



# Office of the City Clerk

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## Legislation Text

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### VIA ELECTRONIC MAIL

SEPTEMBER 30, 2021

Annette Nance-Holt  
Commissioner  
Chicago Fire Department  
3510 S. Michigan Ave., 2<sup>nd</sup> Floor  
Chicago, IL 60653

Annastasia Walker Executive Director  
Office of Public Safety Administration 3510 S. Michigan  
Ave., 3<sup>rd</sup> Floor Chicago, IL 60653

Dear Commissioner Nance-Holt and Executive Director Walker:

The Office of Inspector General (OIG) writes to inform you about a recent investigation that revealed a troubling pattern of a disproportionate number of Chicago Fire Department (CFD) retirees reporting their active member CFD badges missing or stolen within three to six months of their retirement.

### BACKGROUND

In November 2018, OIG received information that in the previous three years, CFD members had reported badges lost more than 300 times.<sup>1</sup> In what was characterized as "an institutionalized accepted practice," which "frequently occurred when a firefighter [was] reaching retirement." OIG was further provided with records of CFD badges reported lost from January 1, 2015, through November 15, 2018.

CFD badges are CFD property. See CFD General Order 92-006 (GO 92-006) (effective March 23, 1992 - November 28, 2018) and CFD General Order 18-012 (GO 18-012) (effective November 29,

<sup>1</sup> MCC 2-36-510 - Uniforms and Badges, (a) The fire commissioner shall adopt rules setting forth the circumstances under which the members of the bureau of operations shall be required, while on active duty, to wear appropriate uniforms, badges and other insignia by which their authority or status may be known, (b) The issuance of any and all honorary badges shall be at the sole discretion of the fire commissioner. MCC 2-36-700 -Badges. When in dress uniform, each member of the uniformed service shall wear a suitable badge furnished by the city denoting such member's rank. Any member who loses or destroys such badge shall pay the cost of replacement.

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2018 - present). Uniformed members receive active duty badges based on their rank and the badge must remain in the member's custody. When a member retires or leaves for any other reason, the member must return the badge to CFD. When a badge is lost or stolen, members must immediately notify and submit a form-CFD Form 2/2A-explaining how the loss occurred along with a complete police report. CFD Human Resources (CFD-HR) personnel did not believe CFD tracked lost or stolen badges, nor have they analyzed trends in reports of lost or stolen CFD badges. Further, CFD personnel do not refer lost badge incidents to CFD Internal Affairs Division (CFD-IAD), as they were never directed to do so. If a badge is not recovered within thirty (30) days, the member is financially responsible for the replacement badge and may be subject to additional fines and/or discipline.<sup>2</sup>

Starting in 2018, CFD allowed members separating from the department, including through retirement, to "request retention [of their badge] in exchange for payment." See CFD GO 18-012(11I)(B). Pursuant to the general order, at least 60 days prior to separation from CFD, including by retirement, members must complete a Badge Retention Request form as well as a "Money Order payable to the City of Chicago for the cost of the badge." The so-called "retained" badge is not the same badge assigned to the member while active, but rather is a "retirement" badge, which costs the member \$225, and is encased in plexiglass with the word "retired" on it. Per the 2018 general order, members who do not relinquish their badge or do not adhere to the procedure to retain the badge, may be subject to a wage deduction equal to a ten (10) hour suspension and will be subject to CFD-HR classifying the cost of the badge as an unresolved debt to the City, which will be garnished from the member's last paycheck. See GO 18-012(III)(B)(3).

## II. ANALYSIS

OIG reviewed Chicago Police Department (CPD) reports of CFD badges purportedly lost or stolen from January 1, 2015, through June 30, 2020. Overall, 340 CFD members reported their badges stolen or lost to CPD during this period. Approximately 79.7% of the reports-271 of the total 340-came from retiring CFD members. Approximately 22.6% of all retiring members who reported their badges stolen or missing to CPD did so within 6 months prior to retirement.<sup>3</sup> When CFD changed the general order in November 2018 to allow members to purchase a retirement badge, the number of reported missing or stolen badges remained steady, possibly a function of it costing members significantly less to replace their active badge than to purchase a retirement badge.

This pattern of a large number of badges reported lost or stolen, as CFD members retire, suggests a number of possible causes, including: 1) that CFD members are committing theft of City property (badges), filing false police reports to cover up the theft, and thereby enabling themselves to retain their CFD badges upon retirement (which since 2018 they are able to

<sup>2</sup> CFD confirmed that it does charge for unreturned badges. Replacement badges cost members between \$45 and \$67, depending on the badge rank the member is replacing. A firefighter badge's replacement cost is \$55, while a captain badge's replacement cost is \$67.

<sup>3</sup> 266 out of 1,178 retiring members reported their badges stolen or missing within six months of retirement.

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replace at a cost lower than the cost of purchasing a retirement badge), or 2) that CFD members may be misplacing their badges and not reporting them missing or stolen until it is time to return the badges to CFD at retirement. Both scenarios constitute control and misconduct concerns. Theft of City property and filing false police reports are crimes. Failing to immediately report a missing or stolen CFD badge is a violation of CFD general orders and the City of Chicago Personnel Rules.

One example of a series of missing badge reports prompting OIG's concerns occurred in late November 2017. Three CFD members—two firefighters and one Captain-EMT—reported their badges missing to CPD on the same date. The three separate police reports contained identical narrative summaries: all three badges were reported as having last been seen on the same date in April 2017; all three badges were claimed to have been discovered as missing on the same date in November 2017; three separate police reports provided the same badge number for the respective badges; and all three CFD members retired within 15 days of making the police reports.

Failure to properly account for the CFD badges is a control risk concern. CFD badges designate the holder as having official authority conferred by the City. The purpose of the badge ends when the holder leaves CFD or retires. The current retirement process allows individuals to hold onto official CFD badges through false and fraudulent pretenses, permitting former CFD members to retain these indicia of authority even after leaving City service. Further, CFD has no control over what happens to these "lost" or "stolen" badges, including whether the former CFD member gives the badge to another person.

### **III. SUGGESTIONS**

CFD should develop and implement procedures to ensure:

- CFD-HR collects badges from each retiring member;
- members report a lost or stolen badge and notify CFD within 24 hours through the submission of a CFD Form 2/2A to CFD-HR, with an attached complete and filed police report to CFD-HR;
- CFD-HR review each Form 2/2A and complete police report, track such reports, and cumulatively review the tracked data for trends or operational concerns;
- CFD-HR provide to CFD-IAD and OIG the member-filed Form 2/2A with attached police report within 72 hours of receipt;
- members who lose or destroy a badge pay the cost of replacement;
- members who do not pay the cost of replacement are fined, disciplined, and/or subject to wage garnishment for the replacement cost; and
- condition member eligibility for a retirement badge on the tender at the time of retirement of the member's active duty badge.

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Further, CFD should issue department-wide communication refreshing all members on the general orders requiring that they either return their CFD badge at retirement or purchase a retirement badge, and ensure that retiring members are aware of their option to purchase a retirement badge. The department-wide communication should also expressly note to members that filing a false police report is both itself a crime and a violation of department policy and code of conduct.

OIG invites CFD to respond in writing before October 15, 2021. Any such response will be made public together with this OIG Advisory.

Respectfully,

Joseph M. Ferguson Inspector  
General City of Chicago

Aaron DeCamp, General Counsel, Chicago Fire Department

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

- administrative and criminal investigations by its Investigations section;
- performance audits of City programs and operations by its Audit and Program Review section;
- inspections, evaluations and reviews of City police and police accountability programs, operations, and policies by its Public Safety section; and
- compliance audit and monitoring of City hiring and human resources activities by its Compliance section.

From these activities, OIG issues reports of findings and disciplinary and other recommendations to assure that City officials, employees, and vendors are held accountable for violations of laws and policies; to improve the efficiency and cost-effectiveness of government operations; and to prevent, identify, and eliminate waste, misconduct, fraud, corruption, and abuse of public authority and resources.

OIG's authority to produce reports of its findings and recommendations is established in the City of Chicago Municipal Code §§ 2-56-030(d), -035(c), -110, -230, and -240.

#### **PROJECT TEAM**

Rebecca Riddick-Ostrovsky, Assistant Inspector General

Raul Valdez, Director of Major Construction Investigation & Integrity

#### **PUBLIC INQUIRIES**

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