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SECOND QUARTER REPORT



DEBORAH WITZBURG | INSPECTOR GENERAL FOR THE CITY OF CHICAGO

Deborah Witzburg
Inspector General

City of Chicago
Office of Inspector General
740 N. Sedgwick St., Ste 200
Chicago, IL 60654
Phone: (773) 478-7799
Fax: (773) 478-3949

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 second quarter of 2022, filed with City Council pursuant to Section 2-56-120 of the Municipal Code of Chicago.

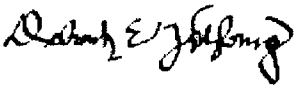
I am pleased to submit OIG's first quarterly report since my confirmation as Inspector General on April 27, 2022. We have restructured this report, somewhat, to fully account for our work and to realign with our reporting obligations.

This is a moment of growth and transition at OIG. Building on OIG's foundation of rigorous and impactful work, we are finding and leveraging opportunities to improve and change our operations. Generally, we are working to ensure that each of OIG's program areas—Investigations, Public Safety, Audit & Program Review, and the Compliance unit of our Legal section—draws on the expertise and resources of the others to produce interdisciplinary work in the service of holistic oversight. We are strengthening and expanding our Legal section and our Center for Information Technology & Analytics to ensure the reach and impact of their invaluable contributions.

In the spirit of un-siloed, integrative oversight, we are rebuilding the way in which OIG takes in and processes information from members of the public, City officials and employees, and others. Historically, OIG's intake process has been a function of its Investigations section, and its focus has been on whether information provided to OIG is susceptible to investigation as potential misconduct subject to discipline. The Office's breadth and capacity, however, has grown far beyond its legacy confidential investigatory function to include program and policy review, complex data analysis, and specialized expertise in policing and public safety. As a reflection of and to capitalize on this tremendous growth and diversification in recent years, we are creating an independent intake unit to review and process information coming to OIG, and to ensure that we meet each problem identified with the one or more of OIG's oversight mechanisms best suited to a solution. Meanwhile, for those inquiries which do take the form of criminal or administrative investigations of misconduct, we are restructuring our internal policies to better ensure timely outcomes. To operationalize these changes, which I believe to be critical, we will modify several positions within OIG. We submitted a budget-neutral proposal to do so on June 2, 2022. We are awaiting final approval from other components of City government to implement these changes; given the bedrock necessity of OIG's operational independence and the budget-neutral nature of our proposal, we look forward to that process concluding swiftly.

Meanwhile, our work continues—the critical work of paying down the debt of legitimacy at which the City of Chicago operates. In that pursuit, we will focus our efforts on those instances of waste, fraud, abuse, inefficiency, and ineffectiveness which most sharply impact Chicagoans and which do most harm to the legitimacy and transparency of our government. I'm honored to preside over the continuation of OIG's powerful legacy.

Respectfully,



Deborah Witzburg
Inspector General
City of Chicago

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This quarterly report provides an overview of the operations of the City of Chicago Office of Inspector General (OIG) from April 1, 2022 through June 30, 2022, and includes information required by the Municipal Code of Chicago (MCC).

I | Mission of the Office of Inspector General

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

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

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

OIG's data analysis and visualization work is available on its Information Portal.

Finally, OIG issues reports as required by the City's Hiring 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 | 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 initiative an investigation either in response to a complaint or on its own initiative.

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

A | Misconduct Complaints and Investigations

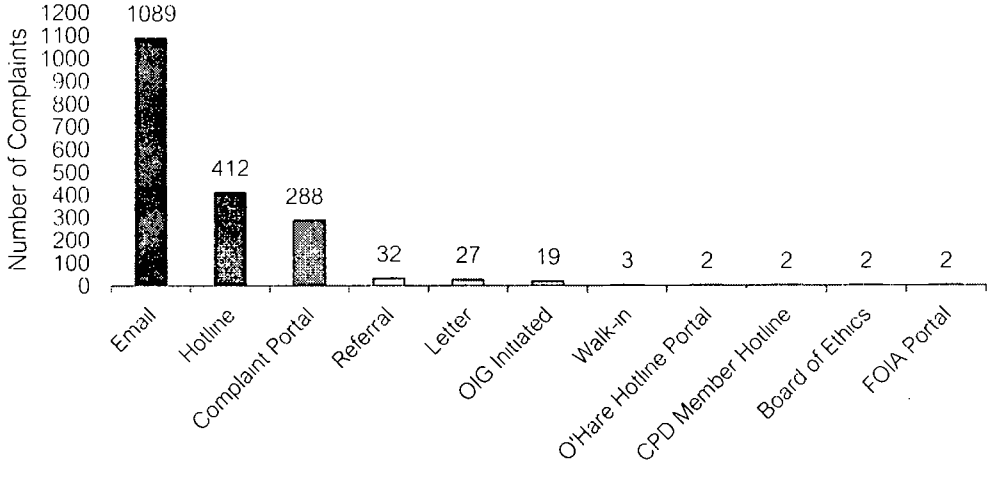
1 | Investigative Activity This Quarter

As of the close of this quarter, OIG has 212 active investigations. During Q2 2022, OIG initiated 42 investigations of which 8 were self-initiated, and concluded 13 investigations.

2 | Complaints Received This Quarter

OIG received 1,878 complaints this quarter. The following chart shows the various reporting methods by which those complaints were received.

Chart 1: Complaints by Reporting Method



In determining whether to open an investigation into misconduct alleged in a complaint, among other factors, OIG evaluates the potential magnitude or significance of the allegations—both individually and programmatically—and assesses investigative viability.[2] Following this review, OIG may open an investigation, decline a complaint, refer it to another agency or City department, or retain it for non-

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

investigative inquiry. The following information outlines the actions OIG has taken in response to complaints received this quarter.

In Q2 2022, OIG referred 499 complaints to City departments or other agencies.[3]

Table 1: Referred Complaints

Referred Agency	Number of Complaints Referred
Civilian Office of Police Accountability	136
Human Resources	51
Other	40
Buildings	25
Finance	24
Chicago Fire Department	23
Streets and Sanitation	23
Chicago Police Department	19
Business Affairs and Consumer Protection	16
Law Enforcement, Other	15
Transportation	14
Chicago Public Schools (IG)	13
Water Management	11
Federal Bureau of Investigation	9
Illinois Attorney General	8
Office of Emergency Management and Communications	8
Chicago Transit Authority (IG)	8
Family and Support Services	6
Administrative Hearings	5
Public Health	5
Assets, Information and Services	4
Aviation	4
US Postal Inspector General	4
Animal Care and Control	3
Public Safety Administration	3
Board of Ethics	2
City Council	2
Illinois State Police	2
Office of Executive Inspector General (Illinois)	2
Chicago Housing Authority (IG)	2
Chicago Park District (IG)	2
Board of Election Commissioners	1
Chicago Public Library	1
Commission on Human Relations	1
Cultural Affairs and Special Events	1

[3] Pursuant to MCC § 2-56-120. OIG does not report here referred complaints 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 Complaints Referred
Housing	1
Internal Revenue Service	1
Law	1
Office of the Mayor	1
Procurement Services	1
City Colleges of Chicago (IG)	1
Total	499

OIG may discontinue complaints which are, for a variety of reasons, not amenable to further consideration. Specifically, when after review, a complaint 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 a complaint 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 a complaint is determined to be a question or request for information, it is designated as an "Inquiry" and discontinued.

In Q2 2022, OIG discontinued 604 complaints.

Table 2: Discontinued Complaints

Category of Discontinued Complaints	Number of Discontinued Complaints
"Do Not Process"	362
Spam	134
Inquiries	108
Total	604

If OIG receives 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 Q2 2022, OIG declined 23 complaints alleging violations of the GEO.

Table 3: Ethics Complaints Declined

Category of Declined Ethics Complaints	Number of Declined Ethics Complaints
Lacking Foundation	18
Failure to Allege a Violation of MCC § 2-156	5
Total	23[4]

[4] OIG additionally declined four complaints which alleged the same misconduct as complaints previously received where those previous complaints had already been declined, referred, or opened in accordance with 2-56-050(b)

3 | Open Matters

OIG's 212 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	153
Elected Officials	24
Contractors, Subcontractors, and Persons Seeking Contracts	20
Licensees	9
Appointed Officials	5
Persons Seeking Certification of Eligibility	1
Total	212

Table 5: Nature of Allegations Under Investigation

Nature of Allegations	Number of Cases
Misconduct	211
Ineffectiveness	1
Waste/Inefficiency	0
Total	212

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

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

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

b | Investigations Open Over Twelve Months

As required by MCC § 2-56-080, OIG reports each quarter on active investigations which have been open more than 12 months. Of OIG's 212 pending investigations, 84 have been open for more than 12 months. Most cases remain pending because they are complex or resource intensive investigations that may require resolution of legal issues or involve multiple subjects, or because they involve allegations which may be the subject of criminal investigation being conducted jointly with law enforcement investigative or prosecutorial partners at the federal, state, or local level. 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, Q2

Case ID[5]	Legacy ID	General Nature of Allegations
C2022-34815	13-0270	Pending federal criminal investigation of delegate agency fraud.
C2022-36935	16-0526	Pending federal criminal investigation of bribery.
C2022-37260	17-0321	City employee receiving funds through a City contract.
C2022-37779	18-0163	Pending federal criminal investigation of bribery.[6]
C2022-38625	19-0178	Criminal investigation concluded without charge and resumed for administrative investigation of distribution of steroids to City employees.
C2022-38721	19-0303	False information submitted to the City.[7]
C2022-39819	20-0071	Pending federal criminal investigation of bribery.
C2022-40115	20-0385	Residency violation.
C2022-40424	20-0708	False records submitted to City.
C2022-40491	20-0780	Violence in the workplace.
C2022-40546	20-0838	Retaliation.
C2022-40550	20-0842	Women-Owned Business Enterprise (WBE)/Minority-Owned Business Enterprise (MBE) fraud.
C2022-40552	20-0844	Family and Medical Leave Act (FMLA) fraud.[8]
C2022-40584	20-0876	Falsification/improper use of City resources.[9]
C2022-40586	20-0878	Residency violation.[10]
C2022-40590	20-0882	Failure to follow department rules regarding COVID-19 quarantine.[11]
C2022-40625	20-0918	Building permit fraud.[12]
C2022-40681	20-0989	Bribery.
C2022-40811	20-1128	Time fraud and submission of false documentation.
C2022-40840	20-1161	FMLA fraud.
C2022-40842	20-1162	Bribery.
C2022-40948	20-1275	Residency violation.
C2022-40999	20-1334	Failure to follow department rules in the course of an investigation.
C2022-41000	20-1335	Unauthorized outside employment/residency violation.
C2022-41036	20-1373	Bribery.
C2022-41038	20-1375	Failure to follow department rules in the course of an investigation.
C2022-41039	20-1376	False statements/violation of department rules.
C2022-41244	20-1588	Duty disability fraud.
C2022-41245	20-1589	Retaliation.
C2022-41299	20-1646	Retaliation.
C2022-41400	21-0026	Bribery.
C2022-41401	21-0027	Improper use of City resources.

[5] In early 2022, OIG launched a new case management system, which accounts for the new case number format.
[6] On hold to avoid interference with a related, ongoing investigation
[7] Extended to allocate resources to higher risk, more time-sensitive investigations.
[8] Extended to allocate resources to higher risk, more time-sensitive investigations.
[9] Extended to allocate resources to higher risk, more time-sensitive investigations.
[10] Extended to allocate resources to higher risk, more time-sensitive investigations.
[11] Extended to allocate resources to higher risk, more time-sensitive investigations.
[12] Extended to allocate resources to higher risk, more time-sensitive investigations.

Case ID[5]	Legacy ID	General Nature of Allegations
C2022-41454	21-0082	Theft
C2022-41456	21-0084	Residency violation.
C2022-41504	21-0134	Procurement fraud
C2022-41505	21-0135	False records submitted to City.[13]
C2022-41506	21-0136	Improper use of City resources.
C2022-41554	21-0191	Retaliation.
C2022-41580	21-0219	Failure to follow department rules regarding COVID-19 quarantine.
C2022-41581	21-0220	Bribery.
C2022-41600	21-0241	Post-employment violation of the GEO.
C2022-41693	21-0340	Falsification/improper use of City resources.
C2022-41694	21-0341	Residency violation.
C2022-41695	21-0342	Duty Disability fraud.
C2022-41755	21-0411	Pending federal criminal investigation of theft.
C2022-41793	21-0449	Theft.
C2022-41794	21-0450	Pending federal criminal investigation of theft.
C2022-41795	21-0451	Pending federal criminal investigation of theft.
C2022-41796	21-0452	Pending federal criminal investigation of theft.
C2022-41797	21-0453	Theft.
C2022-41798	21-0454	Theft.
C2022-41799	21-0455	Theft.
C2022-41801	21-0457	Theft.
C2022-41802	21-0458	Theft.
C2022-41803	21-0459	Theft.
C2022-41804	21-0460	Theft.
C2022-41805	21-0461	Theft.
C2022-41806	21-0462	Theft.
C2022-41807	21-0463	Theft.
C2022-41808	21-0464	Theft.
C2022-41809	21-0465	Theft.
C2022-41810	21-0466	Theft.
C2022-41812	21-0468	MBE fraud.
C2022-41814	21-0470	Retaliation.
C2022-41854	21-0511	Bribery.
C2022-41875	21-0533	Residency violation.
C2022-41877	21-0535	Bribery.
C2022-41911	21-0571	Retaliation.
C2022-41912	21-0572	Pending federal criminal investigation of bribery.
C2022-41916	21-0576	False statements/violation of department rules.
C2022-41959	21-0621	Unauthorized outside employment/COVID-19 leave fraud.
C2022-42041	21-0705	Solicitation of an improper gift.
C2022-42042	21-0708	False records submitted to City.
C2022-42126	21-0797	Failure to follow department rules.
C2022-42127	21-0798	Theft.[14]

[13] Extended to allocate resources to higher risk, more time-sensitive investigations

[14] Extended to allocate resources to higher risk, more time-sensitive investigations.

Case ID[5]	Legacy ID	General Nature of Allegations
C2022-42128	21-0799	Sexual harassment.
C2022-42143	21-0818	Failure to follow department rules.
C2022-42144	21-0819	Failure to follow department rules.
C2022-42145	21-0820	False records submitted to City.
C2022-42213	21-0889	Prohibited political activity.
C2022-42259	21-0942	Failure to follow department rules.
C2022-42262	21-0945	Retaliation.
C2022-42264	21-0954	Pending federal criminal investigation of bribery.
C2022-42307	21-0997	Pending federal criminal investigation of bribery.

4 | 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 Public Building Commission of Chicago (PBC).[15]

This quarter, OIG received one complaint related to PBC and initiated an investigation involving misconduct on the basis of that complaint.

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[16]—a summary and analysis of the evidence and recommendations for disciplinary or other corrective action. OIG sends these reports to the appropriate authority, including the Mayor's Office and City departments 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,[17] 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.[18]

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[15] 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/.

[16] Per MCC § 2-56-060, "Upon conclusion of an investigation the inspector general shall issue a summary report thereon. The report shall be filed with the mayor, and may be filed with the head of each department or other agency affected by or involved in the investigation."

[17] 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.

[18] 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.

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

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

OIG Case Number	Department or Agency	OIG Recommendation	Department or Agency Action
C2022-40589	Business Affairs and Consumer Protection	Discharge and designate as ineligible for rehire	Discharged and designated as ineligible for rehire
C2022-40835	Streets and Sanitation	Discipline commensurate with the gravity of violations	15-day suspension
C2022-41106	Buildings	Discharge, designate as ineligible for rehire, and revoke City licenses and permits	Intends to discharge and placed on ineligible for rehire list
C2022-41218	Fire	Concur with findings and designate as ineligible for rehire	Resigned prior to discipline; designated as ineligible for rehire
C2022-41246	*Withheld due to ongoing criminal proceeding*	*Withheld due to ongoing criminal proceeding*	*Withheld due to ongoing criminal proceeding*
C2022-43228	Streets and Sanitation	Concur with findings	Resigned while under inquiry; designated as ineligible for rehire
C2022-43911 and C2022-43809	Business Affairs and Consumer Protection	Discharge and designate as ineligible for rehire	Discharged and designated as ineligible for rehire

1 | Residency Violation (C2022-40589)

An OIG investigation established that a Department of Business Affairs and Consumer Protection (BACP) studio equipment engineer resided in Berwyn, Illinois, in violation of MCC § 2-152-050, which requires City employees to reside in Chicago. The studio equipment engineer submitted false documents to the City to support their argument they had a residence in Chicago. The studio equipment engineer admitted to OIG that they had moved into the suburban residence for two weeks after purchasing the home, but claimed to have moved out after their spouse did not like the "aura" of the home and claimed the house had "bad vibes." OIG's investigation revealed, however, that the studio equipment engineer continued to go to the suburban residence daily and slept in the home

OIG recommended that BACP discharge the studio equipment engineer and request that the Department of Human Resources (DHR) designate them as ineligible for rehire.[19]

[19] Pursuant to City policy, a former employee shall be deemed ineligible for rehire by the City if the employee's termination from City employment resulted from one of the following employment actions: disciplinary termination (career service

In response, BACP agreed with OIG's recommendations and discharged the studio equipment engineer. The studio equipment engineer was designated as ineligible for rehire.

2 | False Statements on Secondary Employment Forms and Failure to Obtain Authorization for Secondary Employment (C2022-40835)

An OIG investigation established that a Department of Streets and Sanitation (DSS) sanitation laborer provided false statements in 2021 on an outside employment form, despite being self-employed and having business interests since 2019. In addition, the sanitation laborer failed to disclose and obtain authorization for their secondary employment while they were on disability leave from the City as is required, when, in fact, they were earning money running a landscaping, snow removal, and house cleaning business.

OIG recommended that DSS impose discipline against the sanitation laborer, commensurate with the gravity of their violations, past disciplinary record, and other relevant considerations.

In response, DSS advised OIG that it planned to issue a 15-day suspension to the sanitation laborer.

3 | Unauthorized Outside Employment, Preferential Treatment, Conflict of Interest, Electrical Code Violations, and Incompetence in the Performance of Duties (C2022-41106)

An OIG investigation established that a Department of Buildings (DOB) electrical inspector engaged in multiple acts of misconduct. First, the electrical inspector performed electrical contracting jobs outside the scope of their City employment—for which they were paid thousands of dollars—without first disclosing this work or obtaining written permission from DOB to perform it. The electrical inspector admitted to OIG that they performed outside work and were paid for it. This conduct constitutes violations of multiple City Personnel Rules.

Second, the electrical inspector inspected work that a relative—an unlicensed electrician—performed. Additionally, the electrical inspector admitted to OIG that they loaned their license to their relative and others to perform electrical work and pulled multiple permits for their company without notifying DOB. The electrical inspector also admitted to OIG that they performed multiple electrical jobs without securing permits and without requesting the appropriate inspections. These actions further violated multiple City Personnel Rules and provisions of the MCC.

Finally, the electrical inspector closed out at least one permit that was pulled using the inspector's company's license without inspecting the work and without issuing appropriate electrical code violations. By failing to do either, the inspector failed to perform duties they were required to perform in their position, in violation of City Personnel Rules and DOB's Inspection Reporting Policy.

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employees); discharge (non-career service employees), resignation or retirement in lieu of discharge, or resignation or retirement during an investigation by an independent investigatory agency (such as OIG) in which the individual is the subject matter of the investigation and that investigation ultimately substantiated serious misconduct by the employee. The list of former employees designated as ineligible for rehire is maintained by the DHR commissioner or their designee. See City of Chicago Policy Regarding Ineligibility for Rehire (effective Feb. 1, 2019).

OIG recommended that DOB discharge the electrical inspector and request that DHR designate them as ineligible for rehire. OIG also recommended DOB permanently revoke the electrical contractor license for the inspector's business, permanently revoke the inspector's supervising electrician license, revoke and rescind any permits pulled by the inspector's business, and permanently bar the inspector from obtaining a supervising electrician license in the future.

In response, DOB requested that the Department of Law draw up disciplinary charges seeking discharge and placement on the ineligible for rehire list. DOB indicated that it would explore whether it should suspend or revoke the licenses associated with the inspector; DOB did not address OIG's recommendation regarding permits.

4 | Discourteous Treatment of a Member of the Public, Violation of Department Rules, and Conduct Unbecoming (C2022-41218)

An OIG investigation established that a former Chicago Fire Department (CFD) battalion chief-EMT violated several City Personnel Rules and provisions of the CFD Code of Conduct when they attempted to use their employment as a CFD member to avoid being denied boarding on a commercial airline flight due to intoxication, and when they subsequently returned to Midway Airport wearing their CFD uniform and demanding that airline staff provide them a list of company employees.

The battalion chief retired from their position at CFD prior to OIG completing its investigation. As such, OIG recommended that CFD find that the evidence established violations of City Personnel Rules and CFD Code of Conduct, place OIG's report in the former battalion chief's personnel file, and request that DHR designate them as ineligible for rehire.

In response, CFD agreed with OIG's findings and stated that it would contact DHR to confirm that the former battalion chief would be designated as ineligible for rehire.

5 | Criminal Conduct/Withheld Due to Ongoing Criminal Proceeding (C2022-41246)

OIG conducted an administrative investigation into misconduct by a City employee which is also at issue in a pending criminal proceeding. OIG will provide a summary and update at the conclusion of the criminal matter.

6 | Falsification of Attendance/Employment Records, Discourteous Treatment, Incompetence/Inefficiency in Performance of Duties, and Conduct Unbecoming (C2022-43228)

An OIG investigation established that a former DSS ward superintendent violated several City Personnel Rules when they issued unfounded citations to a member of the public while knowing that there was not a factual basis to do so.
The ward superintendent retired from their position following an unrelated OIG investigation. Had the ward superintendent not resigned, OIG would have recommended discharge. As such, OIG recommended that DSS find that the evidence established violations of City Personnel Rules and place OIG's report in the former ward superintendent's personnel file.

In response, DSS confirmed that it had placed all pertinent information regarding this case in the former ward superintendent's personnel file. DSS also reported that the former ward superintendent had already been designated as ineligible for rehire.

7 | False Statements and Use of City Property for Unauthorized Purpose (C2022-43911 and C2022-43809)

An OIG investigation established that a BACP business compliance investigator engaged in multiple acts of misconduct. First, the compliance investigator was involved in an accident while driving a City-leased vehicle and subsequently lied to their supervisor about the circumstances of the accident. While driving the City-leased vehicle through a construction zone that was closed off to traffic, the compliance investigator backed the vehicle into a construction barrier and cracked the right taillight cover The compliance investigator admitted to OIG that they subsequently provided false statements to their supervisor—both over the phone immediately after the accident and in a follow-up written report—about where and how the damage to the vehicle occurred. The compliance investigator also admitted to OIG that they staged photos of the location of the accident and attached those to their written report. The compliance investigator's actions violated both Illinois law and City Personnel Rules.

Second, the compliance investigator attempted to use their City credentials to influence a CPD member during an unrelated traffic stop. The audio and video footage from the CPD member's body-worn and in-car cameras show that the compliance investigator's personal vehicle was stuck in a snowbank within a City park. During a search of the compliance investigator's vehicle, the CPD member discovered a concealed firearm; the compliance investigator, without prompting, then identified themselves as a City employee and showed the member their BACP investigator badge. The compliance investigator admitted to the CPD member and to OIG that they owned the firearm found in their vehicle and that they did not have a Concealed Carry License. By possessing a firearm in a public park without a license, the compliance investigator violated Illinois law and City Personnel Rules. The compliance investigator's use of their credentials to influence the CPD member was also a violation of City Personnel Rules.

OIG recommended that BACP discharge the compliance investigator and request that DHR designate them as ineligible for rehire.

In response, BACP.discharged the compliance investigator and asked DHR to designate them as ineligible for rehire.

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.[20]

The following table summarizes ongoing criminal cases that relate to closed OIG cases and provides the current status of the criminal proceedings. In the initial quarter after a case is indicted, a detailed summary will appear in this section. Charges in an indictment 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.

[20] OIG may issue summary reports of investigation recommending administrative action based on criminal conduct prior to, during, or after criminal prosecution.

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 July 15, 2022.
18-0163	USA v. Austin et al, 21-CR-408 (N.D. IL)	7/1/2021	Alderperson 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 were provided with personal benefits by the owner of the construction company and other contractors in an effort 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.	The next status hearing is scheduled for July 15, 2022.
19-0019	USA v. Edward Burke et al, 19-CR-322 (N.D. IL)	4/11/2019	Alderperson Edward Burke, former chairman of the City Council Committee on Finance, was indicted on multiple counts of bribery, extortion, and interference with commerce by threat. Peter Andrews, an employee of Burke's ward office, and Charles Cui, a	On June 6, 2022, the judge denied all of the defendants' pretrial motions seeking dismissal of almost every charge of the indictment. Trial

OIG Case Number	Criminal Case	Date Charged	Summary	Status
			managing member of a corporation which owned property in the city, were also charged. The charges against Burke stem from various incidents in which he used or threatened to use his authority as an elected official to secure business for his private law firm.	has been set for November 6, 2023
19-0313	USA v. Patrick D. Thompson, 21-CR-279 (N.D. IL)	4/29/2021	Alderperson Patrick Daley Thompson was indicted on five counts of filing false income taxes and two counts of knowingly making a false statement to the Federal Deposit Insurance Corporation. The charges stem from an allegation that Thompson received $219,000 from Chicago-based Washington Federal Bank for Savings, but then stopped making repayments, failed to pay interest, and falsely represented on five years of income taxes that he paid interest on money he received. On February 14, 2022, a jury found Thompson guilty on all counts.	On June 3, 2022, the court denied Thompson's motion for a judgment of acquittal on all seven counts. On July 6, 2022, the court sentenced Thompson to four months incarceration.
19-0313	USA v. William Mahon, 19-CR-226 (N.D. IL)	12/17/21	William Mahon, a DSS deputy commissioner, was indicted on one count of conspiracy to falsify bank records and to deceive and obstruct the Office of the Comptroller of the Currency, and six counts of willfully filing a false income tax return. The charges stem from allegations that Mahon, a board member of Chicago-based Washington Federal Bank for Savings, conspired to obstruct regulators and falsify bank records and that he filed numerous false tax returns.	The next status hearing is scheduled for August 4, 2022.

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 (HRB) and grievance arbitrations concerning OIG's disciplinary recommendations.

OIG has been notified of two updates regarding appeals to the HRB or an arbitrator, or other actions this quarter regarding discipline imposed or other actions resulting from OIG investigations.

1 | Attempted Retail Theft, Preferential Treatment, and Telephonic Harassment (#20-0442/C2022-40167)

As reported in Q1 2022, an OIG investigation established that an Office of Public Safety Administration (OPSA) employee, formerly employed by the Office of Emergency Management and Communications (OEMC), committed attempted retail theft, on City time, when they went on a personal shopping trip to a Walgreens store. The employee removed makeup and other products from the shelves and concealed them on their person. After store staff caught the employee shoplifting, they called CPD. During the police investigation, the employee improperly attempted to gain preferential treatment and avoid arrest by telling the responding CPD members that they worked for OEMC and displaying their City identification. Furthermore, the employee committed telephonic harassment by threatening and intimidating Walgreens staff that had detained the employee during the shoplifting incident. Specifically, both on the day of the incident and the following day, while on duty, the employee called the store at least 15 times, pretending to be an attorney, threatening the staff with litigation, and subjecting them to profanity and other harassing statements that caused Walgreens staff to fear for their safety. OIG recommended that OPSA discharge the employee and request that DHR designate them ineligible for rehire.

The employee, who was discharged, has grieved this case. The case has gone to arbitration, where the parties are currently working on post-hearing briefs. When a decision is rendered by the arbitrator, OIG will provide another update in a future quarterly.

2 | Threatening Social Media Post (#19-1200/C2022-39531)

As reported in Q3 2021, an OIG investigation established that a CFD firefighter-EMT made multiple racist and offensive comments in posts on their own Facebook page and on a Facebook post made by a member of the public, in violation of City Personnel Rules and CFD General Orders. OIG recommended that CFD discharge the firefighter-EMT and request that DHR designate them ineligible for rehire.

In response, CFD served the firefighter-EMT with charges alleging these violations, to which the firefighter-EMT wrote rebuttals. CFD subsequently notified the firefighter-EMT that they were being discharged, and, the same day, the firefighter-EMT filed a grievance against that discipline, asserting that it was unjust and without just cause. This matter proceeded to arbitration, after which the arbitrator denied the firefighter-EMT's grievance. The firefighter-EMT has been designated as ineligible for rehire.

E | Special Investigations

In additional 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 $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.[21]

Potential violations of the annual cap are sometimes identified through complaints; OIG also, however, engages in proactive monitoring and analysis of campaign contribution data to identify and examine potential violations. Once a potential violation is identified, OIG notifies the donor and the donation recipient of the violation and, in accordance with the MCC, provides the individual or entity 10 days to challenge the determination or cure the violation by returning the excess donation.[22] 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 rightfully challenged, OIG will sustain an investigation and deliver the case to the Board of Ethics for adjudication.

This quarter, OIG did not close any campaign finance matters. OIG is currently broadening its proactive analysis of campaign contribution records to better identify potential violations.

2 | O'Hare 21

OIG provides oversight for major construction initiatives across the City. Specifically, OIG has worked with the Chicago Department of Aviation (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.

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[21] 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

[22] 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.

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.

II | Public Safety

Pursuant to the separate powers and duties enumerated in the Municipal Code of Chicago (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 the Chicago Police Department (CPD), the Civilian Office of Police Accountability (COPA), and the Police Board, as well as inspections of closed disciplinary investigations conducted by COPA and CPD's Bureau of Internal Affairs (BIA)

A | Evaluations and Reviews

The Public Safety section conducts program and systems-focused evaluations and reviews of CPD, COPA, and the Police Board. Based on 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 as well as the section's Annual Report.

1 | Fairness and Consistency in the Disciplinary Process for Chicago Police Department Members (#19-0972)[23]

MCC § 2-56-230(f) empowers the Public Safety section to:

> [R]eview and audit all sustained findings, disciplinary recommendations, and decisions made by the Police Department, [Civilian Office of Police Accountability], and the Police Board, and any subsequent arbitration decisions, for the purpose of assessing trends and determining whether discipline is consistently and fairly applied, and determining whether final disciplinary decisions are being carried out.

Pursuant to this obligation, OIG issued a report on its evaluation of procedural consistency and fairness in the disciplinary process for CPD members; specifically, the report was devoted to the evaluation of the procedures that agencies follow in recommending and reviewing discipline.

The process by which CPD members are investigated and disciplined for allegations of misconduct is complex and directed by numerous, decentralized sources of authority, including: CPD and other agency policies, directives, and manuals; the MCC; the consent decree entered in *Illinois v. Chicago*; and multiple collective bargaining agreements between the City of Chicago and CPD members. The investigative and disciplinary process also involves multiple City and non-City institutional actors. BIA and COPA, a civilian investigating agency, are primarily responsible for investigating allegations of misconduct against CPD members. If they sustain one or more allegations, they recommend a disciplinary penalty. This recommended discipline then proceeds through a review process, after which CPD issues any discipline to the accused Department member. Depending on several factors—including the rank or position of the accused member and the level of discipline recommended—the member may challenge this discipline through a disciplinary grievance procedure. In certain other cases—either as an elective challenge or as an automatic, non-waivable review—the Chicago Police Board adjudicates cases in which the issued discipline is above a specified level of severity. CPD is responsible for implementing the final discipline following any appeal of adjudicatory processes.

[23] Published March 1, 2022. See https://igchicago.org/wp-content/uploads/2022/02/Use-of-Force-Disparities-Report.pdf

OIG found that existing BIA, COPA, and Police Board policies do not provide clear and actionable guidance to agency personnel sufficiently to ensure procedural consistency and fairness in the determination of discipline across misconduct investigations. The outcome of each disciplinary case is necessarily case-specific and is appropriately dependent upon a unique set of facts and circumstances. In the absence of sufficiently robust policy guidance, however, the disciplinary process is unpredictable for involved members and risks arbitrary outcomes. While the investigating and reviewing agencies must consider different facts in each disciplinary case, they should follow consistent and fair procedures to guide that consideration.

BIA and COPA's policies do not provide sufficient guidance on how, when, and in what measure those agencies should consider aggravating and mitigating factors in reaching disciplinary recommendations, which risks approaches that vary widely across investigations and may therefore be inconsistent and unfair. COPA's policies, specifically, contain internally contradictory and outdated language. The Police Board does not have any formal policies in place at all to ensure that its determinations of final discipline are made consistently and fairly across all cases it considers.

To better ensure procedural consistency and fairness in the determination of discipline resulting from misconduct investigations, OIG made recommendations to CPD, COPA, the Police Board, and the Department of Law (DOL). OIG's recommendations related to (1) policies and practices that CPD, COPA, and the Police Board can implement to guide and document the process by which disciplinary recommendations are reached; and (2) agencies' efforts to secure, through collective bargaining agreements, the option to rely on advisory, non-binding guidelines for disciplinary penalty ranges when making disciplinary recommendations.

Each of the four agencies receiving recommendations responded independently. Recommendation one was directed to COPA alone, and COPA agreed. Recommendation two was directed to COPA and CPD; COPA agreed and CPD provided a narrative response but did not directly state agreement or disagreement. Recommendation three was directed to COPA, CPD, and the Police Board. COPA and the Police Board both disagreed, and CPD provided a narrative response but did not directly state agreement or disagreement. Recommendation four was directed to DOL alone, and DOL agreed.

Regarding the recommendations, OIG's recommendation three engendered the most agency disagreement. This recommendation was for CPD, COPA, and the Police Board to work in coordination to develop a single, standardized list of aggravating and mitigating factors that may be consulted on an advisory basis for the purposes of formulating disciplinary recommendations and subsequent review of discipline, and in developing this list, as appropriate and required by law, consult with the unions representing CPD members. In their responses, the three separate agencies adopted different perspectives on how extensively the agencies can or should coordinate their policies in the service of procedural fairness and consistency in the disciplinary process. CPD stated that it would prioritize reaching an agreement with the Fraternal Order of Police in ongoing contract negotiations, "whereby the Department will compile a Matrix to use internally to ensure consistent treatment" and would "solicit feedback from the sworn unions regarding [a single, standardized list of aggravating and mitigating factors]" if the entities "mentioned in this recommendation" (BIA, COPA, and the Police Board) first develop such a list. COPA responded in part to OIG's recommendation three that a "more realistic" goal than the creation of a single, standardized list would be "further city alignment" on the thorough documentation of factors considered in disciplinary recommendations. The Police Board responded, "we respectfully

disagree with the recommendation that the Police Board be involved in the development of [...] a list [of aggravating and mitigating factors]," arguing that "it would undermine the Board's impartiality" to do so.

2 | Review and Analysis of Sexual Misconduct Allegations[24]

Pursuant to Paragraph 444 of the consent decree entered in *Illinois v. Chicago*, the Public Safety section is required to "review and analyze" closed sexual misconduct investigations involving complaints "against a [Chicago Police Department] member alleging conduct against a non-CPD member." The consent decree requires OIG to publish an annual report "assessing the quality of the sexual misconduct administrative investigations reviewed, "recommending changes in policies and practices to better prevent, detect, or investigate sexual misconduct," and "providing aggregate data on the administrative investigations reviewed" by OIG.

OIG's 2021 Annual Report, also published this quarter; contained statistics on and analysis of all cases reportable under Paragraph 444, as identified by OIG. In 2021, BIA and COPA made progress toward ensuring OIG is notified of all qualifying sexual misconduct investigations, as required. Prompted by OIG's recommendations in its last report, COPA created new category codes to better identify allegations of sexual misconduct and committed to working with BIA to create a process by which to notify OIG of a qualifying case that reaches a final disciplinary decision. However, OIG discovered several cases investigated by each agency that had not been reported as required. OIG also noted concerns surrounding the length of time it took for many of these investigations to be concluded, along with a lack of documented explanation for the length of the investigation.

As required by Paragraph 444, OIG made recommendations to improve the investigation and reporting of sexual misconduct by BIA and COPA. OIG recommended that BIA and COPA create processes to ensure that OIG is notified within ten days of a qualifying sexual misconduct investigation reaching a final disciplinary decision, whether the investigation is conducted by BIA or COPA. Additionally, to ensure sexual misconduct investigations are handled appropriately, OIG recommended that BIA and COPA adequately document investigative activity, or explanations for the lack thereof, and prioritize these investigations over less serious allegations.

In its response, BIA detailed the new fields and prompts incorporated into its case management system (CMS) in order to better identify qualifying sexual misconduct investigations, as well as a system that should automatically notify OIG of qualifying investigations. BIA did not address OIG's recommendation concerning the length of time investigations take or properly documenting investigative activity.

In its response, COPA referred to the new, automatic notification system in CMS. COPA also detailed collaboration with external stakeholders and updates to its sexual misconduct policy and training. COPA did not directly address OIG's recommendation concerning the length of time investigations take or properly documenting investigative activity.

[24] Published June 2, 2022. See https://igchicago.org/wp-content/uploads/2022/06/OIG-Report-on-Investigations-of-Sexual-Misconduct-Allegations-Against-Chicago-Police-Department-Members-2021.pdf

3 | Public Safety 2021 Annual Report[25]

The MCC requires the Public Safety section to publish an annual report summarizing its reports, recommendations, and analyses from the prior year. In its Annual Report, published this quarter, the Public Safety section detailed work conducted during 2021 in each of its three primary channels: audit-based inquiries; inspection of individual closed disciplinary cases; and collection and analysis of data from CPD and City sources on many aspects of policing, public safety operations, and the police disciplinary system.

The 2021 Annual Report included outcome summaries of the following: *Report on Chicago's Response to George Floyd Protests and Unrest* (February 2021); *Follow-Up on the Chicago Police Department's "Gang Database"* (March 2021); *Guide to the Disciplinary Process for Chicago Police Department Members* (May 2021); *First and Second Interim Reports: Search Warrants Executed by the Chicago Police Department* (January and May 2021); *Review of the Disciplinary Grievance Procedure for Chicago Police Department Members* (May 2021); *Report on Investigations of Sexual Misconduct Allegations Against Chicago Police Department Members* (June 2021); *Follow-Up: Evaluation of the Chicago Police Department's Random Reviews of Body-Worn Camera Recordings* (June 2021); *Evaluation of the Demographic Impacts of the Chicago Police Department's Hiring Process* (July 2021); *The Chicago Police Department's Use of ShotSpotter Technology* (August 2021); *Understanding the Chicago Police Department's Budget* (September 2021); *Follow-Up: Review of the Chicago Police Department's Management and Production of Records* (September 2021); and *Advisory Concerning Background Checks on Members of the Public* (December 2021).

The 2021 Annual Report further included information on the Public Safety section's screening of 1,143 closed disciplinary investigations conducted by BIA and COPA, and its in-depth review of 85 of those investigations, including investigations mandated for review by the consent decree. Of the closed investigations selected for in-depth review in 2021, OIG recommended that 11 investigations conducted by BIA and 15 investigations conducted by COPA be reopened to correct deficiencies materially affecting their outcomes. The results of OIG's 26 recommendations to reopen are detailed in the 2021 Annual Report.

Finally, in fulfillment of the Public Safety section's obligations pursuant to the MCC and the consent decree to conduct data and trend analysis in certain subject areas, the 2021 Annual Report contained data and analysis on public safety operations including 911 calls for service, arrests, misconduct complaints and the timeliness of investigations, investigatory stops, and use of force reporting.

B | Inspection 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

[25] Published June 6, 2022. See: https://igchicago.org/wp-content/uploads/2022/06/OIG-Public-Safety-Section-Annual-Report-2021.pdf.

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 Inspections unit examined 310 closed disciplinary cases and opened 15 for in-depth review.

Table 9: Disciplinary Cases Reviewed

Agency	Cases Screened	Cases Opened
BIA	228	7
COPA	82	8
Total	310	15

1 | Recommendations to Reopen Closed Disciplinary Investigations

This quarter, OIG found that two COPA investigations and five BIA investigations contained deficiencies which materially affected their outcomes and recommended that they be reopened. OIG has not yet received a response to one of its recommendations to BIA or one of its recommendations to COPA. Additionally, by the end of the quarter,

- OIG received a response to one recommendation made to COPA in Q3 2021, one recommendation made in Q4 2021, and one recommendation made in Q1 2022, which are detailed below. OIG has not yet received a response to one recommendation made to COPA in Q4 2021;
- BIA reopened four investigations and COPA reopened one investigation based on OIG's recommendations made this quarter.

Table 10: Responses Pending with Agencies at the End of Q2

OIG Case Number	Agency	Date Recommendation Was Sent to Agency
C2022-33562	COPA	10/27/21[26]
C2022-43997	COPA	6/28/22
C2022-43998	BIA	6/30/22[27]

OIG will publish further details on these investigations once the investigating agency has responded to our recommendations or once a final decision has been made by an agency.

[26] COPA sent an initial response letter to OIG on June 15, 2022. During a meeting on June 30, 2022, COPA agreed, at OIG's request, to supplement and amend that response. As of this writing, COPA has not done so.

[27] OIG sent this recommendation on the final day of Q2. BIA responded to the recommendation at the beginning of Q3 on July 13, 2022. OIG will summarize this case and include it in its statistics in the next quarterly report.

a | Recommendation to Reopen to Seek an Affidavit Override (#21-0916/C2022-32520)

COPA closed an investigation into allegations of excessive force for lack of an affidavit in support of the allegations; however, OIG found that there is body-worn camera (BWC) footage in COPA's investigative file which captures the conduct at issue, and which constitutes the objective, verifiable evidence required to support a request of an affidavit override. Despite the presence of this footage in the file, COPA's closing documents suggest that no such evidence exists.

COPA's investigation involved CPD members who were dispatched to a residence for police assistance. The caller stated that their adult child, who was the complainant in COPA's investigation, refused to leave the house. BWC footage shows the complainant's mother escort the CPD members to a room occupied by the complainant, where the accused member began to argue with the complainant from the doorway. The complainant is then seen getting up, putting on clothing, a jacket, and a backpack. BWC footage shows the accused member enter the room, approach the complainant, and position themselves within inches of the complainant, effectively blocking the complainant's path to exit the room. The complainant then picks up some belongings and appears to attempt to walk around the accused member, who states, "I heard your smart-[expletive] comment" and with both hands pushes the complainant in their chest causing the complainant to stumble backwards. It appears from the accused member's BWC footage that one of the complainant's hands is holding a bag and the other is down in front of their body. BWC footage does not show any indication of physical contact by the complainant with the accused member. The accused member's partner is heard on video stating, "Hey partner, stop..." and can be seen trying to pull the accused member's arm, apparently away from the complainant. The complainant's mother, who originally called for police assistance, asks the CPD members to leave, commenting that they have aggravated the situation.

According to COPA's No Affidavit Closure Memorandum, COPA made several attempts to contact the complainant to obtain a statement and affidavit, but those attempts were unsuccessful. COPA stated in its case closure memorandum that "a statement from [the complainant] is of upmost [sic] importance in determining the reasonability of the Officer's actions given the likelihood that the Officer's actions were in response to the [complainant's]conduct." COPA further noted a lack of objective, verifiable evidence to support a request for an affidavit override. Nowhere does COPA explain the basis for its finding of a "likelihood" that the conduct of which the member was accused, which is captured in its entirety on BWC footage, was "in response to" the complainant's conduct. However, BWC footage does not show the accused member issuing any commands with which the complainant failed to comply, nor does it show the complainant engaging in any conduct that would appear to justify the accused member's use of force.

COPA's closing documents also do not address a conversation between the accused member and a responding sergeant after leaving the complainant's home, as captured on BWC. The accused member can be heard telling the sergeant, "I shouldn't have...The idea is you don't confront the guy...So when he tried to do this [accused gestures as though about to push the sergeant] and I went like this [gestures] and now mom's trying to say I touched him first. He approached me. We both approached each other ..I backed up, I backed up." This account is not consistent with video evidence.

OIG recommended that COPA reopen this case and seek an affidavit override, so that the allegations against the accused member may be appropriately investigated. OIG also recommended that COPA address in its handling of the investigation the question of whether the

accused member made a false report to the responding sergeant in their recounting of the events at issue.

COPA declined to reopen the investigation and expressed the view that the manner in which it had concluded the investigation did not result in a gross miscarriage of justice. COPA wrote that "re-opening a 3-year-old case to investigate [the officer's] actions would not be an efficient use of COPA's limited resources."

Notably, respecting the age of the case, COPA initiated this investigation on December 7, 2018, conducted no discernable investigation other than reviewing BWC footage and attempting to contact the complainant, and closed the investigation on May 20, 2021. OIG sent its recommendation to COPA on July 29, 2021, and did not receive a response from COPA until April 20, 2022.

b | Recommendation to Reopen to Address Contradictory Findings (#C2022-43840)

OIG reviewed a COPA investigation which was initiated after the Independent Monitoring Team responsible for assessing compliance with the consent decree filed a complaint following its review of BWC footage captured during CPD's response to the protests and unrest following the murder of George Floyd in the summer of 2020. COPA brought allegations against two CPD members alleging excessive force and a violation of CPD's BWC policy. COPA sustained allegations of excessive force against one member and sustained an allegation of failing to continue to record a public interaction on BWC against the other.

During COPA's interview with the member against whom it sustained the BWC allegation, the accused member stated that as they and other members attempted to remove an individual from the crowd, someone tripped, causing the entire group to fall to the ground. The member described how following the fall, the member realized that their police radio had fallen off, and reported that they must have inadvertently deactivated their BWC while checking for their radio. In COPA's summary report of investigation, it concluded that it could not "prove or disprove [the accused member's] intent in deactivating the camera." Despite this finding, COPA sustained the allegation that the accused member violated policy by prematurely deactivating their BWC. In determining the accused's recommended penalty, COPA stated, "although [the accused's] actions violated Department policy, COPA recognizes there are substantial mitigating factors in imposing discipline. Specifically, [the accused] asserted they accidentally and unknowingly deactivated the BWC while looking for the lost radio. Given the chaotic nature of the incident, COPA finds [the accused's] explanation to be plausible."

OIG recommended that COPA reopen this investigation to address the contradiction between COPA's finding that the accused member's deactivation of their BWC was accidental and unknowing and the *mens rea* requirement codified in CPD's BWC directive, Special Order S03-14, which states that members who "*knowingly* fail to comply" with the directive can be subjected to discipline (emphasis added). COPA concurred with OIG's recommendation, reopened the investigation, and changed its finding to Not Sustained for that allegation.

c | Recommendation to Reopen to Address All Alleged Misconduct (#21-2194/C2022-33571)

OIG reviewed a COPA investigation concerning allegations against a CPD member related to detainment without justification, verbal abuse, and excessive force. COPA sustained the allegation of verbal abuse and recommended a two-day suspension and remedial training in police-citizen encounters; however, OIG found that COPA did not address the use of excessive force claimed by the complainant.

According to COPA's investigative record, an unknown individual informed the accused CPD member that there were two dogs secured to a tree in a parking lot which appeared to be in distress. The CPD member, who was nearby, went to the adjacent parking lot to investigate. A short time after the member arrived, the complainant walked up to the CPD member and informed them that the dogs belonged to the complainant and that the complainant left the dogs outside while inside a nearby store. The CPD member chastised the complainant for leaving the dogs outside in the snow and cold stating, "You don't do this to dogs! You don't [expletive] do that to animals…I don't give a [expletive], you leave them inside the house, [expletive]."[28] During this interaction, the complainant was handcuffed and escorted towards a parked police vehicle. The accused member's BWC footage shows the accused member yelling at the complainant, "Walk back there with him [be]cause if not, you're going in the [expletive] snow. You are walking over there, or you're going in the snow like you left the [expletive] dogs in the snow!" Immediately thereafter, the accused member pushed the handcuffed complainant and the complainant stumbled forward. The complainant asked, "Why is you pushing me?" The push is also briefly captured by BWC footage of another CPD member on the scene. The complainant appeared to be complying with the accused member at the time the complainant was pushed, and no other justification for the accused member's pushing the complainant while handcuffed is apparent on the video.

COPA noted in its summary report of investigation that that the CPD member "pushes [the complainant] on the back," but did not bring allegations against the member for making unnecessary physical contact with the handcuffed complainant.

On December 17, 2021, OIG recommended that COPA reopen Log #1092420 to address the accused member having used force against the handcuffed complainant, as captured by BWC, and to determine whether that conduct constituted a violation of any CPD directives or policies. COPA did not respond until after the CPD member had already accepted and served discipline for the sustained verbal abuse violation, a point at which COPA could no longer reopen the case. On June 23, 2022, COPA wrote a letter to OIG stating that it had declined to reopen the investigation because "COPA reviewed the conduct at issue and has determined that its findings and recommendations would not materially change."

[28] Captured from the CPD member's BWC video.

III | 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 one report released by APR this quarter.

1 | Follow-Up to Audit of Policies and Practices Related to Discrimination and Sexual Harassment Within the Chicago Fire Department (#22-0209)[29]

OIG completed a follow-up to its April 2021 audit of the Chicago Fire Department's (CFD) policies and practices related to discrimination and sexual harassment. Based on the Department's response, OIG concluded that CFD has overall worked towards implementing corrective actions related to the audit findings.

The purpose of the 2021 audit was to determine whether CFD's discrimination and sexual harassment prevention, reporting, and training policies and practices complied with laws and regulations. OIG also assessed CFD members' experiences with and views on the Department's workplace environment and culture related to discrimination and sexual harassment. OIG's audit found that, while CFD's policies complied with baseline federal, state, and local laws, the policies themselves, as well as the complaint process and training used to enforce and promote them, were insufficient to meet the environmental challenges posed by a command and control emergency service operation like CFD. The audit also found that the Department's culture and workplace environment may make some members vulnerable to discrimination and/or sexual harassment.

Based on the results of the audit, OIG recommended that CFD provide written guidance and training to its Internal Affairs Division (IAD) staff on processes for receiving complaints of discrimination or sexual harassment in a trauma-informed manner and referring them to the Department of Human Resources (DHR). OIG also recommended that CFD implement training for its members, supplemental to the training provided by the Equal Employment Opportunity (EEO) Division of DHR, that is tailored specifically to CFD's unique workplace environment and delivered by instructors with fire service experience. OIG also recommended that CFD appoint a diversity, equity, and inclusion (DEI) officer to work on issues of diversity, discrimination, and sexual harassment. Finally, OIG recommended that CFD develop a strategy to include more safeguards to protect reporting members and victims from potential retaliation.

In February 2022, OIG inquired about corrective actions taken by CFD in response to the audit. Based on the Department's follow-up response, OIG concluded that CFD fully implemented one of five corrective actions, substantially implemented two others, partially implemented a fourth, and not implemented the fifth. CFD issued a general order with specific procedures to ensure complaints of discrimination, harassment, and retaliation are directed to the EEO Division. The Department also developed trauma-informed training focused on sexual harassment complaints for its IAD investigators. However, CFD had not implemented supplemental Department-specific

[29] Published April 26, 2022. See https://igchicago.org/2022/04/26/follow-up-to-audit-of-policies-and-practices-related-to-discrimination-and-sexual-harassment-within-the-chicago-fire-department/

training on discrimination and sexual harassment or formally created a DEI-related position. CFD also stated their intention to undertake internal initiatives and outreach campaigns to address sexual harassment and discrimination, and to also increase diversity within the Department.

OIG urged the Department to fully implement a CFD-specific training on discrimination and sexual harassment to supplement the EEO training its members already receive. Once fully implemented, OIG believes the corrective actions reported by CFD may reasonably be expected to resolve the core finding reached in the audit.

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. OIG did not complete any advisories or notifications this quarter.

C | Other Reports and Activities

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

1 | Procurement Reform Task Force

Mayor Rahm Emanuel convened the Chicago Procurement Reform Task Force (PRTF) on May 27, 2015, to identify opportunities for the City and its sister agencies (collectively, 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 Since then, a committee of Participating Members has issued 10 quarterly and 5 annual reports, and OIG has issued 4 reports[30] assessing the progress toward implementing the task force recommendations.

In March 2021, OIG and the Department of Procurement Services (DPS) proposed to the Mayor's Office that, because the purposes of the PRTF reporting cycle have largely been achieved (as described below), the City should consider amending the relevant intergovernmental agreement and ordinance to require a final consolidated report declaring a refreshed commitment to, and setting a calendar for, implementation of the remaining recommendations. The Mayor's Office indicated it was open to the proposal, but that it would not seek any changes until 2022. OIG and DPS will reengage with the Mayor's Office on this topic during third quarter of 2022.

The 2020 PRTF Annual Report—the most recent publication of the committee of PRTF Participating Members, issued on October 14, 2021—indicates, and OIG inquiry has confirmed, that 27 of the 31 task force recommendations have been fully implemented and operationalized by each Participating Member. Three of the remaining four recommendations relate to ongoing efforts to consolidate the technology utilized by the Participating Members' procurement departments. OIG

[30] See. https://igchicago.org/2020/12/23/fourth-annual-progress-report-on-the-procurement-reform-task-force/.

and DPS anticipate focusing on these three recommendations in the efforts mentioned above to revisit and amend the implementation timeline and reporting requirements.

The fourth open recommendation relates to developing best practices for routine audits of procurement functions and contract awards, and evaluating the use of shared services to perform this function. According to DPS, the Participating Members have engaged Bloomberg Associates, a non-profit civic consulting organization, which is conducting a thorough analysis of their current audit processes. DPS has indicated that it will keep OIG apprised of progress on this front. OIG will provide assessments in future reports.

D | Monitoring Employment Actions

OIG's Compliance unit, situated within its Legal section, has broad oversight responsibilities under the Hiring Plans which govern the employment practices of the City, CPD, and 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 (United States District Court, 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. 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. The following section includes information on these activities and others on which OIG is required to report pursuant to the Hiring Plans and Municipal Code of Chicago (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 received one report of a direct contact:

- A Department of Housing employee contacted DHR to inquire about an applicant for the covered title of supervising rehab construction specialist.

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 three political contacts:

- An alderperson contacted DHR to inquire about a candidate for the covered title of firefighter.
- An alderperson contacted DHR to inquire about a candidate for the covered title of police officer.
- An alderperson contacted DHR to inquire about a candidate for the covered title of firefighter.

c | Exempt Appointments

OIG tracks all reported or discovered *Shakman*-exempt appointments and modifications to the Exempt List on an ongoing basis.[31] During this quarter, OIG received notification of 44 exempt appointments.

d | Senior Manager Hires

OIG reviews hires pursuant to Chapter VI of the City's Hiring Plan covering the Senior Manager Hiring Process. During this quarter, OIG received notice of nine hires.

e | Emergency Appointments

OIG reviews circumstances and written justifications for emergency hires made pursuant to City Personnel Rules and MCC § 2-74-050(8). During this quarter, the City did not report any emergency appointments.

f | Review of Contracting Activity

OIG is required to review City departments' compliance with the City's Contractor Policy (Exhibit C to the City's Hiring 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.

[31] 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.

The table below details contracts OIG reviewed this quarter. OIG did not identify any compliance issues.

Table 11: Contract Reviews

Contracting Department	Contractor, Agency, Program, or Other Organization	Duration of Contract/Agreement
Assets, Information and Services	Program Management and Procurement of Items for Chicago Block Clubs for the Community Safety Coordination Center	2 years plus an additional 1-year extension option
Family and Support Services	Sunbelt Staffing	3 months
Finance	Personal Services Contractor	1 year
Finance	Personal Services Contractor	5/28/2022-5/27/2023
Finance	Professional Dynamic Network	3/21/2022-9/1/2022
Finance	Professional Dynamic Network	Expected to continue through 12/31/2022
Planning and Development	Sunbelt Staffing	2 years
Planning and Development	Sunbelt Staffing	1 year
Public Health	Personal Services Contractor	1 year
Public Health	Personal Services Contractor	Ongoing
Public Health	Sunbelt Staffing	1 year
Public Health	Sunbelt Staffing	1 year
Public Health	Sunbelt Staffing	1 year
Transportation	Professional Dynamic Network	3 months
Transportation	Sunbelt Staffing	3 months

2 | Hiring Process Audits

a | Modifications to Class Specifications,[32] Minimum Qualifications, and Screening and Hiring Criteria

OIG reviews modifications to class specifications, minimum qualifications, and screening and hiring criteria. This quarter, OIG received notifications that DHR changed the minimum qualifications for 11 titles within the following departments: Assets, Information and Services; Aviation; Commission on Human Relations; Cultural Affairs and Special Events; Public Health; and Water Management. OIG reviewed each of the proposed changes to minimum qualifications and had no objections.

b | Referral Lists

A referral list includes applicants/bidders who meet the predetermined minimum qualifications generated by DHR for City positions. OIG audits this list by examining a sample of referral lists and notifying DHR when potential issues are identified. This quarter, OIG audited one referral list and did not find any errors.

[32] "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

c | Testing

The City's Hiring Plan requires that OIG conduct an audit of DHR test administrations and scoring each quarter. This quarter, OIG did not complete an audit of test administrations but will resume the audit in a forthcoming quarter.

d | Selected Hiring Sequences

Each quarter, the City's Hiring Plan requires OIG to audit at least 10% of in-process hiring sequences and at least 5% of completed hiring sequences conducted by the following departments or their successors: Assets, Information and Services; Aviation; Buildings, Streets and Sanitation; Transportation, Water Management; and six other City departments selected at the discretion of OIG.

Auditing the 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 Hiring Plan, OIG examines some hire packets during the hiring process and examines other packets after the hires are completed. This quarter, OIG did not complete an audit of hire packets but will resume the audit in a forthcoming quarter.

When no consensus selection is reached during a consensus meeting, a written rationale must be provided to OIG for review.[33] During this quarter, OIG did not receive any written rationales for review.

In addition, OIG audits the City's compliance with Chapter XII.C.5 of the City's Hiring Plan. A hiring certification is a form completed by the selected candidate(s) and all City employees involved in the hiring process to attest that no political reasons or factors or other improper considerations were taken into account during the applicable process. This quarter, OIG did not audit hiring certifications.

e | Selected Department of Law Hiring Sequences

Pursuant to Section B.7 of the DOL Hiring Process, OIG has the authority to audit 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 requested materials from 25 hiring and/or promotional sequences completed between July 1, 2021 and December 31, 2021.

The audit identified one violation of the DOL Hiring Process concerning the interview process for assistant corporation counsel supervisor in the Aviation, Environmental, Regulatory, and Contracts Division. OIG communicated its findings to DOL in a letter dated May 10, 2022. DOL agreed with OIG's findings and has taken affirmative steps to prevent this error from occurring in future hiring sequences. Therefore, OIG did not have additional recommendations.

[33] A "consensus meeting" is a discussion that is led by the DHR recruiter at the conclusion of the interview process. During the consensus meeting, the interviewers and the hiring manager review their respective interview results and any other relevant information to arrive at a hiring recommendation.

f | 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 one set of interviews and two consensus meetings. The table below shows the breakdown of monitoring activity by department.[34] OIG did not identify any compliance issues while monitoring these hiring sequences.

Table 12: Hiring Sequences Monitored in Q2

Department	Intake Meetings Monitored	Tests Monitored	Interview Sets Monitored	Consensus Meetings Monitored
Aviation	0	0	1	1
Business Affairs and Consumer Protection	0	0	0	1

g | 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 did not complete an audit of CPD assignments but will resume the audit in a forthcoming quarter; quarterly audits are not mandated by the Hiring Plan.

h | 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 requested and audited materials from 8 assignment sequences and identified 5 errors affecting 4 assignment sequences. OIG provided these findings to the Personnel Division of

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

the Office of Public Safety Administration (OPSA) for each sequence and recommended that OPSA thoroughly review all documentation and ensure that all required documentation is included in each assignment packet, including screening forms and consensus meeting notes, in order to meet policy requirements and comply with the Local Records Act, as set out in the CFD Hiring Plan. OPSA agreed with OIG's findings and agreed to implement additional internal policies.

i | Acting Up[35]

OIG audits compliance with Chapter XI of the City's Hiring Plan and the Acting Up Policy. This quarter, OIG received notice of two DHR-approved waiver requests to the City's 90-Day Acting Up limit.[36]

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 did not receive notice of any new escalations.

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 upon the nature of the complaint. If there is an allegation of a Hiring 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, in the course of 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 13: Compliance Complaints Reviewed in Q2

Complaint Status	Number of Complaints
Newly Initiated	12
Closed with Investigation	20

[35] "Acting Up" means an employee is directed or is held accountable to perform, and does perform, substantially all the responsibilities of a higher position.

[36] 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.

Complaint Status	Number of Complaints
Closed Without Investigation[37]	6
Pending	2

The Compliance unit closed five matters this quarter. The table below summarizes the disposition of these matters.

Table 14: Compliance Matters Disposed in Q2

Case Status	Number of Cases
Opened	1
Closed Administratively	5

[37] Complaints marked closed without investigation are those complaints which the Compliance unit reviewed and referred to another City department for handling.

The City of Chicago Office of Inspector General is an independent, nonpartisan oversight agency whose mission is to promote economy, efficiency, effectiveness, and integrity in the administration of programs and operations of city government.

OIG's authority to produce reports of its findings and recommendations is established in the City of Chicago Municipal Code §§ 2-56-030(d), -035(c), -110, -230, and -240. For further information about this report, please contact the City of Chicago Office of Inspector General, 740 N. Sedgwick Ave., Suite 200, Chicago, IL 60654, or visit our website at igchicago.org.

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igchicago.org/contact-us/report-fraud-waste-abuse/

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