



City of Chicago



F2023-6

Office of the City Clerk

Document Tracking Sheet

Meeting Date:

1/18/2023

Sponsor(s):

Dept./Agency

Type:

Report

Title:

Inspector General's Quarterly Report (2022 Q4)

Committee(s) Assignment:



CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

QUARTERLY REPORT: FOURTH QUARTER 2022

JANUARY 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 fourth quarter of 2022, filed with City Council pursuant to Section 2-56-120 of the Municipal Code of Chicago (MCC).

In the fourth quarter of 2022, the Office of Inspector General has continued its critical work as we grow and strengthen our organization. The work reported here reflects our ongoing efforts to conduct nimble, interdisciplinary oversight drawing on skill sets across OIG's practice areas.

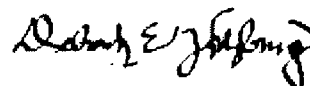
Meanwhile, we look ahead in 2023. Despite a substantial budget reduction from last year, we have added new positions in our 2023 budget to shorten the timelines of our misconduct investigations and to provide devoted leadership to our data analytics and data transparency efforts. Our Public Safety and Audit & Program Review sections have each published plans for 2023, outlining dozens of potential projects and areas of inquiry.

Our view that the City of Chicago operates at a legitimacy deficit, and that we should direct our efforts to those areas where we can most effectively pay it down, continues to animate our work. We continue to focus on transparency in the City's operations, on police reform and public safety (reporting on our review of closed police misconduct investigations, including an investigation of a Chicago Police Department member alleged to belong to the Oath Keepers, begins on page 25), and on enforcing campaign finance and ethics rules (we discuss our new, proactive analysis of data on campaign contributions and our work to ensure accurate reporting of restricted campaign contributors on page 20).

Finally, as an outward reflection of our restructured intake process—built to ensure that OIG meets each problem presented to it with the best-suited oversight tool—we have launched a new, single point of contact for people wishing to contact OIG with information. "Talk2IG," at (833) TALK-2-IG and www.igchicago.org/talk2ig, provides one-stop access for people to send us complaints about City actors who break the rules, suggestions about making City government better, and any other information which might aid OIG in its work. We are spreading the word about Talk2IG in English and Spanish on busses and trains across the City to help us better engage with Chicago's communities.

I am, as always, deeply grateful for and inspired by my colleagues at OIG, whose work will make this City more closely resemble the one its residents deserve.

Respectfully,



Deborah Witzburg
Inspector General
City of Chicago

Table of Contents

I Mission of the Office of Inspector General.....	4
II Intakes.....	5
III Investigations.....	10
A Misconduct Investigations.....	10
B Sustained Administrative Investigations	15
C Synopses and Developments on Charged Criminal Cases	17
D Synopses and Results of Administrative Appeals, Grievances, or Other Actions	19
E Special Investigations.....	20
F Recoveries.....	21
IV Public Safety	22
A Evaluations and Reviews.....	22
B Review of Closed Disciplinary Investigations	23
V Reports and Monitoring Activity	28
A Audits and Follow-Ups	28
B Advisories and Department Notification Letters.....	31
C Other Reports and Activities	32
D Monitoring Employment Actions.....	32

This quarterly report provides an overview of the operations of the City of Chicago Office of Inspector General (OIG) from October 1, through December 31, 2022, 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 investigation to the appropriate authority as prescribed in the MCC, including the Mayor's Office and/or the City departments or entities affected by or involved in the investigation. 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 is 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.

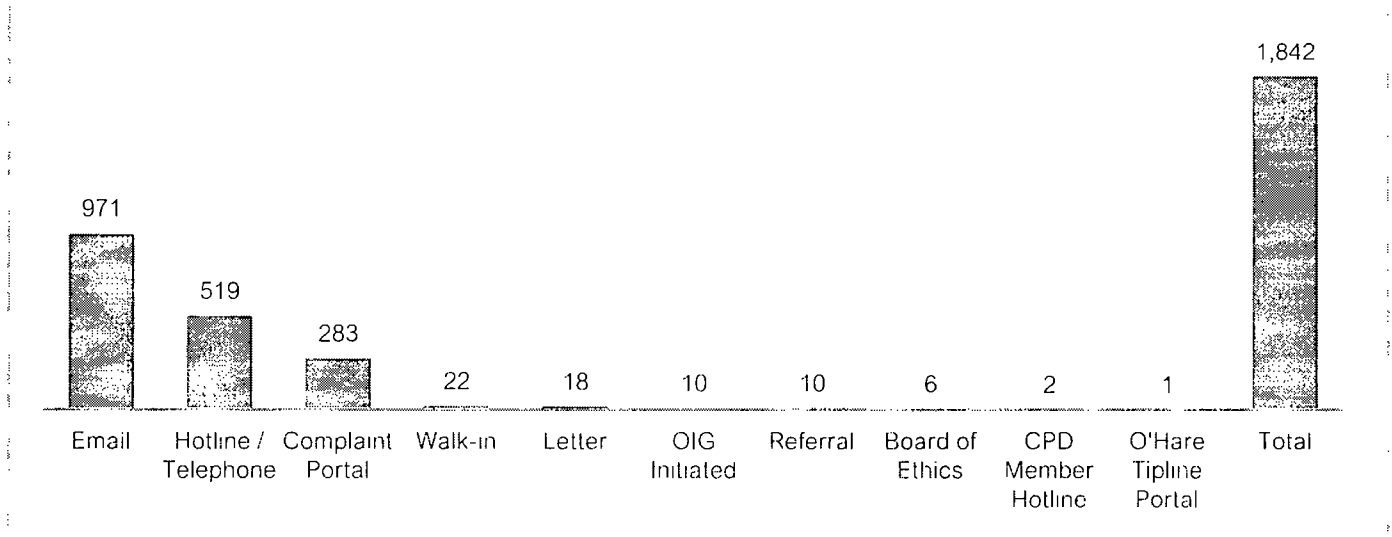
¹ "City government" includes the City of Chicago and any sister agency which enters into an Intergovernmental Agreement with the City for the provision of oversight services by OIG.

II | Intakes

1 | Intakes Received This Quarter

OIG received 1,842 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 Q4 2022, OIG referred 402³ intakes to City departments or other agencies.⁴

Table 1: Referred Intakes

Referred Agency	Number of Referrals
Chicago Civilian Office of Police Accountability	193
Chicago Police Department	57
Chicago Department of Transportation	22
Chicago Department of Human Resources	16

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

³ OIG referred 402 intakes to the agencies listed in Table 1. Some intakes were referred to more than one agency, resulting in a total of 482 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 "

Referred Agency	Number of Referrals
Chicago Department of Streets and Sanitation	16
Chicago Department of Finance	14
Chicago Department of Business Affairs and Consumer Protection	13
Chicago City Council	9
Chicago Fire Department	9
U.S. Postal Service Office of Inspector General	9
Chicago Department of Buildings	7
Chicago Office of Emergency Management and Communications	7
Chicago Department of Water Management	6
Chicago Housing Authority Office of Inspector General	6
Chicago Public Schools Office of Inspector General	6
Chicago Department of Assets, Information and Services	5
Chicago Department of Law	5
U.S. Social Security Administration Office of Inspector General	5
Chicago Department of Family and Support Services	4
Chicago Office of Public Safety Administration	4
Illinois Department of Children and Family Services Office of Inspector General	4
Chicago Commission on Animal Care and Control	3
Chicago Department of Aviation	3
Illinois Commerce Commission	3
Illinois Office of Executive Inspector General	3
U.S. Department of Transportation Office of Inspector General	3
U.S. Equal Employment Opportunity Commission	3
Chicago City Clerk	2
Chicago Commission of Human Relations	2
Chicago Department of Housing	2
Chicago Department of Public Health	2

Referred Agency	Number of Referrals
Cook County Office of Independent Inspector General	2
Federal Deposit Insurance Corporation Office of Inspector General	2
Illinois Department of Public Health	2
Illinois Security of State Office of Inspector General	2
Chicago Department of Administrative Hearings	1
Chicago Department of Cultural Affairs and Special Events	1
Chicago Department of Planning and Development	1
Chicago Mayor's Office for People with Disabilities	1
Chicago Park District Office of Inspector General	1
City Colleges of Chicago Office of Inspector General	1
Cleveland Police Department	1
Cook County Clerk of the Circuit Court (IG) Office of Inspector General	1
Cook County Emergency Telephone System Board	1
Dolton Police Department	1
Evanston Police Department	1
Federal Bureau of Investigation	1
Federal Trade Commission	1
Glendale Heights Police Department	1
Homewood Police Department	1
Illinois Board of Higher Education	1
Illinois Department of Human Services Office of Inspector General	1
Illinois Department on Aging	1
Illinois State Board of Elections	1
Los Angeles Police Department	1
Matteson Police Department	1
Maywood Police Department	1
National Labor Relations Board	1
Policemen's Annuity and Benefit Fund of Chicago	1

Referred Agency	Number of Referrals
Small Business Administration Office of Inspector General	1
Streamwood Police Department	1
U.S. Department of Health and Human Services Office of Inspector General	1
U.S. Department of Housing and Urban Development Office of Inspector General	1
U.S. Internal Revenue Service	1
U.S. Securities and Exchange Commission	1
Village of Alsip	1
Total	482

OIG may discontinue intakes that are, for a variety of reasons, not amenable to further consideration. Specifically, if after review 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 Q4 2022, OIG discontinued 778 intakes.

Table 2: Discontinued Intakes

Category of Discontinued Intakes	Number of Discontinued Intakes
Do Not Process	303
Spam	266
Inquiries	209
Total	778

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 Q4 2022, OIG declined 13 complaints alleging violations of the GEO.

Table 3: Ethics Complaints Declined

Category of Declined Ethics Complaints	Number of Declined Ethics Complaints
Complaint Lacks Foundation	2
Complaint of Same Alleged Conduct Already Received	6
Failure to Allege a Violation of MCC § 2-156	5
Total	13

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 Building Commission (PBC) of Chicago and OIG.

A | Misconduct Investigations

1 | Investigative Activity This Quarter

As of the close of this quarter, OIG has 227 active investigations. During Q4 2022, OIG initiated 19 investigations, of which none were self-initiated, and concluded 16 investigations.

2 | Open Matters

OIG's 227 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
City Employees	166
Elected Officials	27
Contractors, Subcontractors, and Persons seeking Contracts	20
Licensees	6
Appointed Officials	5
Persons Seeking Certification of Eligibility	1
Other	2
Total	227

Table 5: Nature of Allegations Under Investigation

Nature of Allegations	Number of Cases
Misconduct	225
Ineffectiveness	1
Waste/Inefficiency	1
Total	227

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 requested the superintendent's authorization to open one investigation relevant to or reportable pursuant to Paragraph 481. In that case, the superintendent responded within 30 days.

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 227 pending investigations, 122 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) because 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, Q4

Case Number ⁵	Legacy ID	General Nature of Allegations
C2022-000036935	16-0526	Pending federal criminal investigation of bribery
C2022-000038625	19-0178	Criminal investigation of distribution/possession of controlled substances (steroids)
C2022-000038721	19-0303	False information submitted to the City
C2022-000039819	20-0071	Pending federal criminal investigation of bribery
C2022-000040115	20-0385	Residency violation
C2022-000040424	20-0708	False records submitted to City
C2022-000040491	20-0780	Violence in the workplace
C2022-000040546	20-0838	Retaliation
C2022-000040550	20-0842	Women-Owned Business Enterprise (WBE)/Minority-Owned Business Enterprise (MBE) fraud
C2022-000040552	20-0844	Family and Medical Leave Act (FMLA) fraud
C2022-000040584	20-0876	Falsification/improper use of City resources
C2022-000040586	20-0878	Residency violation
C2022-000040590	20-0882	Failure to follow department rules regarding COVID-19 quarantine
C2022-000040681	20-0989	Bribery
C2022-000040811	20-1128	Time fraud and submission of false documentation
C2022-000040842	20-1162	FMLA fraud

⁵ In early 2022, OIG launched a new case management system, which accounts for the new case number format

Case Number ⁵	Legacy ID	General Nature of Allegations
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
C2022-000041244	20-1588	Duty disability fraud
C2022-000041245	20-1589	Retaliation
C2022-000041299	20-1646	Retaliation
C2022-000041400	21-0026	Bribery
C2022-000041401	21-0027	Improper use of City resources
C2022-000041454	21-0082	Theft
C2022-000041456	21-0084	Residency violation
C2022-000041504	21-0134	Procurement fraud
C2022-000041505	21-0135	False records submitted to City
C2022-000041554	21-0191	Retaliation
C2022-000041580	21-0219	Failure to follow department rules regarding COVID-19 quarantine
C2022-000041581	21-0220	Bribery
C2022-000041600	21-0241	Post-employment violation of the GEO
C2022-000041693	21-0340	Falsification/improper use of City resources
C2022-000041694	21-0341	Residency violation
C2022-000041695	21-0342	Duty Disability fraud
C2022-000041755	21-0411	Pending federal criminal investigation of theft
C2022-000041793	21-0449	Theft
C2022-000041794	21-0450	Pending federal criminal investigation of theft
C2022-000041795	21-0451	Pending federal criminal investigation of theft
C2022-000041796	21-0452	Pending federal criminal investigation of theft
C2022-000041797	21-0453	Theft
C2022-000041798	21-0454	Theft
C2022-000041799	21-0455	Theft
C2022-000041801	21-0457	Theft
C2022-000041802	21-0458	Theft
C2022-000041803	21-0459	Theft
C2022-000041804	21-0460	Theft

Case Number ⁵	Legacy ID	General Nature of Allegations
C2022-000041805	21-0461	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
C2022-000041875	21-0533	Residency violation
C2022-000041877	21-0535	Bribery
C2022-000041911	21-0571	Retaliation
C2022-000041912	21-0572	Pending federal criminal investigation of bribery
C2022-000041916	21-0576	False statements/violation of department rules
C2022-000041959	21-0621	Unauthorized outside employment/COVID-19 leave fraud
C2022-000042127	21-0798	Theft
C2022-000042128	21-0799	Sexual harassment
C2022-000042143	21-0818	Failure to follow department rules
C2022-000042144	21-0819	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
C2022-000042262	21-0945	Retaliation
C2022-000042264	21-0954	Pending federal criminal investigation of bribery
C2022-000042307	21-0997	Pending federal criminal investigation of bribery
C2022-000042357	21-1047	Residency violation
C2022-000042358	21-1048	Post-employment violation of the GEO
C2022-000042359	21-1049	MBE fraud
C2022-000042390	21-1080	Battery/failure to follow department rules
C2022-000042391	21-1081	Preferential treatment
C2022-000042443	21-1139	Failure to follow department rules
C2022-000042445	21-1141	Falsification/retaliation
C2022-000042456	21-1153	Bribery
C2022-000042504	21-1205	Procurement fraud
C2022-000042574	21-1275	Secondary employment/failure to follow department rules
C2022-000042775	21-1480	Bribery

Case Number ⁵	Legacy ID	General Nature of Allegations
C2022-000042777	21-1482	COVID-19 leave fraud
C2022-000042779	21-1484	Procurement fraud
C2022-000042839	21-1547	Failure to follow department rules
C2022-000042867	21-1579	Residency violation
C2022-000042869	21-1581	Bribery
C2022-000042870	21-1582	MBE fraud
C2022-000042912	21-1626	Ethics violation
C2022-000042921	21-1635	Time falsification
C2022-000042923	21-1637	COVID-19 leave fraud
C2022-000042924	21-1638	Ethics violation
C2022-000042971	21-1687	Ethics violation/Incompetence
C2022-000042973	21-1689	Failure to follow department rules
C2022-000043052	21-1772	Failure to follow department rules
C2022-000043133	21-1855	Bribery
C2022-000043135	21-1857	Retaliation
C2022-000043160	21-1884	Secondary employment
C2022-000043161	21-1885	Ethics violation
C2022-000043177	21-1902	Ethics violation
C2022-000043178	21-1903	Failure to follow department rules
C2022-000043238	21-1965	Violence in the workplace
C2022-000043294	21-2029	Failure to follow department rules/incompetence
C2022-000043295	21-2030	False information submitted to the City
C2022-000043296	21-2031	Duty disability fraud
C2022-000043297	21-2032	Time fraud
C2022-000043298	21-2033	Secondary employment
C2022-000043299	21-2034	Ethics violation
C2022-000043300	21-2035	Forgery/fraud
C2022-000043302	21-2037	False statements
C2022-000043389	21-2125	Failure to follow department rules
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

Case Number ⁵	Legacy ID	General Nature of Allegations
C2022-000043428	21-2164	Ethics violation
C2022-000043429	21-2165	Secondary employment/improper use of City resources
C2022-000043430	21-2166	Theft
C2022-000043431	21-2167	Ethics violation
C2022-000043537	21-2275	Secondary employment/false statements
C2022-000043538	21-2276	Secondary employment
C2022-000043539	21-2277	Duty disability fraud

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.⁶

This quarter, OIG received no intakes 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/or the City departments or entities affected by or involved in the investigation.

Following here 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,⁷ 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.⁸

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

⁶ 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/>

⁷ 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

⁸ 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

and outcome of the cases for public reporting purposes and thus may not contain all allegations and/or findings for each case.

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

OIG Case Number	Department or Agency	OIG Recommendation	Department or Agency Action
C2022-000042840	Streets and Sanitation	Discipline commensurate with the gravity of the violations.	45-day suspension
C2022-000043835	Streets and Sanitation	Discharge and placement on the ineligible for rehire list.	30-day suspension

1 | Consuming Alcohol During Work Hours (C2022-000042840)

An OIG investigation established that two Department of Streets and Sanitation (DSS) general laborers violated the City's personnel rules by drinking alcohol, while on duty, on numerous occasions. Specifically, on August 12, 2021, the general laborers consumed alcoholic beverages at a bar and grill near the end of their route during work hours. The general laborers also admitted to consuming alcoholic drinks, at the same establishment, during work hours on several other occasions.

OIG's investigation revealed that during COVID-19 protocols, DSS laborers were permitted to take their lunch breaks after their routes were completed and were not required to return to the DSS facility until it was time to swipe out. As such, laborers independently managed a large part of their workday without oversight after their routes were completed.

OIG recommended that DSS impose discipline against both general laborers, commensurate with the gravity of their violations, past disciplinary records, and any other relevant considerations. In response, DSS issued a 45-day suspension to each general laborer. Both general laborers requested a hearing and the 45-day suspensions were sustained.

2 | Use of Alcohol While Operating a City Vehicle (C2022-000043835)

An OIG investigation established that a DSS Deputy Commissioner consumed alcohol immediately before operating a City vehicle. Specifically, on February 15, 2022, the Deputy Commissioner left City Hall in their assigned City vehicle and drove to a restaurant where they met two other individuals. Over the course of approximately two hours at the restaurant, the Deputy Commissioner consumed nearly three alcoholic beverages. Immediately after consuming alcohol, the Deputy Commissioner returned to their assigned City vehicle and drove home. City time records indicate that the Deputy Commissioner further violated the City's Personnel Rules because they were on duty while drinking alcohol.

Based on the Deputy Commissioner's use of a City vehicle after consuming alcohol, their consuming alcohol while on duty, and their status as a high-level supervisor, OIG recommended that DSS discharge the Deputy Commissioner and refer them for placement on the Ineligible for Rehire list maintained by the Department of Human Resources (DHR). Additionally, OIG recommended that DSS immediately notify the Department of Assets, Information and Services

(AIS) of the violation of its Vehicle and Equipment Policy so that AIS may take whatever action it deems necessary to protect City property.

Although DSS agreed with OIG's findings on the violations, in response, DSS imposed a 30-day suspension and revoked the Deputy Commissioner's take-home privileges associated with use of any City vehicle. In disagreeing with OIG's recommendation, DSS noted that based on the entirety of the circumstances, the conduct should not result in immediate discharge. DSS further noted that the Deputy Commissioner had 25 years of service with the City, during which they have been recognized as an asset with various commendations and promotions, and that there have been no reports of egregious behavior that would indicate this to be a continuous concern.

C | Synopses and Developments on 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.

The following table summarizes ongoing criminal cases that relate to closed OIG investigations and provides the current status of the criminal proceedings. Notably, criminal charges are not evidence of guilt; a defendant is presumed innocent and entitled to a fair trial at which the government has the burden of proving guilt beyond a reasonable doubt.

Table 8: Developments in Prior Charged Criminal Cases

OIG Case Number	Criminal Case	Date Charged	Summary	Status
17-0519 18-0738 18-0952	USA v. William Helm, 20-CR-00141 (N.D. IL)	3/5/2020	Helm, a former Chicago Department of Aviation Deputy Commissioner, was indicted for bribery related to a federal program, based on his offer to pay Illinois State Senator and Chairman of the Senate Transportation Committee Martin Sandoval, in order to influence the Illinois Department of Transportation's award of work to a particular contractor.	The next status hearing is scheduled for January 6, 2023.

18-0163	USA v. Austin et al, 21-CR-408	7/1/2021	Alderson Carrie Austin was indicted on federal bribery charges and further charged with making false statements to a Federal Bureau of Investigations agent. Chester Wilson, Austin's chief of staff, was charged with bribery and theft of government funds. The charges against Austin and Wilson allege that each was provided with personal benefits by the owner of the construction company and other contractors to influence them in their official capacities, and that Wilson engaged in a separate scheme to purchase Supplemental Nutrition Assistance Program (SNAP) benefits at a discount despite the fact that he is ineligible for SNAP benefits due to his City of Chicago salary.	On November 18, 2022, Austin filed a motion to be declared medically unfit for trial. The federal government filed its response to that motion on December 16, 2022.
19-0313	USA v. William Mahon, 19-CR-226-11 (N.D. IL)	12/17/21	William Mahon, a Department of Streets and Sanitation 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, conspired to obstruct regulators and falsify bank records and that he filed numerous false tax returns.	Trial has been set for September 5, 2023. The next status hearing is on January 18, 2023.

13-0270	USA v. Kenneth Ford, 22-CR-00454 (N.D. IL)	9/15/22	Kenneth Ford, the Executive Director of Public Image Partnership (PIP), a former grant recipient of the City, was indicted for making a false statement to the FBI regarding payments that PIP made to an individual who did not perform any work for PIP.	On September 15, 2022, Ford was indicted.
---------	--------------------------------------------	---------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------

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 an administrative appeal resulting from an OIG investigation.

As reported in the Third Quarter 2021 report, an OIG investigation (OIG case number C2022-000041136) established that a Chicago Department of Aviation (CDA) motor truck driver (MTD) committed conduct unbecoming a City employee when the MTD posted a photo to their Facebook account of the MTD holding a handgun with the message "Proud Boys, KKK, or any of you other Hate Mongers...we ready! Bring that foolishness this way if you want 2." Specifically, OIG's investigation developed evidence showing that the MTD's post—which they claimed to have staged and created in a public bathroom at a Menards store and uploaded while they were off duty—occurred after the MTD was alleged to have referred to several of their colleagues in the CDA break room as "the Klan" or "KKK." After being made aware of the Facebook post, several of the MTD's colleagues alerted CDA of their fear that the MTD might be seeking to harm them with a firearm. OIG recommended that CDA impose discipline up to and including discharge against the MTD, commensurate with the gravity of their violations, past disciplinary record, and any other relevant considerations. In response, CDA discharged the MTD on September 21, 2021. The MTD appealed their discharge to the Human Resources Board (HRB).

The HRB affirmed CDA's decision to discharge the MTD finding that while the MTD's conduct did not cause any "actual harm," it caused his co-employees "concern of a significant risk of harm even if that harm never materialized."

Further, the HRB ordered the City, within 180 days of the date of its decision, to implement a Social Media Policy which advises City employees on which types of social media postings may subject an employee to discipline.

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.⁹

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.

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.¹⁰ 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 Board of Ethics for adjudication.

This quarter, OIG closed one campaign finance matter that involved \$5,000 in disallowed contributions. Details are provided in the table below.

Case #	Donation Amount (Year)	Donation Source	Amount of Returned Funds
C2022-000043941	\$5,000 (2022)	Owner of a subcontractor of a City contractor	\$5,000

⁹ 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.

¹⁰ 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.

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.

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, 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 these audit-based inquiries, OIG makes recommendations to improve the policies, procedures, and practices of those entities. The following summarizes two Public Safety section reports released this quarter.

1 | Public Safety Draft 2023 Outlook on Police Oversight and Accountability for Public Comment¹¹

Each year, OIG publishes an Outlook on Police Oversight and Accountability that lists projects under consideration for launch in that year by the Public Safety section. Potential projects are listed in categories corresponding to the Public Safety section's strategic priorities: (a) CPD operational competence; (b) discipline and accountability; and (c) constitutional policing. In October 2022, OIG published its draft Outlook for public comment. The public comment period was open from October 18 to December 2, and OIG is grateful to all those who responded with comments during that period. The final version of the Outlook on Police Oversight and Accountability has been published and is available on OIG's website.¹²

The list of projects is intended to serve as a guiding document and is subject to change. The Public Safety section may initiate other projects over the course of the year and the section may not undertake each of the listed projects in 2023. Potential projects are developed from a variety of sources, including input from community members, CPD members, and OIG staff.

2 | The Chicago Police Department's Peer and Supervisory Wellness Support Strategies (#C2022-000028187)¹³

OIG conducted an inquiry into two CPD strategies to support members' mental health and wellbeing, here termed "officer wellness support strategies." The two officer wellness support strategies evaluated in this inquiry were (1) the Peer Support Program (PSP) and (2) CPD's reliance on frontline supervisors to monitor their officers' mental health and refer them to services as needed.

Most of CPD's existing officer wellness programs are run through its Professional Counseling Division (PCD). PCD's services include the Employee Assistance Program, Traumatic Incident Stress Management (TISM) Program, Alcohol-use and Substance-use Services Program, and PSP.

¹¹ Published October 18, 2022. See <https://igchicago.org/2022/10/18/public-safety-draft-2023-outlook-on-police-oversight-and-accountability-for-public-comment/>.

¹² Published January 11, 2023. See <https://igchicago.org/2023/01/11/2023-oig-public-safety-outlook/>.

¹³ Published November 2, 2022. See <https://igchicago.org/2022/11/02/the-chicago-police-departments-peer-and-supervisory-wellness-support-strategies/>.

Additionally, the Department charges supervisors with identifying members who may be struggling with their mental health and referring them to professional services as needed, whether within or outside the programs offered through PCD.

The objectives of this inquiry were to determine: (1) whether PSP is designed and implemented in accordance with best practices as defined by mental health experts and the policing profession; and (2) whether CPD adequately prepares its supervisors to identify members in need of mental health assistance. OIG opted to review just two of CPD's officer wellness support strategies because the full universe of officer wellness strategies is too broad to review comprehensively in the space of a single report. Other CPD officer wellness strategies and PCD programs may be topics of future OIG inquiry.

At the conclusion of this inquiry, OIG reached two findings:

1. Several operational limitations prevent PSP from better meeting officer wellness needs. Specifically, there are deficiencies in recruitment and staffing, training, documentation and record-keeping, internal communications, and cultural competency.
2. CPD does not adequately prepare its supervisors to identify members in need of wellness services and does not ensure that supervisors remain up to date on supervisory responsibilities relating to officer wellness.
 - a. Some supervisors expressed the opinion that they were not fully prepared for their wellness support roles.
 - b. Some supervisors lacked knowledge of key aspects of their wellness support responsibilities.
 - c. CPD has provided supervisors with little in-service officer wellness training, and strategies for new directive rollouts have been insufficient to keep supervisors informed of directive changes.

In light of these findings, OIG made 13 recommendations to CPD. The first set of recommendations addressed gaps between PSP structure and practices and best practices for peer support programs in law enforcement contexts, including suggestions for more intentional recruitment planning; more regular training and updated training materials; improved documentation and recordkeeping practices; increased mechanisms for feedback between PSP volunteers and program administrators; and increased attention to cultural competency within peer support services. The second set of recommendations suggested improvements to CPD's in-service training of supervisors and efforts to keep supervisors informed of changes to directives that impact their roles and responsibilities as they relate to the wellness of CPD members under their supervision.

In response, for each of OIG's recommendations, CPD responded either that implementation of corrective action is ongoing or provided an anticipated timeline for 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.

Further, Paragraph 444 of the consent decree entered in *Illinois v. Chicago* requires the Public Safety section to review and analyze complaints of sexual misconduct by CPD members and to report on that analysis annually.

This quarter, the Public Safety section's Investigative Analysis unit performed an initial screening of 233 closed disciplinary cases and opened 17 for in-depth review.

Table 9: Disciplinary Cases Reviewed

Agency	Cases Screened	Cases Opened
BIA	136	4
COPA	97	13
Total	233	17

1 | Recommendations to Reopen Closed Disciplinary Investigations

This quarter, OIG reviewed two BIA investigations and three COPA investigations that contained deficiencies materially affecting their outcomes; two letters of recommendation to reopen were sent to BIA and three to COPA. BIA has not responded to the recommendations. COPA has responded to two recommendations, accepting one and declining one recommendation to reopen.

Additionally, by the end of the quarter,

- OIG received responses to one recommendation to reopen that was made to COPA and one to BIA in Q3. Both recommendations to reopen were accepted.
- BIA accepted a recommendation to reopen an investigation reviewed in Q3 and closed two investigations that were reopened based on recommendations made in Q2. The closed investigations are detailed below.

There are three pending responses from agencies on recommendations to reopen materially deficient investigations.

Table 10: Responses Pending with Agencies at the End of Q4

OIG Case Number	Agency	Date Recommendation Was Sent to Agency
C2022-000044126	COPA	November 17, 2022
C2022-000044121	BIA	December 14, 2022
C2022-000044107	BIA	December 29, 2022

OIG will publish further details on these investigations once the investigating agency has responded to the recommendations or once final agency action has been taken on the investigation.

a | Recommendation to Reopen to Conduct an Analysis Regarding Whether Membership in the “Oath Keepers” Organization violates CPD Policies (C2022-000043997)

OIG reviewed an investigation conducted by BIA involving a CPD member alleged to have been a member of the organization known as the “Oath Keepers,” an organization whose website states that its members would “not obey unconstitutional (and thus illegal) and immoral orders.”¹⁴ The Oath Keepers, recognized by the Southern Poverty Law Center as a “far-right anti-government group,”¹⁵ has been described in a recent federal grand jury indictment as a “large but loosely organized collection of individuals, some who are associated with militias.”¹⁶ Since the group was founded in 2009, its members have been involved in a number of violent confrontations with government actors throughout the country dating back to the group’s inception.¹⁷

As reflected in its investigative file, BIA initiated an investigation after OIG referred a complaint arising from a news article that reported the CPD member’s involvement with the Oath Keepers. During the investigation, BIA interviewed the accused CPD member who admitted to being a former member of the Oath Keepers, having joined in 2010 or 2011 and having been a member for three to four years. BIA reached a finding of Not Sustained on the allegation that the CPD member was a “member of a far-right terror group as documented in a news article.”

OIG found that BIA’s analysis failed to address the applicability of CPD’s Rules and Regulations and did not answer the question of whether the CPD member’s membership in the Oath Keepers itself constitutes a violation of CPD policy. OIG recommended that BIA reopen the investigation to conduct any necessary additional investigation, potentially to include without limitation seeking authorization from the Superintendent to investigate allegations of misconduct occurring more than five years ago if necessary; ordering the CPD member to produce all records and documents regarding their membership of affiliation with the Oath Keepers, including documentation of when they joined and when they ceased being an active member; and reinterviewing the CPD member regarding what, if any, rules, regulations, or policies of CPD they refused to obey because they believed them to be illegal or unconstitutional. OIG further recommended that BIA document an

¹⁴ Oath Keepers, “About Oath Keepers,” accessed by Internet Wayback Machine on March 27, 2012, as accessed by OIG on June 28, 2022, <https://web.archive.org/web/20120327040603/http://oathkeepers.org/oath/about/>. Compare Rules and Regulations of the Chicago Police Department §§ II.D.IV.C 3 (eff. April 16, 2015)(requiring CPD members to “[e]nforce[]...all laws and ordinances” and “[k]now and conform to the Department’s Policy, Rules, Regulations, Orders, Procedures and Directives”).

¹⁵ Southern Poverty Law Center, “Oath Keepers,” accessed January 12, 2023, <https://www.splcenter.org/fighting-hate/extremist-files/group/oath-keepers>.

¹⁶ Indictment ¶ 3, *United States vs Rhodes*, No. 22 Cr 15 (D.D.C. June 22, 2022) (ECF No. 167) (indicting Oath Keepers’ founder and associates on charges, including Seditious Conspiracy, in connection with January 6 attack on U.S. Capitol), see also Statement of Offense ¶ 3, *United States v. Ulrich*, No. 22-cr-15 (D.D.C. April 29, 2022) (ECF No. 117).

¹⁷ See, e.g., *United States v. Bundy*, 968 F.3d 1019, 1023-24 (9th Cir. 2020) (describing 2014 incident in which Oath Keepers joined with Nevada rancher Cliven Bundy in an armed standoff with federal law enforcement), *United States v. Huff*, 630 F. App’x 471, 474-76, 490-91 (6th Cir. 2015) (affirming federal firearms conviction of Oath Keepers member in connection with a 2010 attempt to take over a Tennessee courthouse to perform citizens’ arrest on local officials for failure to indict President Obama on fraud and treason charges). See also Center for Strategic & International Studies, “Examining Extremism: The Oath Keepers,” accessed January 12, 2023, <https://www.csis.org/blogs/examining-extremism/examining-extremism-oath-keepers>

appropriate analysis of whether the CPD member's membership in the Oath Keepers violates any of the Chicago Department's Rules and Regulations, including but not limited to Rules 2 and 3.¹⁸

BIA accepted OIG's recommendation and reopened the investigation. After meeting with OIG to discuss the case and as documented in a supplementary closing report, BIA re-closed the investigation leaving its original findings unchanged. As described in that report, during its meeting with OIG, CPD "mentioned that memberships into organizations in itself is not a rule violation."

In its supplementary closing report, in support of that conclusion and in response to OIG's suggestion that BIA gather more information from the accused member, the BIA investigator wrote that "[w]ithout administrative subpoena power, [BIA] cannot compel [the accused member] to produce records or documents regarding his membership or affiliation." Notably, however, CPD's General Order G08-01, "Complaint and Disciplinary System," obligates all CPD members to "cooperate with any ongoing administrative Log Number investigation," including by "providing all requested documents and evidence under the Department member's custody and control." That is, it would have been plainly within BIA's authority to compel information and documents from the accused member in furtherance of its investigation if it had determined to do so.

Further, despite the accused member's confirming his membership in the Oath Keepers as was publicly reported, the assigned BIA investigator wrote of that public reporting that the "Oath Keepers list came from a hacked source and calls into question the authenticity of the items being compared and the membership dates, membership type, and membership length."

Finally, BIA's supplementary closing report refers to a memorandum memorializing a conversation, which apparently occurred before BIA's investigation into this matter was initiated, between a now-retired BIA supervisor and an individual agent of the Federal Bureau of Investigation (FBI) in which the FBI agent described the Oath Keepers as an "anti-government right-wing group" that had "not been documented by the FBI as a terrorist group."

b | Recommendation to Reopen to Consider all Available Evidence (C2022-000043952)

OIG reviewed an investigation initiated by COPA involving a CPD member alleged to have used excessive force against a complainant. COPA's investigation of the initial allegation of excessive force was subsequently unfounded. However, COPA referred the investigation to BIA, noting that available body worn camera (BWC) footage revealed possible misconduct by a CPD sergeant falling under BIA's jurisdiction. Specifically, COPA noted that a CPD Sergeant refused to take the complainant's complaint of misconduct against other responding officers and exhibited an unprofessional demeanor toward the complainant. BIA investigated and sustained the allegation

¹⁸ Rules and Regulations of the Chicago Police Department, Article V. Rules of Conduct Rule 2 prohibits [a]ny action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department. The comment to CPD's rule makes explicit that it "applies to both the professional and private conduct of all members. It prohibits any and all conduct which is contrary to the letter and spirit of Departmental policy or goals or which would reflect adversely upon the Department or its members. It includes not only all unlawful acts by members but also all acts, which although not unlawful in themselves, would degrade or bring disrespect upon the member or the Department, including public and open association with persons of known bad or criminal reputation in the community unless such association is in the performance of police duties." Rule 3 prohibits [a]ny failure to promote the Department's efforts to implement its policy or accomplish its goals. It expressly applies to conduct "on or off duty."

that the CPD Sergeant failed to take a complaint of misconduct. However, BIA did not investigate or document any analysis regarding unprofessional conduct.

In the underlying incident, CPD members responded to a call for service during which a CPD member and the complainant engaged in a verbal altercation. The complainant repeatedly asked the CPD members for a supervisor. The CPD member engaged in the verbal altercation shouted at and mocked the complainant. While the complainant spoke with the CPD Sergeant via speakerphone, the CPD member mocking the complainant can be seen and heard on BWC footage laughing. The complainant handed the phone back to the CPD member with the CPD Sergeant still on speakerphone. The CPD member asked the CPD Sergeant if they would be coming to the scene, and the CPD Sergeant asked, "What is [the complainant's] f——g problem?" Other CPD members who were on the scene are also seen and heard laughing on the BWC footage. The CPD member responded to the CPD Sergeant, while laughing, "I can't determine if [the complainant is] mental or not," while another CPD member stated, "I think [they are]." The CPD Sergeant arrived on the scene, and immediately told the complainant, "You got to go." The CPD Sergeant also called the complainant "condescending," asked the complainant if they needed to go to the hospital because they "seemed to have mental problems," and asked if the complainant has ever been diagnosed with a mental problem. The complainant asked what district the CPD Sergeant worked in; the CPD Sergeant did not answer. The CPD Sergeant asked for the complainant's ID and stated that the complainant was "not all here."

OIG recommended that BIA reopen its investigation to account for all available evidence, noting that the evidence available in BIA's investigative file may, in fact, have supported a Sustained finding for additional allegations of possible misconduct committed by the CPD Sergeant. OIG also recommended BIA determine whether it would be appropriate to bring allegations against the other responding CPD member, including an allegation that the CPD member failed to activate their BWC.

BIA accepted OIG's recommendation and reopened the investigation to address the additional allegations against the CPD Sergeant and brought additional allegations against one of the other responding CPD members. BIA memorialized its additional investigative activity in a supplementary closing report.

BIA exonerated the CPD member of the allegations that they were rude and unprofessional and that they failed to activate their BWC. BIA concluded that the CPD member acted in compliance with CPD General Order G03-02-01, "Response to Resistance and Force Options," which allows members to "vary the level of assertiveness of their communication depending on the type of police-public encounter and whether a serious crime has been committed or life or property is at risk." BIA concluded that the BWC video showed only that the CPD member raised his voice with the complainant while trying to establish if the complainant was a criminal trespasser. BIA further determined that the CPD member reported their BWC as inoperable to the CPD Sergeant prior to the incident, as required.

BIA sustained additional allegations against the CPD Sergeant for failing to obtain a help desk ticket for the inoperable BWC, and for disrespect or maltreatment to a person while on or off duty. BIA recommended that the CPD Sergeant receive a two-day suspension.

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 reports released by APR this quarter.

1 | The Department of Planning and Development's Administration of the Neighborhood Opportunity Fund Small Grants Program (#21-0395)¹⁹

OIG conducted an audit of the Department of Planning and Development's (DPD) administration of the Neighborhood Opportunity Fund (NOF) Small Grants program. NOF is an economic development tool funded by payments from developers allowed to build downtown construction projects that exceed size limits of the Chicago Zoning Ordinance. NOF Funds are used for grants to businesses and cultural organizations in historically disinvested areas on the South and West Sides.

OIG found that DPD awarded NOF small grants to eligible applicants and ensured that grantees complied with program requirements. While there was room for improvement, the Department's grantee selection and project monitoring processes aligned with best practices by clearly defining program eligibility, measuring applicants against criteria, and ensuring that grantees are reimbursed only for eligible and approved costs. However, OIG also found that the Department had no specific, documented program goals and did not formally measure the program's performance. This precludes DPD from determining whether the NOF Small Grants program achieves its intended effect of improving social and economic outcomes.

OIG recommended that DPD improve its current procedures to ensure completion of all grantee selection steps and retention of related records. OIG also recommended that the Department define measurable program goals and develop performance measurement procedures that facilitate the assessment of progress toward those goals. Finally, OIG recommended that DPD ensure that it collects contractually required quarterly performance reports from the program administrator. In response, DPD stated that it will develop comprehensive procedures to track and retain selection process procedure results. In addition, the Department will work with an external consultant to convert the guiding principles of the NOF Small Grants program into clear measurable goals. Finally, DPD committed to implementing a quarterly program performance process that will include reviewing the program administrator's contractually required reports and briefing senior staff on the program's progress.

¹⁹ Published December 28th, 2022. See <https://igcncicago.org/2022/12/28/the-department-of-planning-and-developments-administration-of-the-neighborhood-opportunity-fund-small-grants-program/>.

2 | Follow-Up to OIG's Audit of the City's Capital Improvement Program Development and Evaluation (#C2022-000043821)²⁰

OIG completed a follow-up to its December 2020 audit of the City's Capital Improvement Program (CIP) Development and Evaluation. OIG concluded that the Office of Budget and Management (OBM) had substantially implemented one of nine corrective actions, partially implemented six others, and has not implemented two corrective actions related to the audit findings.

The purpose of the 2020 audit was to determine whether the City developed and evaluated its CIP, a five-year plan for infrastructure spending, in accordance with leading practices from the United States Government Accountability Office. The audit found that the City's CIP process largely followed leading practices for development but did not consistently evaluate goal achievement using performance measures or incorporate lessons learned from completed projects. Based on the results of the 2020 audit, OIG recommended that OBM define, standardize, and document Citywide processes aligning with GAO leading practices, thereby providing a strong framework for capital decision-making independent of external funders' requirements. Specifically, OIG recommended that OBM guide City departments responsible for CIP allocations to,

- conduct comprehensive needs assessments to identify capital assets necessary to meet both program-specific and general City goals;
- maintain inventories of capital assets that include updated status reports on their conditions;
- compare current assets to needed assets and determine how to bridge the gap, including consideration of alternative approaches such as public-private partnerships;
- establish review and approval frameworks with pre-defined project ranking and selection criteria that are both generally applicable and particular to each major program;
- create multi-year plans that anticipate future resource needs and implementation priorities;
- use performance measures to evaluate the results of completed projects about general and program-specific goals; and
- engage in post-completion evaluation processes that include sharing lessons learned within and across departments.

OIG also recommended that OBM monitor departments' adherence to the guidance and provide further support and direction as needed. In the interest of transparency and to promote public engagement, OIG further recommended that OBM initiate collaboration on capital planning with the City Council Committee on Economic, Capital, and Technology Development, consider re-establishing the Capital Improvement Advisory Committee, and resume the practice of hosting geographically diverse community meetings regarding capital planning. Finally, OIG recommended that OBM provide more information online about capital project selection criteria, project results, and opportunities for public input. In its response to the audit, OBM described corrective actions it would take.

In February 2022, OIG inquired about corrective actions taken by OBM in response to the 2020 audit. Because OBM developed the CIP in collaboration with other departments, OIG also inquired of the four departments that account for the vast majority of the CIP projects—AIS, CDA, Chicago Department of Transportation (CDOT), and Department of Water Management (DWM)—to better understand how the City had implemented corrective actions. OIG concluded that OBM had

²⁰ Published December 22, 2022. See <https://igchicago.org/2022/12/22/follow-up-to-oigs-audit-of-the-citys-capital-improvement-program-development-and-evaluation/>

substantially implemented guiding departments to conduct comprehensive needs assessments and create multi-year plans that anticipate and prioritize future needs. OBM had partially implemented the guiding of departments to maintain inventories, compare current assets to needed assets, and establish review and approval frameworks. Additionally, OBM had partially initiated collaboration on capital planning with the City Council Committee on Economic, Capital, and Technology Development, engaging public stakeholders, and providing more information online about the capital planning process and opportunities for public input. OIG urged OBM to complete implementation of its guidance that departments use performance measures, evaluate completed projects relative to documented goals, and share the lessons learned from these evaluations with relevant departments.

3 | Follow-Up to OIG's Audit of the Municipal Depository Designation Process (#C2022-000043978)²¹

OIG completed a follow-up to its August 2021 audit of the Department of Finance's (DOF) administration of the process for designating municipal depositories. Banks designated as depositories hold and pay interest on funds deposited by the City and the Chicago Board of Education, essentially serving as the City's checking accounts. Based on the Department's responses, OIG concluded that DOF has partially implemented corrective actions related to the audit findings.

The purpose of the 2021 audit was to determine whether DOF ensured that banks applying for municipal depository designations submitted the required information and whether DOF used the information to ensure that the City partners with institutions that not only have the capacity to fulfill its banking needs but also provide inclusive and equitable financial services across Chicago's communities. OIG found that although DOF ensured that banks submitted all documentation required by the Request for Proposals (RFP), it did not evaluate whether the banks provided inclusive and equitable financial services throughout Chicago. Furthermore, OIG found that DOF, City Council, and the City of Chicago Treasurer's Office had not coordinated their roles in the municipal depository designation process to achieve the City's inclusivity and equity goals.

Based on the results of the audit, OIG recommended that DOF, in collaboration with City Council's Committee on Finance, develop and implement a process to evaluate banks' lending and deposit records for equitable financial services provision. OIG recommended that the process include provisions related to sharing evaluation results with Council and applicant banks. OIG also recommended that DOF collaborate with Council and the Treasurer's Office to develop a coordinated municipal depository designation process that aligns with the City's equitable banking goals and allows the City to deposit public funds with banks that share and live up to those goals. In its response to the audit, DOF described corrective actions it would take.

In September 2021, City Council passed an updated version of the Municipal Depositories Ordinance that expands applicant banks' reporting requirements and directs DOF to fulfill its related duties in a more transparent manner. The Committee on Finance held subject matter hearings in December 2021 and 2022, as required by the Ordinance. During the hearings, DOF shared information about applicant banks' lending performance and the Woodstock Institute shared its

²¹ Published December 21, 2022. See <https://ig.chicago.org/2022/12/21/follow-up-report-to-oigs-audit-of-the-designating-municipal-depositories/>

analysis of applicant banks' lending performance. The hearings allowed for public and aldermanic comment on persistent lending disparities in Chicago.

In June 2022, OIG inquired about corrective actions taken by DOF in response to the audit. Based on DOF's follow-up response, OIG concluded that DOF partially implemented corrective actions. Specifically, DOF formed an Evaluation Committee with staff from Council's Committee on Finance, the Treasurer's Office, and the City of Chicago Department of Housing (DOH) to ensure that RFP submissions are complete. Furthermore, DOF revised its RFP language to reflect Ordinance updates and published applicant banks' responses through the Chicago Data Portal. DOF had not, however, set targets for equitable lending and deposit activity or defined the goals of the municipal depository designation process.

B | Advisories and Department Notification Letters

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

1| Notification to the Department of Assets, Information and Services Regarding Deficient Contractor List (C2022-000044047)

OIG issued a notification to AIS concerning its noncompliance with subsection MCC § 2-156-520(a), which requires AIS to "compile a list of all contractors, who did business . . . with the City, Chicago Transit Authority, Board of Education/Chicago School Reform Board of Trustees, Chicago Park District, Chicago City Colleges and the Metropolitan Pier and Exposition Authority." Because persons or entities "doing business" with the City and the other enumerated entities are subject to a \$1,500 contribution limitation per reporting year to candidates and elected officials for City office, active maintenance and availability of the list required by MCC § 2-156-520(a) would critically facilitate OIG's enforcement of campaign finance laws. An OIG inquiry revealed that the current list compiled by AIS includes only City of Chicago contractors and not the other entities referenced in the provision. Therefore, the list does not contain data that may be used for campaign finance enforcement involving persons or entities which do business with the Chicago Transit Authority, Chicago Board of Education, Chicago Park District, Chicago City Colleges, and the Metropolitan Pier and Exposition Authority.

In response to OIG's notification, AIS stated that there is not currently a mechanism for the City to collect the required information from non-City entities. As each of the listed agencies is a separate entity with its own financial and enterprise systems, there is not a single information system that pulls in information from the City, Chicago Transit Authority, Chicago Board of Education, Chicago Park District, Chicago City Colleges, Chicago Housing Authority, PBC, and the Metropolitan Pier and Exposition Authority. However, AIS plans to convene the relevant agencies by the end of Q4 2022 to determine how to compile and provide this information while simultaneously working to update its existing public-facing website to make it more user-friendly, understandable, and accessible. AIS expects improvements to be completed by the end of Q1 2023.

C | Other Reports and Activities

In the service of its mission to promote economy, effectiveness, efficiency, and integrity, OIG may periodically undertake 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.

1 | Close-Out and Status Report of The Chicago Procurement Reform Task Force (PRTF)

On November 23, 2022, the City and its sister agencies (collectively, the Participating Members) transmitted to OIG a document—dated “October 2023”—titled “Close-Out and Status Report of The Chicago Procurement Reform Task Force” (PRTF). The report’s covering memorandum states: “It has been determined by the participating members that the work of the PRTF is complete to the extent that all feasible recommendations could be and have been implemented. To that end, this will be the final report submitted.”

Mayor Rahm Emanuel convened the PRTF on May 27, 2015, to identify opportunities for the Participating Members to implement best practices for awarding, managing, and overseeing public contracts. On November 17, 2015, PRTF reported its findings and made 31 recommendations, grouped into five categories, representing the essential principles of government procurement: competition, efficiency, transparency, integrity, and uniformity.

In January 2016, the Participating Members entered into an Intergovernmental Agreement (IGA) to work together to implement these recommendations. As OIG reported in the third quarter of 2022, this IGA provided for an initial five-year term (2016 through 2021) with two automatic extensions of two years each (2021 through 2023, and 2023 through 2025) unless all Members agreed in writing not to extend the project. Because the Members did not execute such writing before January 2021, the first automatic extension is currently in effect. Further, the IGA required the Members to issue four reports per year: quarterly reports within 14 days after the end of each calendar quarter ending in March, June, and September; and an annual report within 60 days after the end of each calendar year. The ordinance authorizing the City to enter into the IGA required OIG to issue an independent evaluation of the Participating Members’ progress in implementing the recommendations within 90 days following the issuance of each annual report.

Pursuant to this requirement, on or before February 21, 2023, OIG will publicly release an evaluation of the “Close-Out and Status Report.” Notably, by its terms, because the parties did not agree in writing to forgo the first of the two automatic extensions, the IGA was not eligible for termination until January 2023.

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 administrative disciplinary investigative 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 monitoring the City's employment actions, and include 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 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 | Hiring Process Reviews

a | Contacts by Hiring Departments

OIG tracks all reported or discovered instances where 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 did not receive any notifications of direct contacts.

b | Political Contacts

OIG tracks all reported or discovered instances where 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 notice of eight political contacts that were related to nine new candidates and previous City employees.

Table 11: Political Contacts Received in Q4

Elected Official (Position)	Reported By (Department or Title)	Reason for Contact
Alderpersion	DHR	Candidate currently listed on the Ineligible for Rehire List.

Alderman	DHR	Previous employee petitioned to be removed from the Ineligible for Rehire List.
Alderman	DHR	Candidate for the Firefighter/EMT exam.
Alderman	DHR	Candidate for the Firefighter/EMT exam.
Deputy Mayor	DHR	Inquiry regarding three candidates for the Firefighter/EMT exam.
Two Aldermen	DHR	Inquiry regarding a candidate for the Firefighter/EMT exam whose availability changed due to military leave.
Alderman	DHR	Inquiry regarding constituent's denial for a vacant attorney position.

c | Exempt Appointments

OIG tracks all reported or discovered *Shakman*-exempt appointments and modifications to the Exempt List on an ongoing basis.²² During this quarter, OIG received notification of 54 exempt appointments.

d | Senior Manager Hires

OIG may review hires pursuant to Chapter VI of the City's Employment Plan covering the Senior Manager Hiring Process. During this quarter, OIG reviewed six hiring files and found one violation.

e | 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 did not receive from DHR any disciplinary decisions, arbitration decisions, or settlement agreements that may impact the procedures outlined in the City's Employment Plans.

f | Modifications to Class Specifications,²³ 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 hiring departments proposed modifications to the minimum qualifications for five titles within the following departments: CDA, Office of Public Safety Administration (OPSA), and Chicago Department of Public Health (CDPH). OIG reviewed the proposed changes to minimum qualifications and expressed concern for one title

²² 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.

²³ 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

within CDA.

CDA proposed to modify the minimum qualifications for a Senior Manager position to require more years of experience in data processing systems design and supervising. In response, OIG inquired whether CDA should include the additional years of experience as a preferred qualification in lieu of modifying the minimum qualifications. CDA contended that modifying the minimum qualifications to require more years of experience was in alignment with the position being a senior-level position that would attract highly skilled candidates. However, after consideration, CDA decided not to modify the minimum qualifications.

g | Selected Hiring Sequences

Reviewing hiring sequences requires an examination of hire packets, which include all documents and notes maintained by City employees involved in the selection and hiring process for a particular position. As required by the Employment Plan, OIG examines some hire packets during the hiring process and examines other packets after the hires are completed. This quarter, OIG completed reviews of four hiring sequences across two City departments that were completed within the quarter. OIG selected these hiring sequences based on risk factors such as past errors and complaints.

The table below details the hire packet reviews completed by OIG this quarter.

Table 12: Hiring Sequences Reviewed in Q4

Department	Title	Findings	OIG Recommendation	Department Action
Chicago Public Library	Librarian II – Adult	No errors or violations	N/A	N/A
Department of Streets and Sanitation	Director of Finance	No errors or violations	N/A	N/A
Department of Streets and Sanitation	Field Sanitation Investigator	No errors or violations	N/A	N/A
Department of Streets and Sanitation	Refuse Collection Coordinator	No errors or violations	N/A	N/A

h | Review of Contracting Activity

OIG is required to review City departments' compliance with the City's Contractor Policy (Exhibit C to the City's Employment Plan). Per the Contractor Policy, 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.

Under the Contractor Policy, departments are not required to notify OIG of all contracts or solicitation agreements or task orders. However, all contracts and solicitation agreements of which

OIG receives notice will be reviewed. In addition, OIG will request and review a risk-based sample of contract documents from departments. This quarter, OIG reviewed one contract.

2 | Hiring Process Audits

a | 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 audited one referral list that contained a violation. As a result, OIG self-initiated an inquiry that is ongoing. OIG will report its findings in a future quarterly report.

b | Testing

OIG may conduct an audit of DHR test development, administration, and scoring each quarter.²⁴ This quarter, OIG audited testing materials for one test administration covering one City department. OIG's review is ongoing.

c | Selected Hiring Sequences

Each quarter, OIG may audit in-process hiring sequences conducted by the following departments or their successors: AIS, CDA, Department of Buildings (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, OPSC, Office of Emergency Management and Communications, and Department of Family and Support Services.

Auditing a hiring sequence requires an examination of hire packets, which include all documents and notes maintained by City employees involved in the selection and hiring process for a particular position. As required by the Employment Plan, OIG examines some hire packets during the hiring process and examines other packets after the hires are completed. This quarter, OIG initiated an audit of one hiring sequence that is currently ongoing. OIG selected this hiring sequence based on risk factors such as past errors and complaints. OIG will report its findings in a future quarterly report.

d | Selected Department of Law Hiring Sequences

Pursuant to Section B.7 of the DOL Hiring Process, OIG has the authority to audit Department of Law (DOL) hiring files. Hiring files include assessment forms, notes, documents, written justifications, and hire certification forms. In 2018, DOL became the repository for all documentation related to the hiring sequences for the titles covered by the DOL Hiring Process. This quarter, OIG audited one DOL hiring packet and found no violations or errors.

²⁴ A "test administration" is complete when a test has been administered and the final candidate scores have been sent from the DHR Testing Division to the DHR Recruiting Division for candidate selection and processing.

e | Monitoring Hiring Sequences

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. 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 twelve hiring sequences across six City departments. The table below shows the breakdown of monitoring activity by department.²⁵ OIG identified four errors within four hiring sequences in two City departments.

Table 13: Hiring Sequences Monitored in Q4

Department	Intake Meetings Monitored	Tests Monitored ²⁶	Interview Sets Monitored ²⁷	Consensus Meetings Monitored
Business Affairs and Consumer Protection	0	0	1	0
Chicago Police Department	0	2	0	0
Chicago Fire Department	0	1	0	0
Public Health	1	0	2	3
Public Safety Administration	0	0	2	1
Department of Water Management	0	0	1	0

f | Selected Chicago Police Department Assignment Sequences

Pursuant to Chapter XII of the CPD Hiring Plan for Sworn Titles, OIG has the authority to audit non-hiring employment actions, including district or unit assignments, as it deems necessary to ensure compliance with this Hiring Plan. Generally, OIG audits assignments that are not covered by a collective bargaining unit and which are located within a district or unit.

Assignment packets include all documents and notes maintained by employees involved in the selection processes outlined in Appendix D and E of the CPD Hiring Plan. On a quarterly basis, OIG selects a risk-based sample of assignment packets for completed process review after selections have been made and the candidates have begun their assignments.

This quarter, OIG completed one audit and found no errors or violations.

²⁵ If a department is not included in this table, OIG did not monitor any elements of that department's hiring sequence(s).

²⁶ Tests monitored are totaled by exam type, i.e. Police Officer, Detective, etc., not total number of tests monitored for exam type.

²⁷ Interview Sets Monitored are totaled by positions monitored, not total number of interviews monitored.

g | Selected Chicago Fire Department Assignment Sequences

Pursuant to Chapter X of the CFD Hiring Plan for Uniformed Positions, OIG has the authority to audit non-hiring employment actions, including assignments, “as it deems necessary to ensure compliance with [the] CFD Hiring Plan.” Assignment packets include all documents utilized in a specialized unit assignment sequence, including, but not limited to, all forms, certifications, licenses, and notes maintained by individuals involved in the selection process. OIG selects a risk-based sample of assignment packets for completed process review after CFD issues unit transfer orders and candidates have begun their new assignments.

This quarter, OIG completed one audit and found no errors or violations.

h | Acting Up²⁸

OIG audits compliance with Chapter XIII of the City’s Employment Plan and the Acting Up Policy. This quarter, OIG received one DHR-approved waiver request to the City’s 90-Day Acting Up limit.²⁹

Table 14: Acting Up Waivers Received in Q4

Department	Acting Position	Number of Employees	Date of Response	Expiration of Waiver
AIS	Machinist Foreman	3	11/16/2022	12/31/2022

3 | Other Compliance Activity

a | Escalations

Recruiters and analysts 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.

This quarter, OIG received six new escalations. All escalations have been resolved. Five summaries are provided below. One escalation is pending a response from DHR and will be reported in a future quarterly report.

²⁸ “Acting Up” means an employee is directed or is held accountable to perform, and does perform, substantially all the responsibilities of a higher position.

²⁹ Pursuant to the Acting Up Policy, no employee may serve in an acting up assignment in excess of 90 days in any calendar year unless the department receives prior written approval from DHR. The department must submit a waiver request in writing signed by the department head at least 10 days prior to the employee reaching the 90-day limitation. If the department exceeds 90 days of Acting Up without receiving a granted waiver request from DHR, the department is in violation of the Policy.

Table 15: Compliance Escalations Reviewed in Q4

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

1. City Treasurer's Office, Student Intern (2022-000072715)

On October 13, 2022, a DHR Recruiter escalated the Office of the City Treasurer's Student Intern sequence to the Office of the Inspector General's Compliance unit. The hiring sequence was escalated because the Treasurer's Office deviated from established processes including dividing minimally qualified candidates into groups for interviews, individual interviewers not completing Candidate Assessment Forms for each candidate interviewed, and did not inform OIG of the scheduled interviews at least four days in advance. The DHR Commissioner proposed a resolution that included allowing the first group of candidate interviews to be a phone screening so that screened candidates could continue to move forward in the hiring process.

After speaking to all parties involved, OIG found that the violation occurred when the Treasurer's Office did not adhere to the processes established with DHR. OIG recommended to the Treasurer's Office that Human Resources Liaisons attend DHR-sponsored training to familiarize themselves with the processes required of each City Department.

2. DOB, Electrical Inspector I (2022-0000072716)

On October 14, 2022, OIG received notice from the DHR Commissioner that DOB's Electrical Inspector I hiring sequence violated the Employment Plan because a mandatory test was not administered to bidding candidates prior to interviews and subsequent offers of employment to candidates.

OIG found that violations of the Employment Plan occurred in three ways. First, the Hiring Manager and DHR Recruiter did not determine the number of Candidates that should have proceeded to the testing phase. Second, the Hiring Manager and DHR Recruiter did not schedule testing for the selected candidates. Third, the Hiring Manager and DHR did not develop any relevant test material with Subject Matter Experts within the Hiring Department.

At the time that OIG was made aware of the escalation, candidate start dates were delayed for OIG's review. In consultation with OIG, the DHR Commissioner concluded that the hiring sequence would continue with the Hiring Department being advised to follow all hiring protocols in future hiring sequences. OIG concurred with this remedy in light of the candidates being prepared to start working, the likelihood that the candidates could successfully grieve any further changes, and the fact that DOB had intended to eliminate the testing requirement for this position but failed to do so because of an oversight. OIG made no further recommendations.

3. Chicago Department of Aviation, Clerk IV-Timekeeper (2022-000072719)

On October 20, 2022, OIG received notice from the DHR Commissioner that an Employment Plan violation had occurred that entailed internal candidates not completing testing prior to being

interviewed. The violation was discovered by a DHR Recruiter during the second round of the hiring sequence for external candidates.

At the time that OIG was made aware of the escalation, a candidate had been offered and accepted the position. Based on this information, the DHR Commissioner provided a resolution for the candidate to remain in their position with the second round of the hiring sequence continuing with CDA following all hiring protocols related to testing going forward. OIG concurred with the remedy and made no further recommendations.

4. Commission on Human Relations (CCHR), Director of Human Rights Compliance (2022-00072877)

On November 8, 2022, OIG received notice from a DHR Recruiter regarding an Employment Plan violation in which the hiring department, CCHR, required candidates to submit writing samples without having an approved scoring rubric to score the writing samples.

At the time the escalation was reported, CCHR had interviewed one candidate that submitted a writing sample. DHR Commissioner self-initiated a remedy to provide CCHR with a generic scoring rubric to be used to evaluate the writing sample provided by the interviewed candidate as well as the future assessments that would be submitted by other candidates. OIG concurred with the remedy and made no further recommendations.

5. Department of Law, Assistant Corporation Counsel II (2022-000073432)

On December 2, 2022, OIG received notice from the DOL's Director of Attorney Recruitment and Professional Development regarding a violation of the DOL Hiring Process. The violation occurred when the Hiring Manager did not forward to DHR and OIG the names of Candidates and interviewers at least four (4) days before the scheduled interview.

After a preliminary inquiry, OIG found that no Political Reasons or Factors or other Improper Considerations were considered at any point during the screening, selection, or interview process of the candidate. OIG concurred that the hiring sequence could move forward and made no further recommendations.

b. | 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. Compliance-related 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. If during an inquiry, OIG identifies a non-Compliance-related 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 Compliance-related complaints received this quarter.

Table 16: Compliance Complaints Reviewed in Q4

Complaint Status	Number of Complaints
Newly Initiated	63
Pending	25
Declined	37
Referred to Dept or DHR	1

The Compliance unit has not closed any matters this quarter. The table below summarizes the disposition of these matters. Compliance will report its findings for the open matter and the department's response in a future quarterly report.

Table 17: Compliance Matters Disposed in Q4

Case Status	Number of Cases
Opened	1
Closed Administratively	0



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. 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.

Talk to Us

(833) TALK-2-IG/(833) 825-5244
talk2ig@igchicago.org
igchicago.org/talk2ig

OIG Business Office

(773) 478-7799

Cover photo courtesy of the Department of Assets, Information and Services.
Alternate formats available upon request.

