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City of Chicago Office of Inspector General

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

Enclosed for your review is the public report on the operations of the City of Chicago Office of Inspector General (OIG) during the third quarter of 2022, filed with City Council pursuant to Section 2-56-120 of the Municipal Code of Chicago.

This report marks the first full quarter since I took office; we are in the midst of internal changes and improvements-the full impact of which will emerge over the quarters to come. This report reflects the operationalization of our newly integrated, centralized intake function, which is allowing us to better capture information that comes to OIG in all forms, and to best meet the concerns of those whom we serve. As reflected in our planned budget for next year, we are expanding staffing and capacity to broaden the data analysis work that is so critical to our transparency mandate, and to shorten the timelines of our misconduct investigations.

In the meantime, we continue our work in pursuit of more effective, efficient, and accountable government. During this quarter, we pursued discipline for City employees who failed to report misconduct, among others, and audited critical City services. Also, during this quarter, I nominated, and the City Council confirmed, Tobara Richardson as the City's new Deputy Inspector General for Public Safety. Tobara joins us to lead a section doing urgent work in the service of Chicago's police reform and violence reduction efforts. During this quarter, among other work, the Public Safety section's publication of an analysis of consecutive days worked by Chicago Police Department (CPD) members was immediately followed by a change in CPD policy around the cancellation of days off. Also, in the course of fulfilling its mandate to review police misconduct investigations conducted by CPD's Bureau of Internal Affairs and the Civilian Office of Police Accountability, the Public Safety section identified material deficiencies in CPD's investigation of a member alleged to be involved with a nationally recognized hate group.

There is tremendous work ahead. I am sincerely heartened by the commitment of OIG's staff to doing it, and privileged to work alongside them.

Respectfully,

Deborah Witzburg  
City of Chicago  
Inspector General

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

# I | Mission of the Office of Inspector General

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

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

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

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

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

<sup>1</sup> "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

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## II | Intakes

### I | Intakes Received This Quarter

OIG received 1,708 intakes this quarter. The following chart shows the various reporting methods by which those intakes were received.

#### Intakes Chart I: Intakes by Reporting Method .

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

In Q3 2022, OIG referred 547<sup>3</sup> intakes to City departments or other agencies.<sup>1</sup>

#### Table i: Referred Intakes

Referred Agency	Number of Referrals
Civilian Office of Police Accountability	244
Chicago Police Department	48
Department of Human Resources	34
Department of Business Affairs and Consumer Protection	22
Office of Emergency Management and Communications	20

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

<sup>3</sup> OIG referred 547 intakes to the agencies listed in Table 1. Some intakes were referred to more than one agency, resulting in a total of 627 referrals.

" Pursuant to MCC § 2-56-120, OIG does not report here referred intakes in which "(i) the complaint addresses potential criminal conduct and has been referred to a state or federal law enforcement agency, and (n) the investigation of the conduct at issue is ongoing, and (hi) in the judgment of the

inspector general, public disclosure of the referral would compromise the effectiveness of the investigation."

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Referred Agency	Number of Referrals
Department of Buildings	19
Department of Family and Support Services	19
Other	16
Department of Finance	16
Chicago Public Schools (IG)	14
Department of Streets and Sanitation	12
Chicago Housing Authority (IG)	11
Chicago Fire Department	10
Law Enforcement, Other	9
Cook County (IG)	8
Chicago Commission on Animal Care and Control	8
Department of Transportation	8
Federal Bureau of Investigation	8
Illinois Department of Children and Family Services (IG)	7
Office of Executive Inspector General (Illinois)	7
City Council	6
Illinois Attorney General	6
Illinois Department of Human Services	6
Department of Law	5
Illinois Department of Labor	4
Chicago Department of Aviation	4
Chicago Department of Public Health	4
Chicago Public Library	4
Commission on Human Relations	4
Department of Water Management	4
Illinois Department of Public Health	3
Office of the Cook County State's Attorney	3
U. S. Postal Service (IG)	3
Chicago Park District (IG)	2
Chicago Board of Ethics	2
Department of Administrative Hearings	2
Department of Assets, Information and Services	2
Department of Procurement Services	2
Illinois Department of Healthcare and Family Services	2
Small Business Association (IG)	2
Social Security Administration (IG)	2
U.S. Department of Transportation (IG)	1
Chicago Park District	1
City Colleges of Chicago (IG)	1
Department of Housing	1

Department of Planning and Development	1
Federal Trade Commission	1
Illinois Department of Financial and Professional Regulation	1
Illinois Department of Human Rights	1

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Referred Agency	Number of Referrals ; %
Illinois Department of Insurance	1
Illinois State Police	1
Mayor's Office for People with Disabilities	1
Office of the Mayor	1
Public Safety Administration	1
U.S. Department of Health and Human Services (IG)	1
U.S. Department of Labor	1
<b>Total</b>	<b>627<sup>5</sup></b>

OIG may discontinue intakes which are, for a variety of reasons, not amenable to further consideration. Specifically, if after review an intake is determined to lack sufficient information or clarity in describing the alleged misconduct, waste, or inefficiency to provide a basis for investigative follow-up, or is incoherent, incomprehensible, or factually impossible, it is designated as "Do Not Process" and is discontinued. If a communication received and cataloged as an intake is determined to be an automated, accidental, irrelevant, or inappropriate electronic message, it is designated as "Spam" and discontinued. Finally, if a communication received and cataloged as an intake is determined to be a question or request for information, it is designated as an "Inquiry" and discontinued.

In Q3 2022, OIG discontinued 635 intakes.

Table 2: Discontinued Intakes

Category of Discontinued Intakes	Number of Discontinued Intakes
"Do Not Process"	314
Inquiries	197
Spam	124
<b>Total</b>	<b>635</b>

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

In Q3 2022, OIG declined 21 complaints alleging violations of the GEO.

Table 3: Ethics Complaints Declined

Category of Declined Ethics Complaints	Number of Declined Ethics Complaints
Complaint Lacks Foundation	8
Failure to Allege a Violation of MCC § 2-156	6

Complaint of Same Alleged Conduct Already Received	7
<b>Total</b>	<b>21</b>

<sup>0</sup> See footnote 3

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## III | Investigations

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

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

### A | Misconduct Investigations

#### 1 | Investigative Activity This Quarter

As of the close of this quarter, OIG has 224 active investigations. During Q3 2022, OIG initiated 24 investigations of which 4 were self-initiated, and concluded 11 investigations.

#### 2 | Open Matters

OIG's 224 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	161
Elected Officials	28
Contractors, Subcontractors, and Persons Seeking Contracts	21
Licensees	8
Appointed Officials	5
Persons Seeking Certification of Eligibility	1
<b>Total</b>	<b>224</b>

Table 5: Nature of Allegations Under Investigation

Nature of Allegation	Number of Cases
Misconduct	222
Ineffectiveness	1
Waste/Inefficiency	1
<b>Total</b>	<b>224</b>

#### 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

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open such an investigation, the superintendent must respond within 30 days.

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

#### b | Investigations Open Over Twelve Months

As required by MCC § 2-56-080, OIG reports each quarter on active investigations which have been open more than 12 months. Of OIG's 224 pending investigations, 102 have been open for more than 12 months. Most cases remain pending because: (1) they are complex or resource intensive investigations that may require resolution of legal issues or involve multiple subjects; (2) because they involve allegations 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; or (3) they were extended to allocate resources to higher risk, more time-sensitive investigations. Where other explanations are relevant for cases remaining open beyond 12 months, they are noted in the table below.

Table 6: Investigations Open Over Twelve Months, Q3

Case ID <sup>6</sup>	Legacy ID	General Nature of Allegations
C2022-000034815	13-0270	Pending federal criminal investigation of delegate agency fraud.
C2022-000036935	16-0526	Pending federal criminal investigation of bribery.
C2022-000037779	18-0163	Pending federal criminal investigation of bribery. <sup>7</sup>
C2022-000038625	19-0178	Criminal investigation concluded without charge and resumed for administrative investigation of distribution of steroids to City employees.
C2022-000038721	19-0303	False information submitted to the City.
C2022-000039819	20-0071	Pending federal criminal investigation of bribery.
C2022-000040115	20-0385	Residency violation.
C2022-000040424	20-0708	False records submitted to City.
C2022-000040491	20-0780	Violence in the workplace.
C2022-000040546	20-0838	Retaliation.
C2022-000040550	20-0842	Women-Owned Business Enterprise (WBE)/Minority-Owned Business Enterprise (MBE) fraud.
C2022-000040552	20-0844	Family and Medical Leave Act (FMLA) fraud.
C2022-000040584	20-0876	Falsification/improper use of City resources.
C2022-000040586	20-0878	Residency violation.
C2022-000040590	20-0882	Failure to follow department rules regarding COVID-19 quarantine.
C2022-000040625	20-0918	Building permit fraud.

In early 2022, OIG launched a new case management system, which accounts for the new case number format. On hold to avoid interference with a related, ongoing investigation.



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Case ID <sup>6</sup>		General Nature of Allegations <sup>7</sup>
C2022-000040681	20-0989	Bribery.
C2022-000040811	20-1128	Time fraud and submission of false documentation.
C2022-000040842	20-1162	FMLA fraud.
C2022-000040999	20-1334	Failure to follow department rules in the course of an investigation.
C2022-000041000	20-1335	Unauthorized outside employment/residency violation.
C2022-000041036	20-1373	Bribery.
C2022-000041038	20-1375	Failure to follow department rules in the course of an investigation.
C2022-000041039	20-1376	False statements/violation of department rules.
C2022-000041244	20-1588	Duty disability fraud.
C2022-000041245	20-1589	Retaliation.
C2022-000041299	20-1646	Retaliation.
C2022-000041400	21-0026	Bribery.
C2022-000041401	21-0027	Improper use of City resources.
C2022-000041454	21-0082	Theft.
C2022-000041456	21-0084	Residency violation.
C2022-000041504	21-0134	Procurement fraud.
C2022-000041505	21-0135	False records submitted to City.
C2022-000041554	21-0191	Retaliation.
C2022-000041580	21-0219	Failure to follow department rules regarding COVID-19 quarantine.
C2022-000041581	21-0220	Bribery.
C2022-000041600	21-0241	Post-employment violation of the GEO.
C2022-000041693	21-0340	Falsification/improper use of City resources.
C2022-000041694	21-0341	Residency violation.
C2022-000041695	21-0342	Duty Disability fraud.
C2022-000041755	21-0411	Pending federal criminal investigation of theft.
C2022-000041793	21-0449	Theft.
C2022-000041794	21-0450	Pending federal criminal investigation of theft.
C2022-000041795	21-0451	Pending federal criminal investigation of theft.
C2022-000041796	21-0452	Pending federal criminal investigation of theft.
C2022-000041797	21-0453	Theft.
C2022-000041798	21-0454	Theft.
C2022-000041799	21-0455	Theft.

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■Case-ID  /•	Legacy ID	General Nature of Allegations
C2022-000041801	21-0457	Theft.

C2022-000041802	21-0458	Theft.
C2022-000041803	21-0459	Theft.
C2022-000041804	21-0460	Theft.
C2022-000041805	21-0461	Theft.
C2022-000041806	21-0462	Theft.
C2022-000041808	21-0464	Theft.
C2022-000041809	21-0465	Theft.
C2022-000041810	21-0466	Theft.
C2022-000041812	21-0468	MBE fraud.
C2022-000041814	21-0470	Retaliation.
C2022-000041854	21-0511	Bribery.
C2022-000041875	21-0533	Residency violation.
C2022-000041877	21-0535	Bribery.
C2022-000041911	21-0571	Retaliation.
C2022-000041912	21-0572	Pending federal criminal investigation of bribery.
C2022-000041916	21-0576	False statements/violation of department rules.
C2022-000041959	21-0621	Unauthorized outside employment/COVID-19 leave fraud.
C2022-000042041	21-0705	Solicitation of an improper gift.
C2022-000042126	21-0797	Failure to follow department rules.
C2022-000042127	21-0798	Theft.
C2022-000042128	21-0799	Sexual harassment.
C2022-000042143	21-0818	Failure to follow department rules.
C2022-000042144	21-0819	Failure to follow department rules.
C2022-000042145	21-0820	False records submitted to City.
C2022-000042213	21-0889	Prohibited political activity.
C2022-000042259	21-0942	Failure to follow department rules.
C2022-000042262	21-0945	Retaliation.
C2022-000042264	21-0954	Pending federal criminal investigation of bribery.
C2022-000042307	21-0997	Pending federal criminal investigation of bribery.
C2022-000042357	21-1047	Residency violation.
C2022-000042358	21-1048	Post-employment violation of the GEO.
C2022-000042359	21-1049	MBE fraud.

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Case ID <sup>6</sup> ^-v';^	Legacy ID ,r,-	.General Nature of Allegations;- ij^f^fsK^;^:'--1^
C2022-000042390	21-1080	Battery/failure to follow department rules.
C2022-000042391	21-1081	Preferential treatment.
C2022-000042443	21-1139	Failure to follow department rules.
C2022-000042445	21-1141	Falsification/retaliation.
C2022-000042456	21-1153	Bribery.
C2022-000042504	21-1205	Procurement fraud.
C2022-000042574	21-1275	Secondary employment/failure to follow department rules.
C2022-000042775	21-1480	Bribery.

C2022-000042776	21-1481	Failure to follow department rules.
C2022-000042777	21-1482	COVID-19 leave fraud.
C2022-000042779	21-1484	Procurement fraud.
C2022-000042839	21-1547	Failure to follow department rules.
C2022-000042867	21-1579	Residency violation.
C2022-000042869	21-1581	Bribery.
C2022-000042870	21-1582	MBE fraud.
C2022-000042912	21-1626	Ethics violation.
C2022-000042921	21-1635	Time falsification.
C2022-000042923	21-1637	COVID-19 leave fraud.
C2022-000042924	21-1638	Ethics violation.
C2022-000042971	21-1687	Ethics violation/Incompetence.
C2022-000042973	21-1689	Failure to follow department rules.

### 3 | Public Building Commission Complaints and Investigations

MCC § 2-56-030 empowers OIG to exercise its powers and duties with respect to any sister agency pursuant to an intergovernmental agreement with that agency, and it does so with respect to the Public Building Commission of Chicago (PBC).<sup>8</sup>

This quarter, OIG received no intakes related to PBC.

## B | Sustained Administrative Investigations

OIG investigations may result in administrative sanctions, criminal charges, or both. Investigations leading to administrative sanctions involve violations of City rules, policies or procedures, and/or waste or inefficiency. For sustained administrative cases, OIG produces summary reports of investigation—a summary and analysis of the evidence and recommendations for disciplinary or

<sup>8</sup> 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/>

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other corrective action. OIG sends these reports to the appropriate authority as prescribed in the MCC, 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,<sup>9</sup> 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.<sup>10</sup>

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

Case Number	Department / ; or Agency	OIG Recommendation	Department or Agency Action
C2022-000040840	Office of Emergency Management and Communications	Concur with findings and designate as ineligible for rehire	Designated resigned employee as ineligible for rehire
C2022-000043911	Business Affairs and Consumer Protection	Discipline commensurate with the gravity of violations	Issued written reprimands
C2022-000053445	Chicago Police Department	Designate as "resigned under inquiry" and ' designate as ineligible for rehire	Designated resigned under inquiry and ineligible for rehire
C2022-000066507	Civilian Office of Police Accountability	Discipline up to and including discharge	Intends to discharge and place on ineligible for rehire list

## 1 I Abuse of Sick Leave (C2022-000040840)

An OIG investigation established that a former Office of Emergency Management and Communications (OEMC) police communications operator abused sick leave on multiple occasions, in violation of City of Chicago Personnel Rule XVIII, section 1, subsection 13 (unauthorized use of sick leave) and subsection 48 (violating departmental rules) as well as OEMC

<sup>9</sup>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.

<sup>10</sup> 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.

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General Order Number 19-001: Medical/Sick Time For Communications Personnel. Cruise line records showed that the employee was aboard a cruise ship sailing from Florida at the time that the employee utilized sick leave while on vacations in 2017 and 2019. The police communications operator resigned from City employment during OIG's investigation. OIG recommended that OEMC find that the evidence established the foregoing violations and refer the police communications operator for placement on the ineligible for rehire list maintained by the Department of Human Resources (DHR). In response, OEMC agreed with OIG's recommendation.

## 2 | Failure to Report Misconduct (C2022-000043911)

An OIG investigation established that two Department of Business Affairs and Consumer Protection (DBACP) business compliance investigators (BCI) failed to report misconduct that a third DBACP BCI committed. The third DBACP BCI was involved in an accident while driving a City-leased vehicle, and then lied to their supervisor about the circumstances of the accident over the phone and in a written report. The third DBACP BCI staged photos of the accident location and attached the photos to their written report. This third DBACP BCI was discharged and placed on the City's ineligible for rehire list in a case summarized in the Second Quarter 2022 report under this same case number. The two DBACP BCIs at issue were present at the time of the accident and were copied on the third DBACP BCI's written report. Although the two subject-DBACP BCIs were aware of the third DBACP BCI's false statements to their supervisor, they failed to report those false statements to their supervisor or other City authority, in violation of City Personnel Rule XVIII, Section 1, Subsection 46.

OIG recommended that DBACP impose discipline commensurate with the gravity of the two DBACP BCI's violations, past disciplinary records, and any other relevant considerations. In response, DBACP indicated that it would issue written reprimands to both subject DBACP BCIs.

### 3 | Unlicensed Business and Secondary Employment (C2022-000053445)

An OIG investigation established that a former Chicago Police Department (CPD) officer operated an unlicensed private security company, assisted their children in operating a second unlicensed security company, used CPD resources to aid in the operation of both businesses, and violated several of CPD's Rules of Conduct by providing security services to bars and nightclubs that served alcohol.

OIG also obtained evidence showing that the CPD officer had entered into contracts with private clients and misrepresented that their companies were licensed by the State of Illinois. In addition, OIG obtained records from CPD's Citizen Law Enforcement Analysis and Reporting database showing that the CPD officer had improperly used the database to search for individuals they encountered in their private security work.

Because the CPD officer retired during the investigation, OIG recommended that CPD designate them as "resigned under inquiry" and place them on the ineligible for rehire list maintained by DHR. In response, CPD agreed with OIG's recommendations.

### 4 | Violation of Confidentiality Policy (C2022-000066507)

An OIG investigation established that a Civilian Office of Police Accountability (COPA) investigator released a confidential, unredacted police report regarding an open CPD investigation into a shooting in violation of COPA's Confidentiality and Information Release Policy. The investigator

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admitted to releasing the document, but they asserted that they were never informed that police reports were confidential.

OIG obtained evidence that showed that the investigator was provided a copy of COPA's confidentiality policy and signed a confidentiality agreement-both of which explicitly stated that police reports must be kept confidential. Further, the investigator failed to redact the names, addresses, and phone numbers of victims and witnesses in the report prior to release.

OIG recommended that COPA impose discipline against the investigator up to and including discharge. In response, COPA agreed with OIG's recommendation and began initiating the disciplinary process with the Department of Law.

## C I Synopses and Developments on Charged Criminal Cases

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

The following table summarizes ongoing criminal cases that relate to closed OIG 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.

Table 8: Developments in Prior Charged Criminal Cases

OIG Case Number	Criminal Case	Date Charged	Summary	Status
17-05	USA v. William Helm, 20-3/5/2020 - 0738(N.D. IL) 0952		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 October 21, 2022.
18-0163	USA v. Austin et al, 21-CR-408 (N.D. IL)	7/1/2021	Alderson Carrie Austin was indicted on federal bribery charges and further charged with making false statements to a Federal Bureau of Investigations agent. Chester Wilson, Austin's chief of staff,	The next status hearing is scheduled for November 22, 2022.

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OIG Case Number	Criminal Case	Date Charged	Summary	Status
			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.	

19-0019	USA v. Edward Burke et al, 19-CR-322 (N.D. IL)	4/11/2019	Alderpersion 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 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 a City elected official to secure business for his private law firm.	Trial has been set for November 6, 2023. The next pre-trial status hearing is scheduled for December 12, 2022.
19-0313	USAv. Patrick D. Thompson, 21-CR-279 (N.D. IL)	4/29/2021	Alderpersion Patrick 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	Thompson began serving his sentence at FCI Oxford in Wisconsin on August 22, 2022. His release date is December 20, 2022.

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OIG Case Number	Criminal Case • m\$ii?&	Date . fCharged .	Summary- •	Status
			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 July 6, 2022, the court sentenced Thompson to four months incarceration.	

19-0313	USAv. William Mahon, 19-CR-226-11 (N.D. IL)	12/17/21	William Mahon, a Department of Streets and Sanitation deputy commissioner, was indicted on one count of conspiracy to falsify bank records and to deceive and obstruct the Office of the Comptroller of the Currency, and six counts of willfully filing a false income tax return. The charges stem from allegations that Mahon, a board member of Chicago-based Washington Federal Bank for Savings, conspired to obstruct regulators and falsify bank records and that he filed numerous false tax returns.	The next status hearing is scheduled for November 8, 2022.
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## D | Synopses and Results of Administrative Appeals, Grievances, or Other Actions

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

This quarter, OIG provides two updates on grievances regarding discipline imposed and/or other actions resulting from OIG investigations.

### 1 | Conflict of Interest, Departmental Rules and Regulations, and Preferential Treatment (#20-0441)

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As reported in Q1 2022, an OIG investigation established that a Department of Buildings (DOB) electrical inspector used their personal cell phone to schedule multiple electrical inspections for an electrical mechanic, thereby permitting the electrical mechanic to bypass DOB's online scheduling system, in violation of DOB rules and procedures as well as the City's prohibition against preferential treatment. The electrical inspector also inspected at least six of the projects on which the electrical mechanic worked in violation of DOB's conflict of interest policy.

OIG recommended that DOB impose discipline up to and including discharge against the electrical inspector.

In response, DOB suspended the electrical inspector for 29 days. The electrical inspector filed a grievance against the discipline and the matter proceeded to arbitration. Prior to the conclusion of the arbitration, the Department of Law, DOB, and the electrical inspector reached a settlement resolving the electrical inspector's grievance.

### 2 | Attempt Retail Theft, Telephone Harassment, Discourteous Treatment, and Conduct Unbecoming (C2022-000040167; Legacy ID 20-0440)

An OIG investigation established that during the COVID-19 pandemic, a contracts coordinator with the City of Chicago Office of Public Safety Administration (OPSA), committed attempted retail theft on City time when the contracts coordinator took a personal shopping trip to Walgreens. They removed and concealed items, which they attempted to



steal. As soon as Walgreens caught the contracts coordinator shoplifting, Walgreens called the Chicago Police Department (CPD). During the police investigation, the contracts coordinator lied about their conduct and made false allegations that the Walgreens employees assaulted them and falsely accused them of attempting to shoplift from the store. The contracts coordinator also improperly attempted to gain preferential treatment of avoiding arrest by telling the CPD officers that they worked for the City and displayed their City identification card. CPD subsequently released and did not charge the contracts coordinator, due to early COVID-19 concerns.

Immediately after the contracts coordinator was temporarily detained and then left Walgreens, they made threatening and intimidating calls to the store. They called Walgreens at least 15 times over two days, threatening the employees with litigation and subjecting them to profanity and other harassing statements. The numerous calls caused the Walgreens employees to fear for their safety.

OIG recommended that OPSA discharge the contracts coordinator and refer them for placement on the ineligible for rehire list maintained by DHR. In response, OPSA agreed with OIG's recommendation and discharged the contracts coordinator.

The contracts coordinator filed a grievance against the discipline and this matter proceeded to arbitration. At the conclusion of the arbitration, the arbitrator denied the grievance, finding that the totality of the evidence established that the misconduct fully supported OPSA's decision to discharge the contracts coordinator.

## E | Special Investigations

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

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#### 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.<sup>11</sup>

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.<sup>12</sup> 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.

OIG has developed an O'Hare 21-specific phone and email address to enable members of the public, employees, and contractors to more easily raise concerns about O'Hare 21 to OIG.

<sup>18</sup> 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.

• 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.

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## F | Recoveries

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

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## III | Public Safety

Pursuant to the separate powers and duties enumerated in MCC § 2-56-230, the Public Safety section supports OIG's mission of promoting economy, efficiency, effectiveness, and integrity by conducting independent, objective evaluations and reviews of CPD, 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 three Public Safety section reports released this quarter.

### 1 | Consecutive Days Worked by Chicago Police Department Members, April-May 2022 (#C2022-000044001)'3

OIG conducted an inquiry into CPD's scheduling practices, including the cancellation of sworn CPD members' regular days off and the number of consecutive days on which CPD members were scheduled to work. OIG analyzed CPD data surrounding members' schedules and actual days worked from April 1, 2022, to May 31, 2022.

OIG issued this report to better equip stakeholders to the extent feasible given the quality of CPD's data with clear and accurate information during the ongoing public conversation and policy debate regarding changes to CPD's scheduling practices. OIG also sought to provide a framework from which CPD may conduct its own analysis of scheduling practices going forward.

OIG noted in its report that the state of CPD's records around scheduling data and work histories renders a thorough and

timely analysis of consecutive days worked cumbersome and difficult, and that members sometimes, but not always, work each of the days on which their day off group and watches are scheduled to work.

Based on OIG's review of CPD's data, many CPD members were scheduled to work 11 or more consecutive days between April and May 2022. Although some members did not actually work as many consecutive days as they were scheduled to work, some members did work 11 or more consecutive days during that timeframe.

On August 30, 2022-the day following the release of this report-CPD sent out a message to all units through its internal Administrative Message Center that announced limits on permissible cancellations of officers' regular days off.

<sup>13</sup> Published August 29, 2022 See <https://iqchicago.org/wp-content/uploads/2022/08/Consecutive-Oays-VVorked-by-Chicaao-Police-Department-Iv1embers-April-%F.2%80%93-i'v1av-2022.pdf>

<sup>1,1</sup> Specifically, the internal message CPD sent out provided "Effective immediately, the Department is implementing the following changes to scheduling For all non-probationary sworn members (except those members assigned to the 4th and 5th watches and members in specialized units) 1 No more than one RDO will be cancelled per work week except during the following operational periods, when two RDOs may be cancelled Memorial Day, Father's Day, 4th of July, Labor Day, Thanksgiving, and New Year's Eve 2. Members on a 4-2 schedule will not be required to work more than 10 consecutive days Members on a 5-2 schedule will not be required to work more than 12 consecutive days 3 Members

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## 2 | Use of Litigation Data in Risk Management Strategies for the Chicago Police Department (#C2022-000028is6)<sup>15</sup>

OIG completed an inquiry regarding the Department of Law (DOL) and CPD's collection of data related to lawsuits involving CPD and its members. This inquiry was conducted pursuant to Municipal Code of Chicago (MCC) § 2-56-230 (e), which includes among the Public Safety section's powers and duties to "review, audit and analyze civil judgments and settlements of claims against members of the Police Department, and to issue recommendations based on its findings to inform and improve or correct deficiencies in the conduct, or operation of the Police Department." OIG reviewed requests made by DOL to the Office of the Comptroller for the payment of settlements and judgments of CPD-involved cases from January 1, 2017 through December 31, 2020. Based on this review, OIG calculated that the City spent over \$250 million on judgments and settlements during the period of analysis. Through its analysis, OIG identified shortcomings related to the collection and management of litigation data involving CPD. These shortcomings limit the City's ability to understand areas of litigation risk to the City, and to implement responsive improvements to CPD's operations and policies. In conducting its inquiry, OIG interviewed personnel from the Office of Risk Management, DOL, and CPD, and reviewed data from DOL. OIG was unable to conduct an in-depth analysis of data from individual lawsuits because of limitations in the quality and quantity of data collected by DOL.

Subject matter experts recommend law enforcement agencies implement risk management programs to identify and mitigate risk areas, and many police departments in large jurisdictions use such programs. The collection and analysis of litigation data is a critical component of such risk management programs. Litigation data should be used to analyze trends, inform early intervention systems and specific administrative investigations, and help identify gaps in administrative investigation processes. However, CPD is poorly positioned to perform these functions due to the City's current litigation data collection and management practices.

Specifically, OIG identified two areas where the City's current practices limit its ability to perform these functions: (1) DOL does not collect litigation data at a sufficient level of detail; and (2) DOL is unable to merge its litigation data with CPD's related data (e.g., use of force reports and arrest reports) to expand potential avenues of analysis. As a result, the City of Chicago is failing to capitalize on opportunities to manage risks arising from CPD's operations.

To meet best practices, OIG made four recommendations. First, DOL, the City's Office of Risk Management, and CPD's Risk Management Unit should better coordinate to align goals and procedures to determine how to best collect litigation data, including to identify an effective means of merging DOL data with CPD data. Second, these agencies should coordinate to implement industry best practices as they determine what data should be collected. Third, DOL should develop policies, procedures, and training to inform and regulate the collection of litigation data across its divisions and

staff. Such a policy should require the collection of data necessary to meet the goals of CPD and the City's risk management programs, and include mechanisms to ensure that DOL personnel are complying with the policy. Lastly, as DOL works to upgrade its case management system, it should coordinate with the Office of Risk Management and CPD's Risk

will be guaranteed two consecutive days off each police period. 4 Members will have a minimum of nine hours between shifts. For all members, including probationary police officers and officers assigned to 4th and 5th watch, including specialized units, Members will have a minimum of nine hours between shifts."

<sup>15</sup> Published September 29, 2022. See <https://iqchicago.org/wp-content/uploads/2022/09/Use-of-Litigation-Data-in-Risk-Management-Strategies-for-the-Chicago-Police-Department.pdf>

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Management Unit to ensure that each entity's information systems and data collection and analysis tools are compatible.

In response, DOL, CPD and the Office of the Mayor agreed with OIG's recommendations and highlighted their efforts to upgrade data systems and to collaborate around data collection and sharing.

3 | Chicago Police Department Budget Explainer 2022<sup>16</sup>

On September 27, 2022, OIG published its second annual Chicago Police Department Budget Explainer. This report, timed to correspond to the City Council's budget hearings for City agencies, seeks to provide stakeholders and taxpayers with basic, foundational information about the City's budget and budget process, and how CPD's budget is built. The total amount of money appropriated to CPD in fiscal year 2022 was just under \$1.90 billion (\$1,899,239,537), and there were 13,933 budgeted positions for CPD in 2022. The report details the proportions of CPD's funding that derive from grant funds and local funds, how CPD's funding was allocated by spending category, and how personnel costs are distributed by bureau and office within CPD. A total of 88.45% of the money allocated to CPD was spent on Personnel Services items, which includes salaries and wages.

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 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 352 closed disciplinary cases and opened 10 for in-depth review.

Table 9: Disciplinary Cases Reviewed

Agency	Cases Screened	Cases Opened
BIA	256	5

Published September 27, 2022. See <https://iqchicago.org/wp-content/uploads/2022/09/Understanding-the-Civ-of-Chicago-Police-Departments-Budget-updated.pdf>

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COPA	96	5
<b>Total</b>	<b>352</b>	<b>10</b>

## i I Recommendations to Reopen Closed Disciplinary Investigations

This quarter, OIG found two BIA investigations and one COPA investigation that contained deficiencies materially affecting their outcomes. Additionally, by the end of the quarter,

- OIG received responses to one recommendation that was made to COPA in Q4 2021, which is detailed below, and one recommendation that was made to COPA and one to BIA in Q2 2022; both were reopened; and
- BIA closed three investigations that were reopened based on recommendations made in Q2, Q3, and Q4 of 2021. These cases are detailed below.

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

Table 10: Responses Pending with Agencies at the End of Q3

Old Case Number	Agency	Date Recommendation Was Sent to Agency
C2022-000044052	COPA	9/26/22
C2022-000044067	BIA	9/26/22 <sup>17</sup>

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.

## a | Recommendation to Reopen to Fully Account for All Available Evidence and Consider Additional Allegations (C2022-000031453)

OIG reviewed an investigation conducted by BIA involving a CPD member alleged to have associated with multiple individuals convicted of a felony or misdemeanor; failed to submit a written report explaining that they were under investigation after being interviewed by the Federal Bureau of Investigation (FBI) regarding their involvement in the Proud Boys organization; and associated with members of the Proud Boys, labeled by the FBI as an anti-Semitic white supremacy organization. BIA sustained the allegation that, the CPD member failed to submit a written report explaining that they were under investigation by the FBI and recommended a five-day suspension. BIA reached findings of Not Sustained on the remaining allegations. In November 2020, OIG recommended that BIA reopen its investigation to address deficiencies materially affecting its outcome.

OIG found that BIA failed to account for all available evidence, noting that the evidence available in BIA's investigative file may, in fact, have supported a Sustained finding for the remaining allegations. OIG also noted that it appeared that the CPD member may have made inconsistent statements to the FBI and BIA, and brought discredit upon CPD by virtue of their involvement with the Proud Boys. OIG recommended that BIA reopen the investigation to fully account for all

OIG received a response from BIA after the close of this quarter. Further details will be included in a future report.

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available evidence, and to reconsider its findings as to the original allegations, as well as potential violations of CPD Rules of Conduct 2, 14, and 21.<sup>18</sup>

BIA accepted OIG's recommendation to reopen its investigation, but does not appear to have revisited the original allegations, as recommended by OIG. However, BIA brought five additional allegations against the CPD member. In summary, BIA alleged that the CPD member:

- Failed to report a battery they witnessed to CPD or any other police agency
- "[M]ade a contradicting statement" during their statement to BIA when asked about their participation in a Proud Boy chat group
- "[M]ade a false statement" to BIA when asked if they attended a Proud Boy barbeque
- Brought discredit upon CPD by expressing support for a Proud Boy member's actions in online forums
- Brought discredit upon CPD by participating in Proud Boy online forums.

BIA sustained an allegation that the member made "a contradicting statement during [their] audio recorded statement" regarding their participation in a group chat with members of the Proud Boys and made "a false statement" during the course of BIA's investigation when asked if they attended a Proud Boy sponsored barbeque, but did not find that the member violated Rule 14, which prohibits making false reports.

After bringing the additional allegations, BIA resolved the investigation with a mediation agreement, whereby the CPD member agreed not to contest the allegations in exchange for a 120-day suspension.<sup>19</sup> Mediation agreements between a CPD member and the Department are binding, except pursuant to a provision of the applicable collective bargaining agreement which provides that if BIA and the accused CPD member "agree on a penalty less than separation, it is binding on both parties. However, the Superintendent retains the right to seek the separation of an Officer."<sup>20</sup>

OIG wrote to the Superintendent and recommended the Superintendent review the evidence collected by BIA during its original and reopened investigations. Furthermore, in the interest of consistency and fairness, OIG recommended the Superintendent consider the mediated discipline in light of whether BIA's findings that the CPD member made "false" and "contradictory" statements constitute violations not only of Rule 2, but also of Rule 14, prohibiting the making of false reports. In its communication to the Superintendent, OIG made note of a letter the Superintendent wrote to COPA regarding an unrelated investigation, wherein he stated,

"since approximately 2008, CPD has sought the separation of officers with sustained Rule 14 violations because such a violation impairs an officer's ability to testify in criminal cases, to effectuate arrests, hinders an officer from signing affidavits in support of search warrants,

<sup>18</sup> Rules and Regulations of the Chicago Police Department. Article V Rules of Conduct Rule 2 prohibits "[a]ny action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department" Rule 14 prohibits "[m]aking a false report, written or oral" Rule 21 prohibits "[f]ailure to report promptly to the Department any information concerning any crime or other unlawful action."

Mediation is a component of CPD's disciplinary system offered to CPD members in designated types of investigations that are likely to result in a sustained finding CPD members who enter into a mediation agreement waive their right to grieve the findings and recommended discipline

<sup>20</sup> "Agreement Between the City of Chicago Department of Police and the Fraternal Order of Police Chicago Lodge No. 7," Section 6.11.

and participating in joint federal task forces. Federal and state prosecutors routinely inquire whether an officer has a sustained Rule 14 violation and generally will not call an officer with such a violation to testify in criminal cases because the facts of that violation would be subject to cross-examination and may negatively affect the

officer's credibility."

While BIA did not allege that the CPD member violated Rule 14 here, it did sustain findings that they made "a contradicting statement" and "a false statement" during the course of BIA's investigation when asked about their association with the Proud Boys. OIG asserted that these findings and the conduct at issue should be considered accordingly in line with the principles the Superintendent laid out with respect to Rule 14.

The Superintendent did not respond to OIG's further communication. According to CPD's case management system, the Superintendent concurred with BIA's findings and approved the 120-day suspension agreed upon by the CPD member and the Department during the mediation process.

#### b | Recommendation to Reopen to Collect and Consider all Available Evidence (C2022-000031999)

OIG reviewed a BIA investigation into allegations that a CPD member was found not to be credible by a judge in the Circuit Court of Cook County after testifying at a motion hearing. BIA was made aware of the adverse credibility finding regarding the CPD member through a disclosure notice from the Cook County State's Attorney's Office (CCSAO). The assigned BIA investigator spoke with CCSAO's chief ethics officer who stated that a disclosure notice sent to CPD did not necessarily mean that a CPD member intentionally gave false testimony and did not constitute an allegation or finding of perjury. The BIA investigator obtained a copy of the court transcript containing the CPD member's testimony at issue, but the case file did not include any record of the judge's actual finding regarding the CPD member's credibility, which appeared to have been made on a different date. Furthermore, in the Closing Summary, the BIA investigator stated that they reviewed body worn camera (BWC) footage, but that video did not appear in the investigative file. BIA administratively closed the investigation, stating, "the listed allegation is not a violation of Department Rules and Regulations, directives, or order by sworn member of the Department."

OIG recommended that BIA reopen the investigation to collect and consider all available evidence. While OIG acknowledged that an adverse credibility finding by a judge may not necessarily mean that a CPD member intentionally gave false testimony, it clearly implicates CPD's Rule 14, which prohibits officers from providing a false report, written or oral. OIG recommended that BIA review the CPD member's testimony in conjunction with the judge's actual finding regarding the CPD's member credibility, include all evidence considered in the investigative file including BWC footage, and take any additional investigative steps necessary to support an appropriate analysis of whether the CPD member violated Rule 14 or any other CPD rules or directives.

BIA agreed with OIG's recommendation and reopened the investigation. The BIA investigator included the transcript of the judge's finding regarding the CPD member's credibility, in which the judge found that the CPD member's testimony that the defendant in the criminal case had tossed a gun away while being taken down by the CPD member's partners, was a "complete fabrication" and refuted by BWC footage. The BIA investigator reviewed the CPD member's BWC footage, which they note is from the perspective of the CPD member sitting in the police vehicle while the CPD partners interact with the defendant and "does not allow or represent a complete account of

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what was observed by [the CPD member] before the incident transpired." The BIA investigator did not review any BWC footage from the CPD member's partners.

The BIA investigator "determined [that] there is no verifiable evidence to substantiate that the [CPD member] provided false testimony in the court proceedings [...]" The BIA investigator found the CPD member's testimony was consistent with what was recorded on the CPD member's BWC video. BIA concluded that the allegation was Unfounded.

#### c | Recommendation to Reopen to Obtain and Account for all Available Evidence (C2022-000032513)

OIG reviewed a BIA investigation into allegations that an off-duty CPD officer intentionally struck a juvenile cyclist and that the Sergeant responding to the scene failed to properly investigate the accident. The parent of the juvenile cyclist who was struck by the off-duty officer's vehicle alleged that the off-duty officer intentionally struck the child, used profanity towards the cyclist, and the Sergeant on the scene failed to properly investigate the incident. BIA's investigation revealed that an off-duty officer was driving when the off-duty officer encountered two juvenile cyclists. According to a traffic crash report, the off-duty officer claimed that juvenile cyclists were weaving in and out of the traffic lane. The off-duty officer and the juvenile cyclists exchanged words and the off-duty officer claimed that they then pulled over to the right curb to allow the juvenile cyclists to pass. As reported in the traffic crash report, the off-duty officer stated to the responding CPD members that the hand of one of the juvenile cyclists came into contact with the side mirror, and that juvenile cyclist then turned in front of the vehicle, causing the off-duty officer to accidentally strike the juvenile cyclist. In contrast, the traffic crash report documenting the collision stated that the juvenile cyclist alleged that while trying to pass the off-duty officer's vehicle, the off-duty officer sped up and struck the juvenile cyclist. An independent witness is listed on the traffic crash report by name and telephone number, but no witness statement is recorded in the traffic crash report narrative. BIA had Not Sustained regarding the allegations against the involved CPD member.

OIG determined that several pieces of likely available material evidence were missing from BIA's electronic case file, and that available BWC video evidence was not identified as collected or referred to in the determination of the investigative findings. OIG's review of the case found that BIA failed to account for all available BWC and in-car camera (ICC) video and obtain all 911 dispatch audio files related to the incident. BIA also did not include in its file an investigative report pertaining to the review of video from a nearby school, or a complete record of an email correspondence with an individual identified as a witness.

OIG recommended BIA reopen the investigation to obtain all available evidence and to account for the complete record in developing investigative findings regarding the allegations made by the juvenile cyclists and the witness.

BIA accepted OIG's recommendation and reopened the investigation to address the identified discrepancies. BIA memorialized their additional investigative activity in a memo included in its case file, noting that some of the evidence was not available, and the discrepancies addressed by additional investigation did not alter BIA's original findings.

#### d | Recommendation to Reopen to Obtain All Available Evidence and Properly Identify the Accused CPD Member(s) (#02022-000033044)

OIG reviewed a BIA investigation involving allegations that one or more CPD members provided preferential treatment to a Chicago Fire Department (CFD) Lieutenant, by allowing the Lieutenant

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to drive home while intoxicated after a traffic stop, rather than arresting them for driving under the influence. The complainant alleged unknown CPD members escorted the CFD Lieutenant home while intoxicated, and at approximately 2:41 a.m., the CPD members drove past their home and illuminated it with a spotlight, which the complainant believed to be an indication that the CPD members were checking to see if the CFD Lieutenant was "inside [the] home and safe." BIA closed the investigation with a finding of Not Sustained without identifying the involved CPD members.

OIG found available evidence in a related investigation conducted by the same BIA investigator which identified the involved CPD members. Specifically, the related investigative file contained GPS records that identified a CPD vehicle on the block where the CFD Lieutenant resided between 2:30am and 3:30am. OIG found in the related investigation a CPD Detective Supplementary report that documented the existence of third-party surveillance video which captured the marked CPD vehicle on the block at 2:41 am, and the name of the CPD member that illuminated the vehicle's spotlight into the home of the CFD Lieutenant.

OIG recommended that BIA reopen the investigation to obtain and account for all available evidence, properly identify the accused CPD members implicated by the available evidence and serve allegations as appropriate.



BIA accepted OIG's recommendation to reopen the investigation and interviewed the CPD members. The BIA investigator also reviewed BWC footage which corroborated their claims that they had been shining a light on the house while commenting on a for sale sign in the yard and had not had any interaction with the CFD Lieutenant prior to driving by the house. BIA again closed the investigation with findings of Not Sustained.

### **e | Recommendation to Reopen to Re-Examine the Use of Deadly Force (C2022-000033562)**

OIG recommended that COPA reopen an investigation into a fatal officer-involved shooting to reexamine the use of deadly force in light of its finding that the involved members' previous accounts of the shooting were false. In 2013, the Independent Police Review Authority (IPRA), COPA's predecessor agency, administratively closed an officer-involved shooting investigation with a determination that the use of deadly force by the CPD member was in compliance with CPD policy. IPRA's conclusion relied heavily on statements made by the CPD member who fired their weapon and a CPD member who witnessed the incident.<sup>21</sup>

In 2021, COPA sustained allegations in a related investigation into the involved CPD members for making false statements to Detectives during IPRA's officer-involved shooting investigation, based on the involved CPD members' testimony given in a civil lawsuit. In 2018 and again in 2019, COPA wrote a letter to then-Superintendent Eddie Johnson requesting that he give written authorization to conduct further investigation into "all matters" related to the officer-involved shooting investigation. In its letter, COPA explained that it wanted to "engage in further investigation to determine whether [the CPD member's] use of deadly force was in compliance with Department policy" and to investigate "whether the initial encounter was lawful, and whether the officers made false statements during the investigation and/or during litigation concerning this incident." Superintendent Johnson declined COPA's request to reopen the investigation into the officer-

<sup>21</sup> Hereinafter referred to as involved CPD members

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involved shooting, seeming to rely on the fact that COPA's investigation into the officers' false statements was ongoing.

Ultimately, COPA reached a finding that the statements given by the involved CPD members, which were substantially the basis for IPRA's determination that the use of deadly force investigation was within policy, were false. COPA recommended separation for the involved CPD members. As such, OIG recommended that COPA seek permission from Superintendent David Brown to reopen the investigation to reexamine the use of deadly force in light of its finding that the involved members' previous accounts of the shooting were false.

COPA declined to reopen the use of deadly force investigation stating,

"Any charge seeking a suspension of more than 30 days and within the Chicago Police Board's jurisdiction against [the CPD member] based on an unreasonable use of force would be time barred under state law. The incident at issue occurred on July 8, 2010. 65 ILCS 5/10-1-18(b)<sup>22</sup> provides that a charge seeking suspension of more than 30 days and based upon an unreasonable use of force 'must be brought within 5 years after the commission of the act upon which the charge is based.' COPA would note that [the CPD member] is currently facing separation charges for Rule 14 violations at the Police Board concerning the truthfulness of statements on the use of force conduct at issue here. Accordingly, based on this state law limitation, seeking to re-open [the investigation] to analyze [the CPD member's] use of force would not be an efficient use of COPA's limited resources."

<sup>22</sup> In a subsequent communication with COPA, the agency clarified that the statute referenced should be 65 ILCS 5/10-1-13-1

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## IV I 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 two reports released by APR this quarter.

#### 1 | Audit of the Department of Family and Support Services' Strategic Contracting (#20-i629)<sup>23</sup>

OIG conducted an audit of the Department of Family and Support Services' (DFSS) Strategic Contracting process for selecting delegate agencies. DFSS works with approximately 350 delegate agencies with 1,600 contracts to provide social services for vulnerable Chicagoans. The objective of the audit was to determine whether DFSS' contracting processes align with outcomes-based goals and with the Department's Commitment to Outcomes, of which its Strategic Contracting process is a part.

OIG concluded that DFSS' Strategic Planning and Impact division's involvement in developing requests for proposal (RFPs) and evaluation tools helps align those steps with the Commitment to Outcomes, though there is room for improvement. The Department could strengthen its process by ensuring the inclusion of key elements that match the Commitment to Outcomes. Moreover, RFP application evaluators inconsistently applied the scoring guidance.

OIG recommended that DFSS develop procedures to ensure that it includes the key elements of the Commitment to Outcomes in all future RFPs, evaluation tools, and contracts, and that evaluators consistently score applications

according to the Department's scoring guidance. OIG also recommended that DFSS ensure that all divisions share an understanding of outcomes-based goals, outcome metrics, and the key elements of the Commitment to Outcomes. In response, DFSS stated that it would continue to provide guidance and training on the Commitment to Outcomes to program divisions through the Strategic Planning and Impact division. The Department also committed to providing guidance and procedures to help divisions include relevant and appropriate elements in RFPs, evaluation tools, and related contracts, and improve the scoring guidance it provides to evaluators.

## 2 | Audit of the Department of Buildings' Permit Inspection Process (#20-083 O<sup>24</sup>)

OIG conducted an audit of the Department of Buildings' (DOB) inspection process for construction work subject to permit requirements. DOB relied on requests from permit holders to schedule required inspections. This process complied with the Chicago Construction Codes, but did not ensure that permit holders requested all required inspections. While DOB reliably scheduled requested inspections and only issued Certificates of Occupancy (COOs) once inspections were

<sup>23</sup> Published August 9, 2022 See <https://iqchicago.org/2022/08/09/audit-of-the-department-of-family-and-support-services-strategic-contracting/>.

Published August 9, 2022 See <https://iqchicago.org/2022/08/25/audit-of-the-department-of-buildings-permit-inspections-process/>. OIG notified the City's Chief Technology Officer of data quality issues noted in this audit. That letter of notification is discussed on page X of this quarterly report.

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complete, its reactive approach allowed for the construction and occupation of some buildings, which did not require COOs, without the completion of all required inspections.

In a review of 80 permits issued between January 1, 2017, and December 31, 2019, OIG identified 42 buildings within DOB's permit and inspection system that did not have all required inspections and found that the associated buildings had nonetheless been fully constructed. These included 35 single-family homes, several of which had already been sold or listed for sale. In these 42 cases- all buildings for which no COO was required-DOB noted that the general contractors had failed to request inspections. While the Department consistently performed requested inspections, it did not use available data to identify situations where permit holders have not requested required inspections. In contrast, DOB did ensure the inspection of buildings that required COOs.

OIG recommended that DOB,

- develop and implement procedures to ensure that it identify required inspections and ensure it completes those inspections;
- proactively monitor permits with no requests for required inspections and develop monitoring tools and procedures to determine the construction status of buildings;
- ensure that inspectors and supervisors use the Department's data management system in a more effective and consistent manner; and
- consider alternative procedures to ensure permit holders request inspections, such as requiring that a wider variety of buildings receive COOs.

In response to OIG's audit, DOB stated that it has developed and implemented new procedures related to building permit inspections. The Department also committed to improving documentation and communication of those procedures to contractors and the public. DOB described limitations of its current permit and inspection data management system and stated that it has worked with the Department of Assets, Information and Services "for well over a decade" to replace it. DOB stated that until the system is replaced, it has implemented a daily email that identifies permits over six months old with no inspection requests. DOB will assign the related locations to inspectors to determine the status of construction. Related to the quality of data in its current system, DOB did not describe specific procedures to improve the data quality which would support thorough and accurate monitoring of those permits and evaluation of program performance.

## B | Advisories and Department Notification Letters

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

### i | Letter of Notification to the Chief Technology Officer Regarding the Audit of the Department of Buildings' Permit Inspection Process<sup>2^</sup>

OIG conducted an audit of the DOB inspection process for permitted construction work. The objectives of the audit were to determine if DOB verifies building code compliance for permitted construction work. With this audit, OIG issued a notification to Chief Technology Officer for the Office of the Mayor.

The audit is discussed on page 30 of this quarterly report

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DOB's maintenance of records within its data system, Hansen 7, does not allow the Department to determine which inspections are necessary and how many are outstanding. DOB stated that it is in the process of upgrading its systems; OIG has emphasized that complete, accurate and consistent use of the current Hansen 7 is essential to generating quality data that can be successfully migrated to the new system, and subsequently useful for operational performance review.

During OIG's review, it encountered the following data quality issues.

1. DOB does not consistently close permits after it completes all required inspection. Therefore, 82.6% of building permits issued from 2017 to 2019 remain "open" as of December 2020, although based on their issue date these permits should be expired or the contractors should have completed the associated work.
2. Different divisions within DOB use the "closed" status differently, resulting in inconsistent use of the status fields and no clear way to tell which permits are pending inspections and which should have been closed or expired.
3. DOB generally does not close or delete inspections assigned to electrical permits issued for maintenance work, which do not require inspections. For instance, DOB's system does not differentiate between electrical permits for maintenance work, which do not require inspections, and electrical permits for construction, which do require inspections.
4. DOB does not regularly close or delete inspections incorrectly assigned to a permit during permit review.

As noted in the audit report, OIG recommended that the department address and correct the procedural issues described above. In addition, DOB should develop monitoring tools to proactively identify aged permits with no inspection requests.

### 2 | Notification Regarding GPS in Non-Public Safety City Vehicles (C2022-000041506)

OIG issued a notification to the Mayor's Office concerning the lack of Global Positioning System (GPS) units in non-public safety vehicles owned and used by City departments. During OIG investigations, the ability to ascertain the specific location of a City vehicle is critical to our ability to conduct robust and accurate fact-finding. In many cases, however, this information is unavailable because the City vehicle at issue is not equipped with a GPS unit.

OIG compared City data concerning the number of vehicles in the City's non-public safety fleet with the number of vehicle GPS units tracked by the City. The City of Chicago Department of Assets, Information and Services' (DAIS) M5 database, which houses information about the City's vehicles and assets, including refueling and vehicle maintenance data, identified 4,821 in-service vehicles potentially eligible for GPS installation. Of those, 3,387 (70 percent) were in the City's CMAT database, which tracks GPS data for departments with non-emergency operations. OIG learned that each

department head determines whether their department's vehicles should be equipped with GPS units. The rate of GPS-equipped vehicles (as reflected by the vehicle's presence in the CMAT database) varies widely, from 93 percent for the Department of Water Management to 34 percent for the Department of Aviation. If a department head wishes to install a GPS unit on a vehicle, the department must first contact the Office of Budget Management (OBM) to ensure that the department's budget can accommodate the cost. Moreover, each department head is authorized to determine whether their own assigned vehicle is to be equipped with a GPS unit. OIG noted that endowing department heads with discretion to determine which vehicles are to be equipped with GPS gives rise to a risk and appearance of a conflict of interest; a department official

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might determine that their own vehicle should not be GPS-equipped and thereby insulate themselves from accountability for its misuse.

OIG recommended that the City establish guidelines and/or policies for departments to use in the determination of which City vehicles are to be equipped with GPS units, that all take-home vehicles be equipped with GPS, and that the Mayor's Office or DAIS determine whether the vehicles used by department heads and other high-ranking department officials be equipped with GPS units.

In response, the Mayor's Office agreed that there should be a Citywide approach to achieving accountability, efficiency and resource conservation in the allocation and utilization of GPS in City vehicles. The Mayor's Office noted that after receiving OIG's notification, it convened DAIS, OBM, and other impacted departments to discuss the concerns raised in the notification. Explaining that there was broad consensus on the goals and principles outlined in the OIG's notification, the Mayor's Office stated that as part of the 2023 budget process and over the coming months, DAIS, in coordination with the Mayor's Office and OBM, will develop a set of policies and guidelines that will set the framework for requiring GPS on non-public safety vehicles, with narrow operations-based exceptions. The policies will be comprehensive of all such vehicles, including take-home vehicles and vehicles utilized by department commissioners and other high-ranking officials. Finally, the Mayor's Office stated that it would provide OIG a copy of the policy and/or guidelines once completed.

## C I 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.

### I | 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.

In early 2016, the Participating Members entered into an Intergovernmental Agreement (IGA) to work together to implement these recommendations. The IGA provided for an initial five-year term (2016 through 2021) with two automatic extensions of two years each (2021 through 2023, and 2023 through 2025) unless all Members agreed in writing not to extend the project. Further, the IGA required the Members to issue four reports per year: quarterly reports within 14 days after the end of each calendar quarter ending in March, June, and September; and an annual report within 60 days after the end of each calendar year. (In 2016-the project's inaugural year-the IGA required only the three quarterly reports). The ordinance authorizing the City to enter into the IGA required OIG to issue an independent evaluation of the

Participating Members' progress in implementing the recommendations within 90 days following the issuance of each annual report.

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In March 2021, OIG and DPS proposed to the Mayor's Office that because the purposes of the PRTF reporting cycle had largely been achieved, the City (in consultation with the other Participating Members) should amend the IGA 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.

When OIG and DPS reengaged with the Mayor's Office on this topic during third quarter of 2022, DPS expressed an intention to issue what it described as a "final, close-out report" on PRTF. On October 11, DPS informed OIG that it has scheduled a meeting for October 19 to discuss this report with the other Participating Members.

OIG notes that the most recent report issued by the Participating Members—the 2020 Annual Report, which did not issue until October 2021 despite being due within 60 days after December 31, 2020—demonstrated that substantial efforts remained to fulfill the PRTF recommendations. OIG has no indication whether the Members have made progress on the open recommendations in the year since that report was issued. OIG acknowledges that the Members may choose to opt out of the second extension of the IGA and end the PRTF project in early 2023; in the event they choose to exercise this option, OIG will issue a final progress report assessing the Members' fulfillment of the PRTF recommendations. Given the substantial work that remained as of October 2020, however, the Members may choose to continue the project through the entire nine-year period (2016–2025) contemplated by the IGA as potentially necessary to achieve the recommended reforms.

In either event, OIG further notes that the reporting requirements imposed by the IGA remain in place until they expire; absent a substantive change, OIG continues to expect that the Participating Members will meet those obligations. To date, they have fallen short of doing so. Again, the IGA required three reports in 2016 and four in each subsequent year. However, the Members have issued only 15 reports during a period in which they should have issued 25: three reports in 2016; three in 2017; three in 2018; three in 2019; two in 2020; and one in 2021.

OIG will continue to monitor the PRTF project and will fulfill its obligations thereto. OIG's next quarterly report, which will issue in January 2023, will include an update on any further progress toward achieving the vital reforms prescribed by the 2015 PRTF Report.

## D | Monitoring Employment Actions

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

The Compliance unit's responsibilities are specific to monitoring the City's employment actions, and

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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. Under previous versions of the City's Employment Plan, many of these audits and reviews were mandatory. During the third quarter of 2022, a new version of the City's Employment Plan came into effect and these audits and reviews were largely made discretionary. The following section includes information on these activities and others on which OIG is required to report pursuant to the Employment and Hiring Plans and MCC § 2-56-035.

## **I | 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 no reports of a direct contact.

### **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 two political contacts:

- An alderperson contacted DHR to inquire about a candidate for the covered title of pool motor truck driver.
- An alderperson contacted AIS to inquire about a candidate for the covered title of manager of vehicle maintenance.

### **c | Exempt Appointments**

OIG tracks all reported or discovered Shakman-exempt appointments and modifications to the Exempt List on an ongoing basis.<sup>26</sup> During this quarter, OIG received notification of 30 exempt appointments.

An exempt position is a City position to which the requirements governing covered positions do not apply those positions are cataloged on the Exempt List

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## **d I Senior Manager Hires**

OIG may review hires pursuant to Chapter VI of the City's Employment Plan covering the Senior Manager Hiring

Process. During this quarter, OIG received notice of two 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 Employment Plan). Per the Contractor Policy, OIG may choose to review any solicitation documents, draft agreements, final contracts, or agreement terms to assess whether they are in compliance with the Contractor Policy. This review includes analyzing contracts for common-law employee risks and ensuring the inclusion of Sfta/cman-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.

The table below details contracts OIG reviewed this quarter.

Table 11: Contract Reviews

Contracting Department	aContractor, Agency,; Program, or .Other Organization : ,	Duration of . ^ Contract/Agreement., ..
Public Health	Sunbelt Staffing	1 year
Public Health	Sunbelt Staffing	1 year
Public Health	Sunbelt Staffing	1 year
Public Health	Sunbelt Staffing	1 year
Public Health	Sunbelt Staffing	1 year
Public Health	Sunbelt Staffing	Six months
Mayor's Office for People with Disabilities	Sunbelt Staffing	Six months
Public Health	Sunbelt Staffing	1 year
Public Health	Sunbelt Staffing	1 year
Public Health	Sunbelt Staffing	1 year
Public Health	Sunbelt Staffing	1 year
Finance	Professional Dynamic Network	60-90 days
Office of Public Safety Administration	Professional Dynamic Network	Six months

## 2 | Hiring Process Audits

### a | Modifications to Class Specifications,<sup>2?</sup> Minimum Qualifications, and Screening and Hiring Criteria

OIG may review modifications to class specifications, minimum qualifications, and screening and hiring criteria. This quarter, OIG received notification that DHR changed the minimum qualifications for two titles within the following



departments: the Commission on Human Relations and DOL. OIG reviewed 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 may audit this list by examining a sample of referral lists and notifying DHR when potential issues are identified. This quarter, OIG did not audit the referral list.

### **c | Testing**

The City's Employment 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, OIG may audit in-process hiring sequences, including 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 Employment 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 .

When no consensus selection is reached during a consensus meeting, a written rationale must be provided to OIG for review.<sup>28</sup> During this quarter, OIG received no written rationales for review.

In addition, OIG may audit the City's compliance with Chapter II.C.3 of the City's Employment 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.

<sup>21</sup> "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.

<sup>28</sup>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.

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### **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 did not audit any DOL hiring files.

### **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 consensus meeting. The table below shows the breakdown of monitoring activity by department.<sup>29</sup> OIG did not identify any compliance issues while monitoring these hiring sequences.

Table 12: Hiring Sequences Monitored in Q3

Department	Intake Meetings Monitored	Tests Monitored	Interview Sets Monitored	Consensus:, Meetings - Monitored
Public Safety Administration	0	0	0	1

g I 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

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

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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 did not complete an audit of CFD non-hiring employment actions but will resume the audit in a forthcoming quarter.

i | Acting Up3°

OIG audits compliance with Chapter XIII of the City's Employment Plan and the Acting Up Policy. This quarter, OIG did not receive notice of any DHR-approved waiver requests to the City's 90-Day Acting Up limit.<sup>31</sup>

### 3 | Other Compliance Activity a | Escalations

Recruiters and analysts in DHR must escalate concerns regarding improper hiring by notifying OIG. In response to these notifications, OIG may take one or more of the following actions: investigate the matter, conduct a review of the hiring sequence, refer the matter to the DHR commissioner or appropriate department head for resolution, or refer the matter to the OIG Investigations section. This quarter, OIG received no 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 an Employment Plan violation or breach of a policy or procedure related to hiring, OIG may open an inquiry into the matter to determine whether such a violation or breach occurred. If a violation or breach is sustained, OIG may make corrective recommendations to the appropriate department or may undertake further investigation. If, after sufficient inquiry, no violation or breach is found, OIG will close the case as Not Sustained. If, 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 Q3

Complaint Status	Number of Complaints
Newly Initiated	11
Closed with Investigation	3

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

¶ 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.

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Complaint Status	Number of Complaints
Closed Without Investigation	0
Pending	8

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

Table 14: Compliance Matters Disposed in Q3

Case Status	Number of Cases
Opened	0
Closed Administratively	0

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

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

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

For further information about this report, please contact the City of Chicago Office of Inspector General, 740 N. Sedgwick Ave., Suite 200, Chicago, IL 60654, or visit our website at [iqchicago.org](http://iqchicago.org) <<http://iqchicago.org>>.

Suggest Ways to Improve City Government:  
[iqchicago.org/contact-us/help-improve-city-government](http://iqchicago.org/contact-us/help-improve-city-government)

Report Fraud, Waste, and Abuse in City Programs:

Call OIG's complaint hotline at: (866) 448-4754 / TTY: (773) 478-2066 [icichicago.org/contact-us/report-fraud-waste-abuse/](http://icichicago.org/contact-us/report-fraud-waste-abuse/) <<http://icichicago.org/contact-us/report-fraud-waste-abuse/>>

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