

**Policy Regarding Investigations of the
Inspector General or Office of Inspector General Personnel**

Effective: May 24, 2023

- a. For the purposes of this Policy, “OIG Complaint(s)” means complaints of misconduct where it is reasonably foreseeable at the time of the intake that a subject of the investigation is either (1) a current OIG employee, (2) a former OIG employee, if the conduct at issue occurred while the person was an OIG employee, or (3) current or former employees of other City departments, including the Chicago Police Department, on a full-time detail to OIG at the time of the misconduct. OIG Complaints do not include complaints of misconduct where a current or former OIG employee is a witness or complainant.
- b. Subject to the limitation in paragraph (f), OIG Complaints which are received by OIG personnel must be immediately processed according to OIG’s intake procedures with access to and distribution of information contained therein restricted to the Inspector General and OIG personnel specifically designated by the Inspector General. OIG Complaints concerning allegations of misconduct covered by the City of Chicago Diversity and Equal Employment Opportunity Policy (EEO Policy) must also be reported to the City of Chicago Department of Human Resources, Diversity and Equal Employment Opportunity Division (EEO Division). *See City of Chi. Dep’t of Human Res., City of Chi. Diversity & Equal Emp. Opportunity Policy § IX(a) (eff. May 2, 2023)*
- c. Upon a determination that an OIG Complaint merits full investigation, the Inspector General may assign the matter for investigation to OIG personnel specifically designated for that purpose by the Inspector General. Alternatively, if the Inspector General determines that the matter cannot be appropriately handled by OIG personnel, the Inspector General may take such steps necessary to retain the services of outside personnel to investigate the matter under the Inspector General’s supervision and authority. OIG Complaints concerning allegations of misconduct may be investigated by the EEO Division or the EEO Division “may defer to OIG” and “OIG may conduct the investigation.” *City of Chi. Dep’t of Human Res., City of Chi. Diversity & Equal Emp. Opportunity Policy § XII(a) (eff. May 2, 2023).*
- d. Pursuant to MCC § 2-56-090, all OIG employees must cooperate with all OIG investigations, including those described in this Policy.
- e. An investigation conducted under this Policy must, to the extent practicable, adhere to OIG’s typical investigative policies and practices, as described in the Municipal Code of Chicago, Rules of the Office of Inspector General, OIG’s Administrative Policies and Procedures, as well as OIG policies governing investigations. Any investigation conducted under this Policy must be closed and documented according to these authorities, including with the issuance of any summary report of investigation as required by MCC § 2-56-060.

- f.** Any complaint of misconduct alleging misconduct by the Inspector General which is received by OIG personnel must be immediately processed according to OIG’s intake procedures and referred to the Mayor’s Office for any appropriate action or no action. *See* MCC § 2-56-130 (providing that only the Mayor has the authority to remove the Inspector General “for cause”). Complaints of misconduct alleging misconduct by the Inspector General as well as other OIG personnel, that are not reasonably possible to divide into separate complaints, must be referred in total to the Mayor’s Office. If it is reasonably possible to divide the complaint into separate complaints, then the complaint against the Inspector General must be referred to the Mayor’s Office as described in this paragraph and the complaint against any other OIG employees shall follow the process described in paragraphs (b) through (e) of this Policy. Complaints of misconduct alleging misconduct by the Inspector General which concern allegations of misconduct covered by the EEO Policy must be reported to the EEO Division. Complaints of misconduct by the Inspector General must not be investigated by OIG personnel. Complaints of misconduct against OIG generally (i.e., “OIG violated my rights during an investigation.”) must not be construed as a complaint against the Inspector General.
- g.** This Policy supersedes any and all prior OIG Rules, Regulations, or Administrative Policies or Procedures on receiving, registering, or investigating OIG Complaints. This Policy also explicitly supersedes the “Memorandum of Understanding Between the Law Department and the Office of Inspector General Regarding Investigations of the Office of Inspector General” originally entered into June 15, 2009 and revised April 2017. This MOU expired by its own terms, pursuant to its Section III, on April 24, 2019 and was not renewed.
- h.** This Policy will remain in effect until revoked or withdrawn by the Inspector General or superseded by a subsequent statute, rule, regulation, policy, or memorandum of understanding.