrestee A "then wrapped his arms around [the CPD member's] waist, brushing past [the CPD member's] holstered firearm and maintaining control of the [CPD member's] body." The CPD member's TRR described [their] response as pushing back against Arrestee A's left arm with both hands while turning away from Arrestee A to maintain distance. The CPD member's TRR further stated that Arrestee A then "swung his left hand towards [the CPD member's] face" and the CPD member moved to avoid this attack and then "delivered a direct mechanical strike" to Arrestee A's face.

The social media video referenced by the CPD Lieutenant in their initiation report captured the interaction between the CPD member and Arrestee A from above and was likely filmed from an upper floor of an apartment building.²² COPA's summary of the social media video describes the physical altercation as follows:

[The CPD member] pushing at [Arrestee A], who put his right hand on the left side of [the CPD member's] waist. [Arrestee A] assumed a boxer's stance, and his left fist is at one point near [the CPD member's] face. [The CPD member] punched at [Arrestee A] three times, his fist seeming to make contact twice. [Arrestee A] backed up, but [Arrestee A's] left arm and hand were raised toward [the CPD member] before the fight ended. [The CPD member] and other officers put [Arrestee A] onto the parkway grass, where [they were] handcuffed.

COPA brought two allegations against the CPD member. COPA sustained an allegation of profanity use as the CPD member admitted to using profanity while speaking to Arrestee A in their statement to COPA. COPA did not sustain on its second allegation, that the CPD member failed to use de-escalation techniques, including distance, to prevent or reduce the need for force when he encountered Arrestee A. COPA recommended a reprimand for the CPD member.

COPA did not bring an allegation or provide any analysis on the CPD's member use of force, despite the fact that the Lieutenant's initiation report which served as the basis of the investigation stated they were "submitting this report in regards to a use of force investigations (sic) involving the [arrest of Arrestee A]." The accused CPD member was captured on multiple videos approaching and punching, or attempting to punch, Arrestee A multiple times. The CPD member's TRR narrative stated [they] "delivered a direct mechanical strike to the subject's face," a "direct mechanical strike that did not connect," and a "third direct mechanical strike to [Arrestee A]." Additionally, in its final

²² Accessed October 5, 2023

https://www.instagram.com/p/CUIV1RHguip/?utm_source=ig_embed&ig_rid=4236ab64-5b8c-4bad-a745-c4186cbeb8f4&img_index=1

summary report, COPA wrote that “after [the CPD member] went under the tape and was confronted by [Arrestee A], the fight that ensued was seemingly one-sided, given the height and weight advantage [the CPD member] had over [Arrestee A] and the perception by [the CPD member] that [Arrestee A] was under the influence of a substance.” OIG recommended COPA reopen Log #2019-0003934 to address whether the CPD member’s use of force against the arrestee was within Department policy.

COPA declined OIG’s recommendation to reopen stating that “re-opening the case...would not be an efficient use of COPA’s resources because the officer’s collective bargaining agreement would likely prohibit imposition of discipline at this time.” COPA additionally declined OIG’s recommendation based on its assessment that “it was more likely than not that the use of force was authorized under CPD policy given the circumstances the officer faced at the time.”

f | Recommendation to Reopen to Address All Potential Violations (#C2023-000000172)

OIG reviewed an investigation concerning allegations made by the reporting party that three CPD members improperly arrested and planted a handgun on an arrestee. COPA conducted a preliminary investigation of the alleged improper arrest, which COPA subsequently unfounded. COPA referred the investigation to BIA for the CPD member’s failure to generate an Investigatory Stop Report (ISR).

Three CPD members were on routine patrol when they observed two young men in an alley “huddled closely obstructing the flow of traffic.” Following this observation, the CPD members made a U-turn to ensure the men did not need police assistance and to warn them about being in the flow of traffic. The narrative of the ISR completed for the arrestee states that, as CPD members approached the alleyway, their patrol car’s headlights illuminated the area and the arrestee was seen with a “satchel style bag that contained an outline of an ‘L’ shaped object.” The arrestee reportedly looked at the CPD members, grabbed the satchel, and jumped over a fence. A foot pursuit ensued, and shortly after fleeing, the CPD members detained both the arrestee and the unknown subject. BWC footage captures one of the three CPD members recovering a handgun from the other side of the fence where the arrestee was detained as well as the search of the arrestee’s satchel, which was empty. Throughout this incident, the CPD member who recovered the weapon is heard on their BWC footage questioning whose “pipe” or handgun was recovered, the age of the young men, and who was going to “take” the criminal charge for possession of the weapon. On the BWC recording, the CPD member states “Ay, now is the last chance for a deal, 50/50, okay? One person is going to come with us, one we don’t give a fuck about, you decide. I’ll let you talk amongst yourselves.” From the 8:50 to 9:03 mark of his BWC footage, the CPD member states, “Ay, two minutes, we’re leaving, one of you is coming and then I’m going to decide. Just be straight, whose is it? How old are you both, 18? Alright, whose got any cases? Ay, scene secure,” as the CPD member deactivate their BWC. The other two CPD members also abruptly deactivated their BWC.

BIA’s initial investigation only addressed the misconduct of one of the three CPD members. The accused CPD member was issued a summary punishment (SPAR) for their failure to generate an ISR.

OIG’s review of the investigation found that BIA did not investigate or conduct any analysis regarding the improper BWC deactivation by all involved CPD members. In the Investigative Closing

Report, BIA provided a summation of all involved CPD members' BWC footage and stated that shortly after the CPD member recovered the handgun and said, "The scene is secure", all three officers terminated their BWC recordings. As outlined in Special Order S03-14 "Body Worn Cameras," CPD requires that Department members activate their BWC and "record the entire incident for all law-enforcement-related activities" including investigatory stops, foot pursuits, arrests, and statements from individuals during an investigation. BIA did not address the early deactivation of their BWC in the Notification of Charges/Allegations; therefore, it is unclear why the decision was made to stop recording in the midst of the preliminary investigation.

BIA also did not address two of the CPD members' failures to generate an ISR for the unknown subject detained with the arrestee. During the investigation, all three CPD members were questioned about their completion of an ISR, and none of them could recall who on the team was delegated to submit ISRs that shift. There is only one ISR in the investigative file that was completed for the arrestee. The Accountability Sergeant conducted a search of completed ISRs but could not locate an ISR for the unknown subject. Only one CPD member received a SPAR for failing to generate an ISR for this incident, however, there is no mention of any discipline for the other two CPD members despite there being no ISR documented for the unknown subject. Special Order S04-13-09 "Investigatory Stop System" requires CPD members to complete an ISR any time an investigatory stop is conducted "no later than the end of their tours of duty," as well as provide the subject with a completed Investigatory Stop Receipt.

OIG recommended that BIA reopen the investigation to address the two CPD members who also failed to generate an ISR for the unknown subject, and to determine whether they prematurely deactivated their BWC recordings while conducting an investigation, and whether their conduct is in violation of any applicable rules and directives.

BIA concurred with OIG's finding and reopened the investigation. BIA issued a reprimand via a SPAR to one CPD member for prematurely deactivating their BWC and a reprimand via a SPAR to one CPD member for failure to generate an ISR and prematurely deactivating their BWC. According to the investigative file, the third CPD member is in an inactive duty status, and it is unclear whether this CPD member received any discipline.

g | Recommendation to Reopen to Address All Potential Violations (#C2023-00000210)

OIG reviewed a COPA investigation involving a Taser deployment by a CPD member and subsequent arrest of an individual. The investigation was initiated by COPA after receiving a notification of a Taser deployment that occurred on August 22, 2021.

The incident involved two CPD members who responded to a battery call and encountered the arrestee asleep in front of a hotel. CPD Member A apparently attempted to get the arrestee's attention by kicking the bottom of the arrestee's foot and telling the arrestee they needed to leave and could not be in front of the hotel. When the arrestee did not comply with the orders to leave the hotel premises, Member A tried to handcuff them, but was only able to handcuff the arrestee's left wrist, as they attempted to leave. As the arrestee lay on their back, Member A threatened to tase them three times if they did not turn over. The arrestee continuously asked what they did wrong, as they lay on the ground with hands in clear view, and Member A told them four times to turn over. Member A then discharged their Taser at the arrestee for five seconds after they remained on their

back and failed to comply with Member A's orders. After the first Taser discharge, Member A asked the arrestee if they were "ready for another one" and then immediately discharged their Taser a second time. After the arrestee continued to lay on their back on the ground, CPD Member B told Member A to "tase [them] again" and Member A discharged their Taser at the arrestee for a third time. Member A continued to tell the arrestee to give the officers their hands and then discharged their Taser for a fourth time as the arrestee repeatedly yelled, "What did I do?" After Member A told Member B, "Back up, I'm going to tase [them] again," the arrestee yelled out, "No" and swung at Member A's Taser but did not make contact. Member A immediately discharged their Taser for a fifth time, telling the arrestee to put their hands behind their back as they screamed out that they wanted to go to the hospital. As the arrestee stood up, Member A discharged their Taser for a sixth time. Additional CPD members responded and assisted in handcuffing and placing the arrestee for transport to Mercy Hospital. Member A's Taser Download Report showed that the arrestee was "exposed to six reenergized Taser cycles for a cumulative 28 seconds of energy."

COPA sustained an allegation against Member A for discharging their Taser without justification and sustained an allegation against Member B for failing to intervene when they observed Member A use excessive force. COPA recommended a minimum suspension of 120 days for Member A and 90 days for Member B.

Despite COPA's findings with respect to CPD member A, COPA did not investigate or conduct any analysis regarding potential violations of Rule 14 of CPD's Rules of Conduct, which prohibits making false reports. In the Final Summary Report, COPA determined the arrestee to be a passive resister, yet Member A told COPA that the arrestee "was an assailant each of the six times" they discharged their Taser. COPA found that Member A's statement "is wholly refuted by the video evidence," which shows that the arrestee was lying on their back with their hands in the air in front of them the first time Member A discharged their Taser. In the Tactical Response Report (TRR), Member A detailed that the "offender became verbally and passively resistant" and "I used de-escalation techniques," but COPA found that "neither [Member A] nor [their] partner attempted to use de-escalation techniques or principles of force mitigation, as required by CPD policy [General Order G03-02-01: Response to Resistance and Force Options]."

While Appendix C of COPA's Final Summary Report demonstrates that COPA identified this investigation to involve "Failure to Report Misconduct," COPA did not include or conduct any analysis regarding whether Member B had violated Rules 21 or 22 of CPD's Rules of Conduct, which require members to report misconduct.

The TRR was completed by Member A for this event and subsequently reviewed and approved by a CPD Lieutenant on August 25, 2021. The CPD Lieutenant found that "[Member A] justifies each use of Taser to gain compliance and/or end further harm to others," and concluded that "given the totality of the circumstances, specifically the ineffectiveness of the TASER, *R/L believes [MEMBER A] could have used a greater amount of force to affect this arrest.*" (Emphasis added.) The CPD Lieutenant's examination and approval of Member A's Taser use in the TRR is in contradiction with COPA's findings that excessive force was used by Member A in this incident, where COPA concluded that "[Member A's] Taser discharges were both an egregious violation of CPD's use of force policy and were retaliatory in nature." CPD General Orders require that supervisors determine whether a use of force by a member under their supervision may constitute misconduct and therefore require notification to COPA.

OIG recommended that COPA reopen this investigation to address potential violations of Rules 14, 21, and 22 by the accused CPD members and consider whether any allegations were appropriate against the CPD Lieutenant.

COPA declined OIG's recommendation to reopen the investigation. With respect to Member A, COPA stated that since they have "no evidence that [Member A] intended to mislead or fabricate" their account of the incident, "COPA therefore cannot find that re-opening this case on this basis is an efficient use of its resources." For Member B, COPA noted "that it has already recommended significant discipline" and it is "unlikely that COPA's recommendation would change materially based on new allegations." COPA also determined that reopening the case to investigate the CPD Lieutenant would not be an efficient use of resources, given that COPA would have had to complete its investigation by February 2023 since the language in the lieutenant's collective bargaining agreement requires investigations be completed within 18 months.

V | Reports and Monitoring Activity

A | Audits and Follow-Ups

Separate from its confidential investigative work, OIG's Audit & Program Review (APR) section produces a variety of public reports including independent and objective analyses and evaluations of City programs and operations with recommendations to strengthen and improve the delivery of City services. These engagements focus on the integrity, accountability, economy, efficiency, and effectiveness of each subject. The following summarizes three such reports published this quarter.

1 | Chicago Department of Transportation Driveway Billing Third Follow-Up (#C2023-00000037)²³

OIG completed a third follow-up to its July 2019 audit of CDOT's billing process for commercial driveway permit annual fees. Based on the Department's responses, OIG concluded that CDOT partially implemented corrective actions related to the audit findings.

The purpose of the 2019 audit was to determine whether CDOT accurately and completely billed commercial property owners for driveways that use the public way. OIG found that CDOT either did not bill or inaccurately billed an estimated 6,713 permit holders, resulting in an annual revenue loss between \$1.1 and \$1.5 million. In addition, CDOT could not ensure that all relevant driveways were recorded in its driveway permit system. Finally, OIG found that the City did not actively pursue payment for past-due driveway permit fees. The audit identified seven data quality issues, stemming from lax operational procedures and a deficient data management system, that led to these billing problems.

Since publication of its original audit, OIG conducted three follow-ups to determine the status of corrective actions. They are summarized below.

February 2020: CDOT created procedures to review and correct inaccurate driveway records but reviewed only 60 records in the six months following the audit. CDOT also documented driveway permitting and billing procedures for its staff. It decided to forgo changes to its data management system, choosing instead to migrate the data to a new system.

March 2021: By this time, CDOT adopted the new data management system described in the first follow-up and created internal controls to prevent future inaccuracies. However, many of the underlying issues found in the audit remained unaddressed. Specifically, CDOT did not correct existing inaccurate records, begun to identify driveways that were not recorded in its driveway permit system, or credited incorrectly billed accounts. Further, because CDOT did not implement its debt collection procedures, it did not take the subsequent step of coordinating them with the Departments of Law (DOL) and Finance (DOF). CDOT integrated its new data system with the operations of the Department of Business Affairs and Consumer Protection (BACP), enabling it to place holds on business licenses for driveway permittees with delinquent accounts.

²³ Published August 18, 2023. See <https://igchicago.org/wp-content/uploads/2023/08/Chicago-Department-of-Transportation-Driveway-Billing-Third-Follow-Up.pdf>.

February 2023: Based on CDOT’s response to the most recent follow-up inquiry, sent in February 2023, OIG concluded that CDOT partially implemented corrective actions. Specifically, CDOT designed and implemented procedures and systems to avoid future inaccuracies in commercial driveway billing. However, the Department still needs to review and correct over 27,000 inaccurate records it migrated from its old data system, and then accurately bill or credit those accounts. CDOT has not begun identifying and recording existing, undocumented driveways.

OIG conducted this third follow-up because a review and correction of inaccurate driveway permit data might enable the City to collect annual revenues of \$1.1 to \$1.5 million. Such revenues, if collected, could be used for social services, public safety, or other City programs that could directly impact the lives of people in Chicago. Furthermore, commercial driveways inhibit the public’s use of sidewalks and parkways. The MCC recognizes this and, thus, requires public way permits and related fees for the privilege of using the public way.²⁴

2 | Audit of the Department of Family and Support Services Outreach to Encampments of People Experiencing Homelessness (#C2022-000043643)²⁵

OIG conducted an audit of the Department of Family and Support Services’ (DFSS) outreach to encampments of people experiencing homelessness. The objectives of the audit were to determine whether DFSS,

1. coordinates and plans its Accelerated Moving Events (AMEs) and encampment cleanings with partner agencies to help protect the rights of encampment residents;
2. ensures that encampment residents receive notice of encampment cleanings in accordance with the City’s Policy and Procedures Governing Off-Street Cleaning; and
3. ensures encampment residents secure and retain housing through AMEs.

OIG found that DFSS does not permanently displace encampment residents from public spaces. The City makes reasonable efforts to protect encampment residents’ portable personal possessions by following the City’s Policy and Procedures Governing Off-Street Cleaning. In addition, OIG found that DFSS carries out AMEs that largely ensure participating encampment residents secure and retain housing. OIG analyzed the outcomes of encampment residents who attended an AME between November 2020 and May 2022, and found that 224 encampment residents, or 94.1% of participants, entered stable housing. Of these, 187, or 78.6% of all participants, remained housed as of October 3, 2022, the time of OIG’s analysis.

OIG recommends that DFSS consider updating its Homeless Services FAQ sheet that it shares with City Council members to include the City’s Policy and Procedures Governing Off-Street Cleaning. It should also communicate with Council members regarding that policy and how it protects the rights of people experiencing homelessness.

²⁴ MCC § 10-20-405 states, “No person shall hereafter establish or maintain any driveway over, across or upon any public sidewalk or public parkway without first obtaining a use of public way permit [...].” MCC § 10-20-420 details the annual permit fee amounts.

²⁵ Published August 23, 2023. See <https://igchicago.org/wp-content/uploads/2023/08/Audit-of-DFSS-Outreach-to-Encampments-of-People-Experiencing-Homelessness.pdf>.

In response to OIG's audit findings and recommendations, DFSS stated that it will include the City's Policies and Procedures Governing Off-Street Cleaning as an attachment to the FAQ sheet it provides to City Council, as well as include information on these policies and procedures in its annual report to City Council on homelessness and housing.

3 | Follow-up to OIG's Second Audit of the Chicago Fire Department's Fire and Emergency Medical Response Times (#C2023-000000094)²⁶

OIG has completed a follow-up to its October 2021 second audit of the Chicago Fire Department's (CFD or the Department) response times to calls for emergency fire and medical services.²⁷ Based on the Department's responses, OIG concludes that CFD has not implemented corrective actions related to the audit findings.

The purpose of the 2021 audit was to determine whether CFD had goals for fire and emergency medical services (EMS) response times consistent with state and national standards and whether CFD response times met those standards. OIG concluded that CFD had not implemented performance management strategies that would allow it to evaluate fire and EMS response times in alignment with best practices, nor had the Department remedied data issues identified by OIG in 2013.

Based on the results of the 2021 audit, OIG recommended that CFD management,

- acknowledge the importance of department-wide quantitative performance measures and begin public annual reporting on its response time performance;
- establish and document department-wide turnout, travel, and total response time goals at the 90th percentile for both fire and EMS; or, if they believed National Fire Prevention Association (NFPA) recommended turnout and travel times were unachievable in Chicago, conduct a systematic evaluation of local factors affecting response times and set reasonable goals for turnout, travel, and total response times accordingly;²⁸
- identify, monitor, and remedy the cause of gaps in its data;
- consider hiring an internal data specialist to improve data quality; and
- ensure that any external partners it engages to analyze departmental data conduct a full assessment of that data's completeness and reliability.

²⁶ Published September 28, 2023. See <https://igchicago.org/wp-content/uploads/2023/09/OIG-Follow-up-to-2nd-Audit-of-CFDs-Fire-and-EMS-Response-Times.pdf>.

²⁷ OIG published the first audit of CFD's fire and emergency medical response times in October 2013. City of Chicago Office of Inspector General, "Chicago Fire Department Fire and Medical Incident Response Times Audit," October 18, 2013, <https://igchicago.org/wp-content/uploads/2013/10/CFD-Response-Time-Audit-Report.pdf>.

²⁸ NFPA publishes a set of management and operations best practices for fire departments. NFPA Standard 1710 is widely accepted as a national benchmark for fire and emergency response times. During the 2021 audit, CFD told OIG that the Department "has a goal . . . to meet or exceed [the fire response time] requirements" of NFPA Standard 1710. The 2020 edition of Standard 1710 lists a fire response turnout goal of 80 seconds or less and travel goal of 240 seconds or less, and an emergency medical response turnout goal of 60 seconds or less and travel goal of 240 seconds or less. National Fire Protection Association, "NFPA Standard 1710: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments," 9, Quincy, Massachusetts: National Fire Protection Association, 2020.

In its response to the audit, CFD “acknowledge[d] the importance of department-wide quantitative performance measures” and described corrective actions it would take.

In April 2023, OIG inquired about corrective actions taken by CFD in response to the audit. Based on CFD’s follow-up response, OIG concludes that CFD has not implemented corrective actions. Notably, CFD has neither hired staff to assist with data analytics nor found another method to analyze data gaps. CFD has not worked with the Office of Emergency Management and Communications (OEMC) to assess the root causes of data gaps. Finally, CFD has not employed an after-action reporting and improvement planning mechanism to improve data quality. CFD attributed failures to implement corrective actions to the COVID-19 pandemic and budget shortfalls.

B | Advisories and Department Notification Letters

Advisories and department notification letters describe management problems observed by OIG sections in the course of its various oversight activities, which OIG determines to merit official notice to City or department leadership. OIG completed five notifications this quarter.

1 | CDPH Employee Gift Policy (C2022-000042869)

OIG issued a notification to CDPH concerning a deficit in the CDPH Employee Gift Policy. During its investigation, OIG learned that sanitarians are verbally trained that it is a violation of CDPH policy to accept any gifts, including food, during inspections. However, the verbal policy conveyed to sanitarians against accepting food is not consistent with the written CDPH Gift Policy, which does not strictly prohibit sanitarians from accepting food.

The current CDPH Gift Policy, as written, prohibits employees from accepting gifts from clients and pharmaceutical companies, but permits the acceptance of other “de minimis gifts, so long as there is no understanding between the donor and the employee that the employee’s, Department’s, or City’s actions, decisions, or judgment will be influenced thereby.” The policy defines “de minimis gift” as “any non-cash gift(s) of minimal value (such as bumper stickers, note pads and basic pens), given to a single person from a single source in a calendar year.” The policy also references the Government Ethics Ordinance, which prohibits City employees from accepting any gift “unless the total value of all gifts given to the ...employee...by a single source amounts to no more than \$50.00 in a calendar year.” Chicago Municipal Code § 2-156-142(a)(2). Further, under the Governmental Ethics Ordinance (GEO), a non-monetary gift valued at less than \$50.00 does not involve an understanding that an official’s actions would be influenced by such a gift. Chicago Municipal Code § 2-156-142(e).

Taking together CDPH’s Gift Policy, which has no strict prohibition on sanitarians accepting food and allows employees to accept de minimis gifts, and the GEO, which permits gifts valued under \$50.00 and specifically states such a gift does not involve an understanding of influence, it appears that sanitarians are not prohibited from accepting food during an inspection so long as the value of the food is less than \$50.00. The verbal instruction provided to sanitarians during their training, however, appears to be inconsistent with this.

In the interest of clarifying expectations and ensuring compliance with ethics rules, OIG recommended that CDPH reconcile its policies and training to provide clear and consistent guidance on whether sanitarians may accept any gifts, including de minimis gifts of food, from food

establishments during health inspections. In response, CDPH informed OIG that it was assessing its written and verbal gift policies to ensure consistency across the department and will update its Gift Policy to reflect any needed points of clarification.

2 | Protecting Confidential Information (C2022-000043844)

OIG issued a notification concerning deficits in protecting confidential information in Summary Reports of Investigation issued by the Civilian Office of Public Accountability (COPA) and publicly available data from the Chicago Police Department (CPD). During its investigation, OIG learned that both COPA and CPD included sensitive information in their work products and their combined failures to redact such information appeared to have led to the public disclosure of sensitive information.

In the interest of avoiding the inadvertent public release of information which may put members of the public at risk and compromise CPD's confidential law enforcement activities, OIG recommended the following:

1. COPA should institute a system to evaluate whether it is necessary for publicly available documents to contain information—such as precise arrest dates, times, and locations—that can be combined with other publicly available information to identify specific individuals, and if so, redact such information before it is released to the public.
2. CPD should evaluate whether it is appropriate to include certain sensitive law enforcement information in arrest reports, and if included institute a system to redact such information before an arrest report is released to the public.
3. COPA and CPD should confer as necessary to ensure that COPA's reports and CPD's publicly available databases do not include information that may be combined to reveal confidential or law enforcement sensitive information, the release of which may put members of the public and CPD's operations at risk.

In response, COPA informed OIG that in 2022, it developed a unit dedicated to evaluating what information may be disclosed under the laws controlling its public release of investigation materials. According to COPA, that unit carefully considers what information should be shared publicly on a case-by-case basis. Further, COPA reported that, as part of that evaluation, it balances the safety of individuals involved in a case with COPA's duty to timely share information regarding its investigations. Additionally, COPA responded that it already considers requests from law enforcement agencies, including CPD, to redact sensitive information where a person's safety may be compromised by a public release. COPA stated that it would continue to consider and grant those requests as permitted by applicable law.

CPD responded in October 2023, after the close of this quarter. In response to OIG's second recommendation, CPD noted that its obligation to release information to the public is governed by the Illinois Freedom of Information Act (FOIA) and it would continue to assert appropriate exemptions as allowed by FOIA. CPD stated that it would continue to evaluate whether sensitive law enforcement information contained in public records may be redacted under FOIA or "whether making such redaction will draw additional attention" to the sensitive information at issue. Regardless, however, CPD stated that FOIA prohibits it from withholding information not specifically exempt under FOIA.

In response to OIG's third recommendation, CPD stated it would confer with COPA regarding responses to FOIA requests that may reveal sensitive law enforcement information. However, CPD noted that due to the large number of FOIA requests it receives and the strict time limits to respond, it is impossible to screen every request for sensitive law enforcement information. CPD stated that it would continue to prevent the release of sensitive law enforcement information within the limits allowed by FOIA.

3 | Failure to Secure Private Data by Delegate Agency (C2022-000044049)

OIG wrote to the Department of Housing (DOH) and a DOH delegate agency concerning a potential failure by the delegate agency to secure the private data of applicants for rental assistance programs. OIG learned that at least two SharePoint sites used by the delegate agency appeared to be publicly available and contained personal data related to rental assistance programs. OIG was able to access the sites without any prior authorization.

OIG recommended that DOH and the delegate agency review the SharePoint sites to determine if the information contained in them was publicly viewable and, if so, whether it should have been secured. OIG further recommended that DOH and the delegate agency take steps necessary to secure the sites to ensure that they were only viewable by authorized individuals and investigate the matter to determine whether any data was edited by unauthorized users. Finally, OIG recommended that DOH and the delegate agency evaluate whether similar sites of the delegate agency were viewable by the general public and determine if those sites should be restricted to only authorized persons.

DOH responded that it was working to resolve the issue immediately. Additionally, the delegate agency informed OIG that it immediately conducted an internal review on the SharePoint files, identified the files in question, and took appropriate action to disable the files. The delegate agency further informed OIG that necessary restrictions were placed on the files, and the delegate agency was diligently evaluating whether similar sites were viewable to the general public and would apply restrictions accordingly.

4 | Federal Charges Against City Licensees

On July 21, 2023, OIG notified DOB of the federal indictment of John Bodendorfer and the federal criminal information of Alex Nitchoff, both of whom hold general contractor's licenses with the City. OIG also notified the Department of Procurement Services of Nitchoff's information, as Nitchoff held City contracts between 2012 and 2019.

Bodendorfer, an agent of Techa Construction LLC, was indicted on May 11, 2023, in the Northern District of Illinois (NDIL) for conspiring to bribe a public official and using a cell phone to facilitate the acts, a violation of federal law. Nitchoff, the president of O.A.K.K. Construction, Inc., was charged by information in NDIL for conspiring to bribe a public official and using a cell phone to facilitate the acts of bribery.

Section 4-36-060 of the MCC prohibits the issuance of a license to any person "currently under indictment or has been charged under any State or Federal law with the crime of bribery."

In response to OIG's notification, on August 7, 2023, DOB issued Notices of License Revocation to Bodendorfer and Nitchoff which prohibit them, or any entity in which they have an ownership or

financial interest, from obtaining a general contractor's license from DOB. On October 6, 2023, DPS notified OIG that it had added Nitchoff and O.A.K.K. Construction, Inc. to its list of debarred individuals and vendors.

5 | GPS in Non-Safety Vehicles

On June 29, 2022, OIG sent a notification to Mayor Lori Lightfoot regarding the lack of Global Positioning System (GPS) units in non-public safety vehicles owned and used by the City. While conducting misconduct investigations, OIG noticed that it was unable to track the locations of many City vehicles which impeded OIG's ability to investigate allegations of time theft or misuse of a City vehicle. At the time that OIG issued this notification, 30% of the City's non-public safety vehicle fleet lacked GPS units.

In 2022, OIG recommended that the City establish guidelines or policies for departments to use to determine which City vehicles should be equipped with GPS units, equip all take-home vehicles with GPS units, and determine whether vehicles used by department heads and other high-ranking officials should be equipped with GPS units. In response to this recommendation, the Department of Assets, Information, and Services (AIS), in coordination with the Mayor's Office and OBM, committed to developing a set of policies and guidelines that will set the framework for requiring GPS on non-public safety vehicles, with narrow operations-based exceptions. The Mayor's Office stated that it would provide OIG a copy of the policy and/or guidelines once completed. This notification and the City's response was previously summarized in OIG's quarterly report for the Third Quarter of 2022.

On August 17, 2023, AIS provided an update on the status of the City's responsive corrective actions and notified OIG that the City of Chicago Vehicle Policy has been updated to require all City non-emergency vehicles to be equipped with the City of Chicago Mobile Asset Tracking device. Further, AIS reported that, from July 2022 to August 17, 2023, the City installed 835 Mobile Asset Tracking units so that 83% of non-emergency vehicles have a GPS unit.

C | Other Reports and Activities

In the service of its mission to promote economy, effectiveness, efficiency, and integrity, OIG may periodically participate in additional activities and inquiries, outside of the other categories identified here, to improve transparency and accountability in City government, and may from time-to-time issue additional reports.

OIG did not participate in any additional activities or inquiries or issue any additional reports this quarter.

D | Monitoring Employment Actions

OIG's Compliance unit, situated within its Legal section, has broad oversight responsibilities under the Employment and Hiring Plans which govern the employment practices of the City, CPD, and the Chicago Fire Department (CFD). The Compliance unit came into formal existence as a product of an evolving partnership between OIG and the court-appointed monitor overseeing the City's hiring and promotion practices under the decree entered in *Shakman, et al. v. City of Chicago, et al.*, No. 69-cv-2145 (N.D. Ill.). From spring 2010 through spring 2014, the OIG-*Shakman* Monitor partnership gradually transitioned from the court-appointed Monitor to OIG for both disciplinary

investigations and program compliance and monitoring activities. That transition was completed in June 2014 with the court's finding the City in substantial compliance with the *Shakman* decree.

The Compliance unit's responsibilities are specific to overseeing the City's employment actions, issuing guidance, training, and program recommendations to City departments on a broad and complex array of employment-related actions; monitoring human resources activities including hiring and promotion; performing legally mandated and discretionary audits and reviews; and reviewing the City's hiring and employment practices to ensure compliance with applicable rules.

OIG performs quarterly reviews and audits of data regarding the hiring processes to identify Employment Plan violations or errors. As defined in the Employment Plan, a review involves a check of all relevant documentation and data concerning a matter, while an audit is a check of a random sample or risk-based sample of the documentation and data concerning a hiring element. Employment Plan violations are actions and/or behaviors that are not in compliance with the City's Employment and Hiring Plans. Errors are deviations in processes that are not Employment Plan violations, but actions and/or behaviors that differ from established departmental processes.

The following section includes information on these activities and others on which OIG is required to report pursuant to the Employment and Hiring Plans and MCC § 2-56-035.

1 | Review of Contracting Activity

Under the Contractor Policy, departments are required to annually report to OIG the names of all Contractors performing services on City premises. OIG may choose to review any solicitation documents, draft agreements, final contracts, or agreement terms to assess whether they are in compliance with the Contractor Policy. This review includes analyzing contracts for common-law employee risks and ensuring the inclusion of *Shakman*-related boilerplate language.

This quarter, OIG did not review any contracts.

2| Hiring Related Reviews Performed by OIG

a | Contacts by Hiring Departments

OIG tracks all reported or discovered instances in which hiring departments contacted DHR to lobby for or advocate on behalf of actual or potential applicants or bidders for positions that are not exempt from the requirements of the *Shakman* decree ("covered positions") or to request that specific individuals be added to any referral or eligibility list. During this quarter, OIG received two notifications of direct contact occurrences.

b | Contacts by the Fire Department

OIG tracks all reported or discovered instances in which CFD contacted DHR or OPESA's human resources function (OPESA-HR) to lobby for or advocate on behalf of actual or potential applicants or bidders for positions that are not exempt from the requirements of the *Shakman* decree ("covered positions") or to request that specific individuals be added to any referral or eligibility list. During this quarter, OIG received no notifications of direct contact occurrences.

c | Chicago Police Department Intervention

OIG tracks all reported or discovered instances in which CPD hiring units contacted DHR or OPSA-HR to lobby for or advocate on behalf of actual or potential applicants for covered positions or to request that specific individuals be added to any referral or eligibility list. During this quarter, OIG received no notifications of Chicago Police Department intervention.

d | Contacts by Elected and Appointed Officials

OIG tracks all reported or discovered instances in which elected or appointed officials of any political party or any agent acting on behalf of an elected or appointed official, political party, or political organization contacted the City attempting to affect any hiring for any covered position or other employment actions.

Additionally, City employees often report contacts by elected or appointed officials that may be categorized as inquiries on behalf of their constituents, but not as an attempt to affect any hiring decisions for any covered position or other employment actions. During this quarter, OIG received no notification of political contacts.

e | Exemptions

OIG reviews adherence to exemption requirements, all reported or discovered *Shakman*-exempt appointments, and modifications to Exempt Lists.²⁹ During this quarter, OIG received notification of 53 exempt appointments.

f | Senior Manager Hires

OIG may review in-process Senior Manager hires pursuant to Chapter VI of the City's Employment Plan, Chapter VII of the City of Chicago Police Department Hiring Plan for Sworn Titles, and Chapter VI of the City of Chicago Fire Department Hiring Plan for Uniformed Positions each covering the Senior Manager Hiring Process. During this quarter, OIG reviewed 11 hiring packets, two of which were from CFD, and found one violation.

g | Selected Department of Law Hiring Sequences

Pursuant to Section B.7 of the DOL Hiring Process, OIG has the authority to review in-process DOL hiring packets. Hiring packets include assessment forms, notes, documents, written justifications, and hire certification forms. This quarter, OIG conducted no audits of DOL hiring sequences.

h | Discipline, Arbitrations, and Resolution of Grievances by Settlement

OIG receives notifications of disciplinary decisions, arbitration decisions, and potential grievance settlement agreements that may impact the procedures outlined in the City's Employment Plans. This quarter, OIG received one arbitration decision which may impact the procedures outlined in the City's Employment Plans.

²⁹ An exempt position is a City position to which the requirements governing Covered Positions do not apply. These positions are cataloged on the Exempt List which is publicly available on the Department of Human Resources website.

i | Modifications to Class Specifications,³⁰ Minimum Qualifications, and Screening and Hiring Criteria

OIG may review modifications to class specifications, minimum qualifications, and screening and hiring criteria. This quarter, OIG received notification that the following hiring departments proposed modifications to the minimum qualifications for five titles: CDPH, DWM, CDA, and Department of Finance. OIG reviewed the proposed changes to minimum qualifications.

j | Referral Lists

A referral list includes applicants/bidders who meet the predetermined minimum qualifications generated by DHR for City positions. OIG may audit this list by examining a sample of referral lists and notifying DHR when potential issues are identified. This quarter, OIG did not conduct an audit of referral lists.

k | Chicago Police Department Written Rationale

OIG reviews any written rationale when no consensus selection was reached during a Consensus Meeting for Covered Positions within CPD. This quarter, OIG received one notification that no consensus selections were made.

l | Chicago Fire Department Written Rationale

OIG reviews any written rationale when no consensus selection was reached during a Consensus Meeting for Covered Positions. This quarter, OIG did not receive any such notification.

m | Chicago Police Department Emergency Appointments

OIG reviews circumstances and written justifications for any emergency appointments made pursuant to the City of Chicago Personnel Rules and Section 2-74-050(8) of the Chicago Municipal Code. This quarter, OIG did not receive notification of any CPD emergency appointments.

n | Chicago Fire Department Emergency Appointments

OIG reviews circumstances and written justifications for any emergency appointments made pursuant to the City of Chicago Personnel Rules and Section 2-74-050(8) of the Chicago Municipal Code. This quarter, OIG did not receive notification of any CFD emergency appointments.

2 | Hiring Related Audits Performed by OIG

a | Selected Hiring Sequences covered by the City of Chicago Employment Plan

This quarter, OIG completed audits of nine hiring sequences across five City departments that were completed within the quarter. OIG selected these hiring sequences based on risk factors such as past errors and complaints.

³⁰ According to the Employment Plan, “Class specifications” are descriptions of the duties and responsibilities of a class of positions that distinguish one class from another. They are, in effect, the general descriptions utilized to determine the proper level to which a position should be assigned, and they include the general job duties and minimum qualifications of the position. Class specifications shall include sufficient detail so as to accurately reflect the job duties.

Each quarter, OIG may audit in-process and completed hiring sequences conducted by the following departments or their successors: AIS, CDA, DOB, DSS, CDOT, DWM, and six other City departments selected at the discretion of OIG. For 2023, OIG selected the following six additional departments: Chicago Treasurer’s Office, Office of the City Clerk, CDPH, OPSA, OEMC, and DFSS. The table below details the hiring sequences audited by OIG this quarter.

Table 10: Hiring Sequences Audited in Q3

Department	Title	Findings	OIG Recommendation	Department Action
Chicago Department of Public Health	Assistant Commissioner	No violations or errors found.	N/A	No response required.
Chicago Department of Transportation	Project Manager	No violations or errors found.	N/A	No response required.
Department of Assets, Information, and Services	Director of Facilities Management	No violations or errors found.	N/A	No response required.
Civilian Office of Police Accountability	Chief Investigative Law Officer	No violations or errors found.	N/A	No response required.
Civilian Office of Police Accountability	Supervising Investigator	No violations or errors found.	N/A	No response required.
Civilian Office of Police Accountability	Director of Training and Professional Development	No violations or errors found.	N/A	No response required.
Civilian Office of Police Accountability	Assistant General Counsel	No violations or errors found.	N/A	No response required.
Department of Finance	Project Administrator	No violations or errors found.	N/A	No response required.
Director of Finance	Assistant Comptroller – Risk Management	No violations or errors found.	N/A	No response required.

b | Examinations Covered by the City of Chicago Employment Plan

OIG may conduct an audit of DHR test development, administration, and scoring each quarter. This quarter, OIG did not initiate any new test administration audits.

c | Acting Up

OIG audits compliance with Chapter XIII of the City's Employment Plan and the Acting Up Policy. This quarter, OIG did not receive any DHR-approved waiver requests to the City's 90-Day Acting Up limit.

d | Chicago Police Department Testing

OIG is required to conduct audits of CPD testing including test administration and scoring. This quarter, no tests were administered for covered positions within CPD.

e | Chicago Fire Department Testing

OIG is required to conduct audits of CFD testing including test administration and scoring. This quarter, OIG audited two tests and found no violations or errors.

f | Selected Chicago Police Department Hiring Sequences

Pursuant to Chapter XI of the CPD Hiring Plan for Sworn Titles, OIG completes mandatory audits of in-process and completed CPD hiring sequences as well as employees hired through the Merit Promotion Process to ensure compliance with the hiring process. This quarter, OIG completed three audits of CPD hiring sequences and found no violations or errors.

g | Selected Chicago Fire Department Hiring Sequences

Pursuant to Chapter IX of the CFD Hiring Plan for Uniformed Positions, OIG completes mandatory audits of in-process and completed CFD hiring sequences as well as employees hired through the Performance Selection Process. This quarter, OIG completed three audits and found no violations or errors.

h | Chicago Police Department Modifications to Class Specifications, Minimum Qualifications, and Screening and Hiring Criteria

OIG is required to conduct audits of CPD modifications to class specifications, minimum qualifications, and screening and hiring criteria. This quarter, OIG did not receive any requests for modifications from CPD.

i | Chicago Fire Department Modifications to Class Specifications, Minimum Qualifications, and Screening and Hiring Criteria

OIG is required to conduct audits of CFD modifications to class specifications, minimum qualifications, and screening and hiring criteria. This quarter, OIG did not receive any requests for modifications from CFD.

j | Chicago Police Department Candidate Lists

OIG is required to conduct audits of CPD candidate lists who meet the predetermined minimum qualifications for the positions that are created by DHR. This quarter, OIG conducted one audit of CPD candidate lists and found no violations or errors.

k | Chicago Fire Department Referral Lists

OIG is required to conduct audits of CFD referral lists who meet the predetermined minimum qualifications for the positions that are created by DHR. This quarter, OIG conducted one audit of CFD referral lists and found no violations or errors.

l | Chicago Police Department Acting Up

OIG is required to audit compliance with Chapter X of the Chicago Police Department's Hire Plan and the Acting Up Policy. This quarter, OIG did not receive any Acting Up reporting from CPD.

m | Chicago Fire Department Acting Up

OIG is required to audit compliance with Chapter XI of the Chicago Fire Department's Hire Plan and the Acting Up Policy. This quarter, OIG did not receive any Acting Up reporting from CFD.

n | Chicago Police Department Arbitrations and Resolution of Grievances by Settlement

OIG is required to audit all arbitration decisions and grievance settlement agreements that may impact the procedures under the Chicago Police Department's Hire Plan. This quarter, OIG did not receive any arbitration decisions or grievance settlement agreements that may impact the procedures under the Chicago Police Department's Hire Plan.

o | Chicago Fire Department Arbitrations and Resolution of Grievances by Settlement

OIG is required to audit all arbitration decisions and grievance settlement agreements that may impact the procedures under the Chicago Fire Department's Hire Plan. This quarter, OIG did not receive any arbitration decisions or grievance settlement agreements that may impact the procedures under the Chicago Fire Department's Hire Plan.

3 | Other Compliance Activity

a | Monitoring

In addition to auditing hire packets, OIG monitors hiring sequences as they progress by attending and observing intake meetings, interviews, tests, and consensus meetings. The primary goal of monitoring hiring sequences is to identify any gaps in internal controls and non-compliance with the City of Chicago's Employment and Hiring Plans. However, real-time monitoring also allows OIG to detect and address compliance issues as they occur.

OIG identifies the hiring sequences to be monitored based on risk factors such as past errors, complaints, and historical issues with particular positions. This quarter, OIG monitored 27 hiring

sequences across 12 City departments. The table below shows the breakdown of monitoring activity by department.³¹

Table 11: Hiring Sequences Monitored in Q3

Department	Intake Meetings Monitored	Tests Monitored ³²	Interview Sets Monitored ³³	Consensus Meetings Monitored	Violations
Chicago Department of Public Health	2	0	2	0	0
Chicago Fire Department	0	1	2	0	0
Civilian Office of Police Accountability	0	0	0	1	0
Chicago Police Department	0	0	3	5	0
Department of Assets, Information, and Services	0	0	1	1	0
Office of Emergency Management and Communication	0	0	0	1	0
Office of Inspector General	0	0	0	2	0
Public Safety Administration	0	0	1	0	0
Department of Law	0	0	0	1	0
Department of Human Resources	0	0	0	1	0
Department of Housing	0	0	1	1	0
Chicago Treasurer's Office	0	0	0	1	0

b | Escalations

Recruiters, classification analysts, and testing administrators in DHR must escalate concerns regarding improper hiring by notifying OIG. In response to these notifications, OIG may take one or more of the following actions: investigate the matter, conduct a review of the hiring sequence, refer the matter to the DHR commissioner or appropriate department head for resolution, or refer the matter to the OIG Investigations section.

³¹ If a department is not included in this table, OIG did not monitor any elements of that department's hiring sequence(s).

³² Tests monitored are totaled by exam type, i.e., Police Officer, Detective, etc.; not total number of tests monitored for exam type.

³³ Interview Sets Monitored are totaled by positions monitored; not total number of interviews monitored.

This quarter, OIG received six new escalations. Two escalations have been resolved and summaries of the escalations are provided below. Four escalations are still pending.

1. Chicago Department of Aviation, Customer Service Supervisor

On August 30, 2023, OIG received notification from a DHR recruiter to provide information regarding a rescinded contingent offer for the customer service supervisor position in CDA. The customer service supervisor position requires high-level screening by both the U.S. Department of Homeland Security and U.S. Customs and Border Protection. During the background check and employment verification process, the candidate was unwilling to provide the necessary documentation and comply with the DHR Recruiter's requests to complete the hiring process. OIG agreed with DHR and CDA's decision to rescind the contingent offer.

2. Department of Housing, Policy Analyst

On September 21, 2023, a Department of Planning and Development (DPD) and a DHR liaison escalated the policy analyst hiring sequence due to pre-selection concerns. OIG monitored the candidate interviews as well as the consensus meeting. During real-time monitoring, OIG found that no improper candidate pre-selection occurred in the policy analyst hiring sequence.

Table 12: Escalations Received in Q3 2023

Escalation Status	Number of Escalations
Newly Initiated	6
Pending	4
Closed with Investigation	2
Closed without Investigation ³⁴	0

c | Processing of Complaints

OIG receives complaints regarding the City's hiring and employment processes, including allegations of unlawful political discrimination and retaliation and other improper considerations in connection with City employment. These complaints may be resolved in several ways, depending on the nature of the complaint. If there is an allegation of an Employment Plan violation or breach of a policy or procedure related to hiring, OIG may open an inquiry into the matter to determine whether such a violation or breach occurred. If a violation or breach is sustained, OIG may make corrective recommendations to the appropriate department or may undertake further investigation. If, after sufficient inquiry, no violation or breach is found, OIG will close the case as Not Sustained.

³⁴ Escalations categorized as Closed without Investigation are received by OIG with a self-initiated remedy from the DHR Commissioner. The escalation is considered closed after OIG reviews the escalation and concurs with the remedy issued by DHR with no further recommendations made by OIG.

If, during an inquiry, OIG identifies a process or program that could benefit from a more comprehensive audit, OIG may consider a formal audit or program review.

The table below summarizes the disposition of complaints related to the City’s hiring and employment processes received this quarter.

Table 13: Hiring and Employment-Related Complaints Received in Q3 2023

Complaint Status	Number of Complaints
Newly Initiated	25
Pending	16
Closed ³⁵	9
Declined	0

³⁵ Complaints categorized are considered Closed after OIG reviews the complaint and issues a finding with or without recommendations to the respective department.



The City of Chicago Office of Inspector General is an independent, nonpartisan oversight agency.

The authority to perform this inquiry is established in the City of Chicago Municipal Code § § 2-56-030 and -230, which confer on OIG the power and duty to review the programs of City government in order to identify any inefficiencies, waste, and potential for misconduct; to promote economy, efficiency, effectiveness, and integrity in the administration of City programs and operations; and, specifically, to review the operations of CPD and Chicago's police accountability agencies. Further, Paragraph 561 of the consent decree entered in *Illinois v. Chicago* requires OIG's Public Safety section to "review CPD actions for potential bias, including racial bias." The role of OIG is to review City operations and make recommendations for improvement. City management is responsible for establishing and maintaining processes to ensure that City programs operate economically, efficiently, effectively, and with integrity.

For further information about this report, please contact the City of Chicago Office of Inspector General, 740 N. Sedgwick Ave., Suite 200, Chicago, IL 60654, or visit our website at igchicago.org.

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Alternate formats available upon request.

