



CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

Quarterly Report: First Quarter 2024

April 15, 2024

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

OIG closed 2023 with critical progress and success in a number of areas of our work. Among other things, we achieved full and effective compliance with the consent decree entered in *Illinois v. Chicago*, making us the first and only component of City government to do so. We closed 139 disciplinary investigations in 2023 and, in the fourth quarter, reduced our count of cases open more than one year by nearly a third. We undertook dramatically more frequent and more rigorous enforcement of the City's Ethics rules, and filled nearly every single personnel position in OIG's budget. We meaningfully engaged with Chicago's communities about our work and did substantive, human-centered fieldwork in the service of our policy work.

We have continued to build on this work in the first quarter of 2024. I want to particularly highlight our misconduct investigations, whereby we hold bad actors accountable when they break the rules. In the first quarter of 2024, we have continued to reduce our count of year-old cases. Meanwhile, we have focused attention and resources on acts of serious misconduct of the sort which undermines public trust in government. Among the investigations reported herein are the following:

- A member of the Chicago Police Department's (CPD) Bureau of Internal Affairs (BIA) mishandled an investigation into allegations of sexual misconduct against another BIA member—and then lied to OIG about it. We have recommended that the subject of that investigation be separated from CPD.
- Several CPD members mishandled an incident in which an intoxicated off-duty CPD member wielded a firearm and intimidated a rideshare driver. CPD members who responded to the incident and wrote reports about it afterward violated a number of rules and laws, including CPD rules prohibiting false reports and disobeying orders and laws prohibiting official misconduct and false statements to the City. Against those members still active, CPD has imposed suspensions ranging from 7 to 25 days. A former CPD member has been referred for placement on the City's ineligible for rehire list.
- In the midst of a neighbor dispute, a Department of Streets and Sanitation employee threatened to use his City position to "bring heat" on a family of Chicagoans. On the basis of OIG's findings, the employee has been suspended for 29 days.

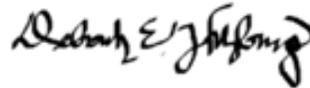
In order to ensure our ability to conduct impactful investigations like these, we have continued to aggressively enforce the rules requiring cooperation with and prohibiting interference with OIG investigations. In this quarter, we report a fine collected by the City following a successful prosecution for obstructing an OIG investigation.

Meanwhile, our robust program and policy work continues, including our work on police oversight and public safety reform. In that work, we have had a longstanding focus on Chicago's police disciplinary system; a robust, transparent, and fair disciplinary system in which both members of the public and members of CPD have reason to be confident is vital to improving trust in CPD and the quality of its relationship with the communities it serves. We report here, among other work in that area, our ordinance-mandated review of closed police disciplinary investigations conducted by BIA and the Civilian Office of Police Accountability (COPA). These reviews are separate from—and conducted pursuant to separate authority than—our own confidential misconduct investigations. Therefore, beginning with this report and going forward, we will publish more detailed information

about these reviews in order to shine a brighter light onto a system whose complexities make for shadowy corners. Among the case reviews reported herein is one in which a CPD member attempted to use his position to avoid being investigated for driving under the influence. We found BIA's original investigation of the incident—which found the allegation not sustained and thus recommended no discipline—to be deficient and recommended that they reopen it; they did so, sustained appropriate allegations against the member, and recommended a 45-day suspension. Another review reported herein is one of a COPA investigation in which, despite finding that a CPD member made a “false, misleading, incomplete and/or inaccurate statement,” COPA failed, even following OIG's recommendation to do so, to apply CPD's Rule 14, which prohibits false reports. This sort of failure contributes to the underenforcement of CPD's rule against lying, as OIG reported last year. [Read the Enforcement of the Chicago Police Department's Rule Against False Reports.](#)

On that issue and many others, there is a great deal of work left to do. As always and as the mid-way point of my term rapidly approaches, I am deeply honored to do that work and to do it alongside the extraordinary people who work at OIG.

Respectfully,



Deborah Witzburg
Inspector General
City of Chicago

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In OIG’s 2024 first quarter report, published on April 15, 2024, OIG reported 214 currently active misconduct investigations, including 20 for Elected Officials. The report was corrected on April 16, 2024, to report 213 currently active misconduct investigations, including 19 for Elected Officials.

This quarterly report provides an overview of the operations of the City of Chicago Office of Inspector General (OIG) from January 1, 2024 through March 31, 2024, and includes information required by the Municipal Code of Chicago (MCC).

I | Mission of the Office of Inspector General

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

When OIG investigates and sustains allegations of misconduct, it issues summary reports of 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.

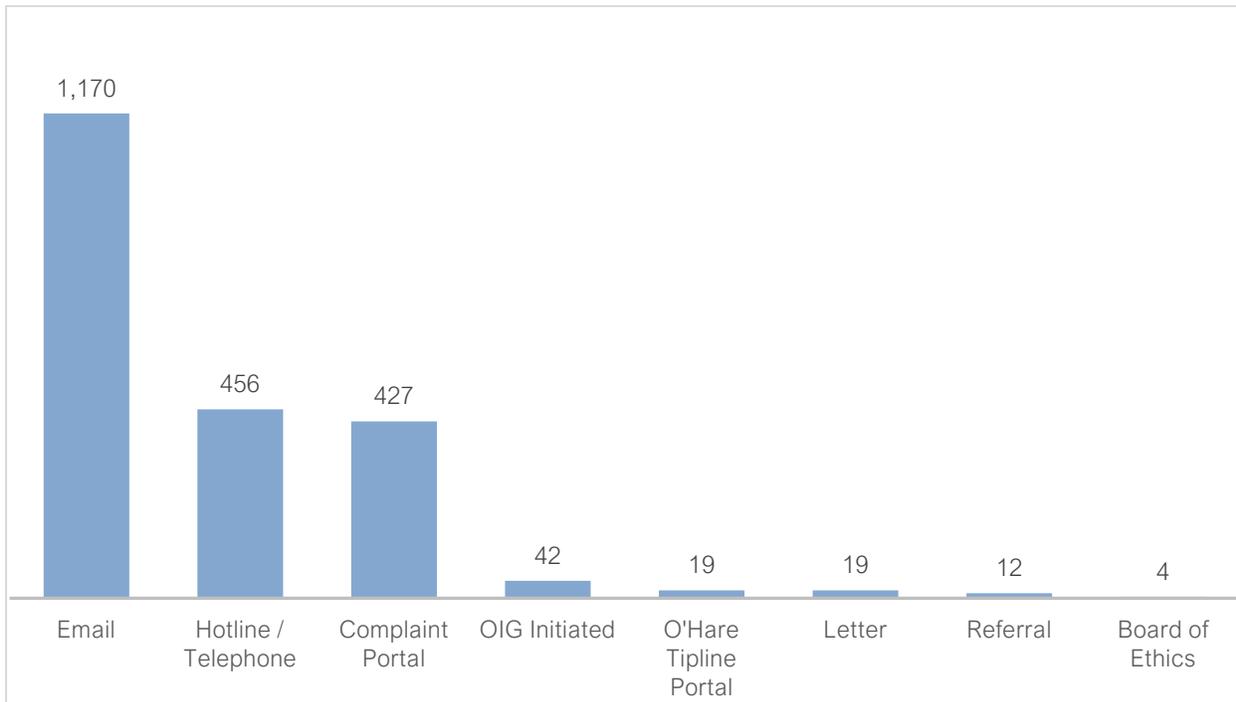
¹ “City government” includes the City of Chicago and any sister agency which enters into an Intergovernmental Agreement with the City for the provision of oversight services by OIG.

II | Intakes

1 | Intakes Received This Quarter

OIG received 2,149 intakes this quarter. The following chart shows the various reporting methods by which those intakes were received.

Intakes Chart 1: Intakes by Reporting Method



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

In Q1 2024, OIG referred 401³ intakes to City departments or other agencies.⁴ The total number of referrals (see chart below) may be greater than the number of OIG referred intakes, as a single OIG intake may be referred to more than one agency.

² 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.

³ OIG referred 401 intakes to the agencies listed in Table 1. Some intakes were referred to more than one agency, resulting in a total of 411 referrals.

⁴ Pursuant to MCC § 2-56-120, OIG does not report here referred intakes in which “(i) the complaint addresses potential criminal conduct and has been referred to a state or federal law enforcement agency, and (ii) the investigation of the conduct at issue is ongoing, and (iii) in the judgment of the inspector general, public disclosure of the referral would compromise the effectiveness of the investigation.”

Table 1: Referred Intakes

Referred Agency	Number of Referrals
Chicago Civilian Office of Police Accountability	206
Chicago Police Department	131
Chicago Department of Human Resources	21
Chicago Fire Department	7
Illinois Office of Executive Inspector General	4
Chicago Department of Streets and Sanitation	3
Chicago Office of Emergency Management and Communications	3
Chicago Public Schools Office of Inspector General	3
Illinois Department of Children and Family Services Office of Inspector General	3
Chicago Department of Transportation	2
Illinois Department of Human Services Office of Inspector General	2
Illinois Office of Attorney General	2
Lake County Sheriff's Office	2
U.S. Postal Service Office of Inspector General	2
Chicago Department of Aviation	1
Chicago Department of Water Management	1
Chicago Housing Authority Office of Inspector General	1
Chicago Office of the Mayor	1
Chicago Park District Office of Inspector General	1
Cook County Office of Independent Inspector General	1
Cook County Sheriff's Office of Professional Review	1
Cook County State's Attorney's Office	1
Federal Bureau of Investigation	1
Houston Police Department	1
Illinois Department of Public Health	1
Illinois Secretary of State Office of Inspector General	1
Illinois State Police	1
Kane County State's Attorney's Office	1
Peotone Police Department	1
Rockford Police Department	1
U.S. Customs and Border Protection	1
U.S. Department of Homeland Security Office of Inspector General	1
U.S. Department of Housing and Urban Development Office of Inspector General	1
U.S. Drug Enforcement Agency	1
U.S. Customs and Border Protection	1
Total	411

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

is determined to be an automated, accidental, irrelevant, or inappropriate electronic message, it is designated as “Spam” and discontinued. Finally, if a communication received and cataloged as an intake is determined to be a question or request for information that is directly answered by OIG, it is designated as an “Inquiry” and discontinued.

In Q1 2024, OIG discontinued 1,191 intakes.

Table 2: Discontinued Intakes

Category of Discontinued Intakes	Number of Discontinued Intakes
Do Not Process	785
Inquiries	225
Spam	181
Total	1,191

Pursuant to MCC § 2-56-050(b), if OIG receives an intake that constitutes a complaint alleging a violation of the Governmental Ethics Ordinance (GEO), MCC § 2-156, by any elected or appointed City officer, City employee, or any other person subject to the GEO, OIG may only: (i) decline to open an investigation if OIG determines that the complaint lacks foundation or does not relate to a violation of § 2-156; (ii) refer the matter to the appropriate authority if OIG determines that the potential violation is minor and can be resolved internally as a personnel matter; or (iii) open an investigation.

In Q1 2024, OIG declined 81 complaints alleging violations of the GEO.

Table 3: Ethics Complaints Declined

Category of Declined Ethics Complaints	Number of Declined Ethics Complaints
Complaint Lacks Foundation	16
Complaint of Same Alleged Conduct Already Received	12
Failure to Allege a Violation of MCC § 2-156	53
Total	81

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 (PBC)⁵ of Chicago and OIG.

A | Misconduct Investigations

1 | Investigative Activity This Quarter

As of the close of this quarter, OIG has 213 active investigations. During Q1 2024, OIG initiated 30 investigations, of which 4 were self-initiated, and concluded 31 investigations.

2 | Open Matters

OIG's 213 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 ⁶
City Employees	167
Elected Officials	19
Contractors, Subcontractors, and Persons Seeking Contracts	17
Licensees	3
Appointed Officials	2
Persons Seeking Certification of Eligibility	0
Other	5
Total	213

Table 5: Nature of Allegations Under Investigation

Nature of Allegations	Number of Cases
Misconduct	212
Ineffectiveness	0
Waste/Inefficiency	1
Total	213

⁵ 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/>.

⁶ Counted here are the number of open investigations, not the number of unique subjects; that is, the same individual or entity may be the subject of more than one separate investigation.

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

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

During this quarter, OIG did not request the Superintendent's authorization to open any 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 for more than 12 months. Of OIG's 213 pending investigations, 92 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) they involve allegations that may be the subject of criminal investigation being conducted jointly with law enforcement investigative or prosecutorial partners at the federal, state, or local level; or (3) they were extended to allocate resources to higher risk, more time-sensitive investigations. Where other explanations are relevant for cases remaining open beyond 12 months, they are noted in the table below.

Table 6: Investigations Open Over Twelve Months, Q1 2024

Case ID ⁷	Legacy ID	General Nature of Allegations
C2022-000041000	20-1335	Unauthorized outside employment/residency violation
C2022-000041038	20-1375	Failure to follow department rules in the course of an investigation
C2022-000041039	20-1376	False statements/violation of department rules
C2022-000041504	21-0134	Procurement fraud
C2022-000041554	21-0191	Retaliation
C2022-000041580	21-0219	Failure to follow department rules regarding COVID-19 quarantine
C2022-000041693	21-0340	Falsification/improper use of City resources
C2022-000041798	21-0454	Theft
C2022-000041803	21-0459	Theft
C2022-000041809	21-0465	Theft
C2022-000041812	21-0468	MBE fraud
C2022-000042143	21-0818	Failure to follow department rules
C2022-000042145	21-0820	False records submitted to City
C2022-000042359	21-1049	MBE fraud

⁷In early 2022, OIG launched a new case management system, which accounts for the new case number format.

Case ID ⁷	Legacy ID	General Nature of Allegations
C2022-000042777	21-1482	COVID-19 leave fraud
C2022-000042921	21-1635	Time falsification
C2022-000042973	21-1689	Failure to follow department rules
C2022-000043160	21-1884	Secondary employment violation
C2022-000043178	21-1903	Failure to follow department rules
C2022-000043294	21-2029	Failure to follow department rules/incompetence
C2022-000043390	21-2126	Falsification
C2022-000043617	22-0052	Failure to follow department rules
C2022-000043833	N/A	Time fraud/Fraud
C2022-000043846	N/A	Sexual harassment
C2022-000043865	N/A	Fraud
C2022-000043868	N/A	Ethics violation
C2022-000043889	N/A	Time fraud
C2022-000043899	N/A	Criminal investigation
C2022-000043912	N/A	Ethics violation
C2022-000043921	N/A	Secondary employment violation
C2022-000043925	N/A	Procurement fraud
C2022-000043928	N/A	Bribery
C2022-000043937	N/A	Ethics violation
C2022-000043941	N/A	Ethics violation
C2022-000043944	N/A	Duty disability fraud
C2022-000043956	N/A	Residency violation
C2022-000043961	N/A	Ethics violation
C2022-000043968	N/A	False statements
C2022-000044002	N/A	Ethics violation
C2022-000044003	N/A	Official misconduct
C2022-000044004	N/A	Residency violation
C2022-000044008	N/A	Ethics violation
C2022-000044022	N/A	Residency violation
C2022-000044038	N/A	Official misconduct
C2022-000044042	N/A	Fraud
C2022-000044043	N/A	FMLA abuse
C2022-000044045	N/A	Ethics violation
C2022-000044046	N/A	Official Misconduct

Case ID ⁷	Legacy ID	General Nature of Allegations
C2022-000044065	N/A	False statements
C2022-000044075	N/A	Official Misconduct
C2022-000044078	N/A	Time Falsification
C2022-000044086	N/A	Ethics Violation
C2022-000044089	N/A	Official Misconduct
C2022-000044090	N/A	Bribery
C2022-000044091	N/A	Residency Violation
C2022-000044093	N/A	Official Misconduct
C2022-000044094	N/A	Fraud
C2022-000044101	N/A	Official Misconduct
C2022-000044102	N/A	Official Misconduct
C2022-000044111	N/A	Ethics Violation
C2023-000000004	N/A	Retaliation
C2023-000000010	N/A	Official Misconduct
C2023-000000011	N/A	Official Misconduct
C2023-000000015	N/A	Ethics Violation
C2023-000000028	N/A	Official Misconduct
C2023-000000032	N/A	Official Misconduct
C2023-000000033	N/A	Duty Disability Fraud
C2023-000000038	N/A	Ethics Violation
C2023-000000039	N/A	Residency Violation
C2023-000000040	N/A	Official Misconduct
C2023-000000049	N/A	Ethics Violation
C2023-000000050	N/A	Residency Violation
C2023-000000053	N/A	Official Misconduct
C2023-000000054	N/A	Official Misconduct
C2023-000000061	N/A	Fraud
C2023-000000070	N/A	Secondary Employment Violation
C2023-000000075	N/A	Ethics Violation
C2023-000000092	N/A	Ethics Violation
C2023-000000093	N/A	Retaliation

3 | Public Building Commission Complaints and Investigations

MCC § 2-56-030 empowers OIG to exercise its powers and duties with respect to any sister agency pursuant to an intergovernmental agreement with that agency, and it does so with respect to the PBC.

In Q1 2024, OIG received one new complaint related to PBC.

B | Sustained Administrative Investigations

OIG investigations may result in administrative sanctions, criminal charges, or both. Investigations leading to administrative sanctions involve violations of City rules, policies or procedures, and/or waste or inefficiency. For sustained administrative cases, OIG produces summary reports of investigation—a summary and analysis of the evidence and recommendations for disciplinary or other corrective action. OIG sends these reports to the appropriate authority as prescribed in the MCC, including the Mayor’s Office and affected City departments.

Below (Table 7) 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,⁸ 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.⁹

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.

⁸ 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.

⁹ 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.

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

OIG Case Number	Department or Agency	OIG Recommendation	Department or Agency Action
C2022-000040999	Chicago Police Department	Discharge the Lieutenant and refer them for placement on the ineligible for rehire list maintained by the Department of Human Resources (DHR).	CPD preliminarily concurred with OIG's recommendation to discharge the member and refer them for placement on the ineligible for rehire list. CPD requested the Department of Law (DOL) prepare discharge charges for the member.
C2022-000041454	Department of Water Management	Discharge the employee and refer them for placement on the ineligible for rehire list maintained by DHR.	DWM preliminarily agreed with OIG's recommendation to discharge the employee and refer them for placement on the ineligible for rehire list. DWM requested DOL prepare discharge charges for the employee.
C2022-000041916	Chicago Police Department	Consider whether it could impose further discipline on one officer; refer a former Sergeant for placement on the ineligible for rehire list maintained by DHR; and impose discipline commensurate with the gravity of the violations, past disciplinary history, and other relevant factors on a Sergeant and two officers.	Imposed a 25-day suspension on one officer, a 14-day suspension on a Sergeant, 7-day suspensions on two other officers, and will refer the former Sergeant for placement on the ineligible for rehire list.
C2022-000041959	Chicago Department of Aviation	Discharge the employee and refer them for placement on the ineligible for rehire list maintained by DHR.	CDA requested DOL prepare discharge charges for the employee.

C2022-000043298	Chicago Department of Aviation	Impose discipline commensurate with the gravity of the violations, past disciplinary record, and any other relevant considerations; find probable cause that the subject violated the Governmental Ethics Ordinance; take enforcement action with regard to subject's electrical licenses.	CDA scheduled a pre-disciplinary meeting with the employee. Board of Ethics found probable cause that the employee violated the Governmental Ethics Ordinance. Department of Buildings (DOB) revoked supervising electrician license and electrical contractor license.
C2022-000043827	Chicago Police Department	Impose discipline commensurate with the gravity of the violations, past disciplinary record, and other relevant considerations.	Imposed a 30-day suspension and directed the member to receive training on Investigatory Stop Reports (ISR).
C2022-000043852	Chicago Police Department	Refer former police officer for placement on the ineligible for rehire list maintained by DHR.	Referred former police officer for placement on the ineligible for rehire list.
C2022-000043881	Chicago Fire Department	Impose discipline commensurate with the gravity of the violations, past disciplinary record, and other relevant considerations on two employees; note OIG's findings in the personnel file of a now-retired employee; find probable cause that subjects violated the Governmental Ethics Ordinance (GEO); initiate debarment proceedings against contractor.	CFD is finalizing documentation to impose a two-month suspension on one employee and a six-month suspension on another employee; CFD is noting OIG's findings in the retired employee's personnel file. Board of Ethics referred the matter back to OIG for consideration of whether a fourth CFD employee violated the GEO. The Department of Procurement Services (DPS) initiated debarment proceedings against the contractor.
C2022-000043920	Department of Streets and Sanitation	Impose discipline commensurate with the gravity of the violations, past disciplinary record, and other relevant considerations.	Imposed a 29-day suspension.

C2022-000044076	Chicago Fire Department	Find probable cause that subject violated the GEO and initiate enforcement proceedings to determine appropriate sanctions.	BOE found that the subject committed a minor violation of the GEO.
C2023-000000145	Department of Water Management	Discharge the employee and refer for placement on the ineligible for rehire list maintained by DHR.	DWM preliminarily agreed with OIG's recommendation to discharge the employee and refer them for placement on the ineligible for rehire list. DWM requested DOL prepare discharge charges for the employee.

1 | Failure to Conduct a Competent Investigation; Making a False Report (C2022-000040999)

An OIG investigation established that a CPD Lieutenant, while serving as a Sergeant in the Bureau of Internal Affairs (BIA), conducted an untimely and incomplete investigation into allegations that another BIA Sergeant sexually assaulted a member of the public while previously serving as a Police Officer assigned to a district. While the Lieutenant initially took steps to investigate the sexual assault allegations, the Lieutenant did not engage in any investigative activity in the case from October 2012 until May 2018. When the Lieutenant ultimately interviewed the BIA Sergeant, over five years after the last investigative activity in the matter, the Lieutenant asked the BIA Sergeant complex, compound questions that allowed the Sergeant to avoid addressing the alleged conduct at issue in the investigation. The Lieutenant also failed to interview potentially significant witnesses, including the Sergeant's partner, and in drafting an investigative report the Lieutenant failed to account for evidence that weighed in favor of the alleged victim's credibility.

The Lieutenant testified to OIG that they did not engage in any investigative activity in the matter for over five years because a former BIA Commander ordered them to hold all investigative activity concerning the log. The Lieutenant, however, never documented that purported hold order, none of the documents from BIA's investigatory file reflect any such order, and the former BIA Commander denied ever giving the order.

OIG concluded that by failing to conduct a thorough and timely investigation, the Lieutenant violated CPD Rules of Conduct Rule 2 (impeding CPD's efforts to achieve its policy and goals), Rule 3 (failure to promote the Department's efforts to implement its policy or accomplish its goals), Rule 5 (failure to perform any duty), Rule 10 (inattention to duty), and Rule 11 (incompetency or inefficiency in the performance of duty). OIG also concluded that the Lieutenant made a false report to OIG concerning the former Commander's purported hold order in violation of CPD Rules of Conduct Rule 14 (making a false report) and Section 2-156-140 of the MCC.

OIG recommended that CPD discharge the Lieutenant and refer them for placement on the ineligible for rehire list maintained by the Department of Human Resources (DHR).

In response, CPD preliminarily concurred with OIG's recommendations and requested that DOL prepare separation charges for the member.

2 | Fraudulent Paycheck Protection Program Loan (C2022-000041454)

An OIG investigation established that a Department of Water Management (DWM) custodial worker illegally received funds from the federal Paycheck Protection Program (PPP) in violation of a variety of federal statutes. The employee received two PPP loans totaling over \$40,000 based on fraudulent representations—including false representations on IRS Form 1040 Schedule C documents—that they earned at least \$100,000 in revenue as the sole proprietor of a business in both 2019 and 2020. OIG's investigation further established based on the employee's inconsistent and incredible testimony, their status as a serial recipient of apparently fraudulent pandemic relief funds, and the employee's active participation in the preparation and submission of a false PPP loan application that the employee knowingly committed fraud to obtain PPP funds.

OIG concluded that the employee's conduct violated City of Chicago Personnel Rule XVIII, Section 1, Subsection 15 (engaging in any act or conduct prohibited by...federal statutes, specifically 18 U.S.C. § 641, 18 U.S.C. § 1001, 18 U.S.C. § 1014, and 18 U.S.C. § 1343), and Subsection 50 (prohibiting conduct unbecoming a public employee).

OIG recommended that DWM discharge the employee and refer them for placement on the ineligible for rehire list maintained by DHR. In response, DWM preliminarily agreed with OIG's recommendations and requested that DOL prepare discharge charges for the employee.

3 | Unlawful Display of a Firearm; Making a False Report; Violation of CPD Rules (C2022-000041916)

An OIG investigation established that three CPD officers, one Sergeant, and one former Sergeant engaged in misconduct related to an incident in which an intoxicated off-duty CPD officer wielded a firearm, intimidating a member of the public. The investigation revealed that a CPD officer unlawfully and unnecessarily displayed a firearm in a rideshare vehicle while intoxicated off-duty, causing the rideshare driver to pull over, exit his vehicle, and call for emergency responders. OIG's investigation revealed that during the response to that call, a former CPD Sergeant wrote a false report that minimized the extent of the intoxicated officer's misconduct, resulting in the officer receiving unduly light discipline. OIG's investigation also revealed that another CPD Sergeant on the scene prematurely ordered officers to turn off their body worn cameras (BWC) after learning that the intoxicated individual was a CPD officer, and that two responding CPD officers failed to document the incident involving the intoxicated officer in any report.

OIG found that the off-duty officer who unnecessarily displayed a firearm violated 720 ILCS 5/12-1 (criminalizing assault, defined as knowingly engaging in conduct which places another in reasonable apprehension of receiving a battery without lawful authority) and CPD Rules of Conduct 1 (violating any law); 2 (impeding CPD's efforts to achieve its goals and discrediting CPD); 3 (failing to promote CPD's efforts to achieve its goals); and 38 (unnecessarily displaying a weapon).

Because CPD had imposed discipline on the intoxicated officer based on the former Sergeant's false report of the incident, OIG recommended that CPD consider whether they could discipline the officer for the full extent of his misconduct. In response, CPD concurred that the officer had violated the above law and CPD Rules and suspended the officer for 25 days.

OIG also determined the now-retired Sergeant who prepared a false report of the incident violated 720 ILCS 5/31-4 (criminalizing obstruction of justice); 720 ILCS 5/33-3(b) (criminalizing official misconduct); MCC § 1-21-010 (prohibiting false statements to the City); and CPD Rules of Conduct: Rule 1 (violating any law), Rule 2 (impeding CPD's efforts to achieve its goals and discrediting CPD); Rule 3 (failing to promote CPD's efforts to achieve its goals); Rule 5 (failure to perform any duty); Rule 6 (disobeying departmental orders); Rule 10 (inattention to duty); Rule 11 (incompetence); Rule 14 (making a false report); Rule 21 (failing to promptly report information about a crime); Rule 22 (failing to report violations of CPD Rules and Regulations); and Rule 40 (failing to properly inventory and process response items). OIG recommended that CPD refer the former Sergeant who made the false report for placement on the ineligible for rehire list maintained by DHR. In response, CPD concurred that the former Sergeant had violated the above laws and CPD Rules and indicated that it will refer the former Sergeant for placement on the ineligible for rehire list.

OIG concluded that the responding Sergeant who instructed officers to turn off their BWCs violated CPD Rules of Conduct 2 (impeding CPD's efforts to achieve its goals and discrediting CPD); 3 (failing to promote CPD's efforts to achieve its goals); 6 (disobeying departmental orders); and 11 (incompetence), while the remaining two responding officers who failed to produce reports violated CPD Rules of Conduct 2 (impeding CPD's efforts to achieve its goals and discrediting CPD) and 11 (incompetence). OIG recommended that CPD impose discipline commensurate with the gravity of their violations, disciplinary history, and any other relevant considerations against the Sergeant who gave the BWC instruction and the two officers who failed to produce a report. In response, CPD concurred that the Sergeant and officers had violated the above CPD Rules and suspended the Sergeant for 14 days and the two officers for 7 days.

4 | Misuse of Sick Leave; Operating Unlicensed Business; Obstruction of OIG Investigation (C2022-000041959)

An OIG investigation established that a Chicago Department of Aviation (CDA) motor truck driver operated a party bus business while they were out of work on COVID-19 leave from September 2020 to August 2021. The employee operated the business without a license and in violation of multiple state and local requirements for for-hire vehicles. In addition, the employee obstructed OIG's investigation by making a social media post threatening individuals cooperating with OIG.

OIG concluded that the employee violated multiple provisions of the MCC and Illinois law related to operation of the employee's business. The employee also violated City of Chicago Personnel Rule XVIII, Section 1, Subsections 10 (requesting or accepting a leave of absence on fraudulent grounds), 13 (use of sick leave in an unauthorized manner for purposes other than allowed under City rules and regulations), 15 (engaging in any act or conduct prohibited by the MCC and Illinois law), and 43 (failure to comply with the requirements of secondary employment as delineated in Personnel Rule XX, Section 3) and 50 (conduct unbecoming an officer or public employee). Finally, the employee violated MCC § 2-56-140, prohibiting obstruction of OIG investigations.

OIG recommended that CDA discharge the employee and refer them for placement on the ineligible for rehire list maintained by DHR. In response, CDA requested that DOL prepare discharge charges for the employee.

5 | Misuse of City Licenses; Failure to Report Employment on Statement of Financial Interest (C2022-000043298)

An OIG investigation established that a CDA foreman of electrical mechanics engaged in unapproved secondary employment and failed to report their secondary employment on his 2020

and 2021 Statements of Financial Interest. OIG's investigation further established that the employee misused their electrical license to obtain permits and permit applications for work they did not perform or supervise.

OIG concluded that the employee violated MCC § 2-156-160, which requires the disclosure of certain secondary employment on Statements of Financial Interest. OIG also concluded that the employee violated the MCC's prohibition on using the employee's electrical license on permits or permit applications where the work is performed by another person, and further violated City of Chicago Personnel Rule XVIII, Section 1, Subsection 15 (engaging in any act or conduct prohibited by the MCC), and Subsection 43 (failure to comply with the requirements of secondary employment as delineated in Personnel Rule XX, Section 3).

OIG recommended that CDA impose discipline against the employee commensurate with the gravity of their violations, past disciplinary record, and any other relevant considerations. OIG further recommended that the Board of Ethics find probable cause that the employee violated the GEO and impose appropriate sanctions. Finally, OIG recommended that the DOB take enforcement action with regard to the employee's electrical licenses. In response, CDA scheduled a pre-disciplinary conference with the employee; the Board of Ethics found probable cause that the employee violated the GEO; and DOB revoked the employee's supervising electrician license and the contractor license for the business affiliated with the employee. DOB also barred the employee from obtaining a supervising electrician license or an electrical contractor license from DOB.

6 | Failure to Arrest City Employee Unlawfully Possessing a Firearm (C2022-000043827)

An OIG investigation established that a CPD Police Officer conducted a traffic/investigatory stop of a then-Department of Business Affairs and Consumer Protection (BACP) employee and, after searching the employee's vehicle, discovered the BACP employee was in possession of a concealed firearm without an Illinois Concealed Carry License. After learning that the driver of the vehicle was a BACP inspector, the officer deactivated their BWC before the completion of the traffic stop, released the former BACP employee from custody, returned the firearm to the former BACP employee, and let the former BACP employee return to their car and drive away without the officer completing an ISR or a Traffic Stop Statistical Study card as required by the Illinois Vehicle Code. In their interview with OIG, the officer admitted that for any member of the public stopped and found to be in possession of a firearm, they would have arrested that person and completed the necessary reports. They also admitted on BWC and in their OIG interview that they did not arrest the former BACP employee because they were a City inspector. The officer offered a rationalization that they, in fact, thought the former BACP employee was a sworn law enforcement officer, which was the reason they treated the former BACP employee differently from any other member of the public. OIG previously reported on a concluded investigation of the BACP inspector for misconduct arising from this incident and others in the second quarter of 2023 under OIG cases C2022-43911 and C2022-43809.

OIG found that the CPD officer's conduct violated CPD Special Orders, specifically, Special Order S04-13-09, titled "Investigatory Stop System," and Special Order S04-14-09, titled "Illinois Traffic and Pedestrian Stop Statistical Study. The officer's conduct also violated the Rules and Regulations of the Chicago Police Department. Specifically, the officer's conduct violated Rules and Regulations of the Chicago Police Department, Article V, Rules of Conduct, Rule 1 (violation of any law or ordinance); Rule 2 (any action or conduct which impeded the Department's efforts to achieve its policy and goals or brings discredit upon the Department); Rule 3 (any failure to promote the

Department's efforts to implement its policy or accomplish its goals); Rule 5 (failure to perform any duty); Rule 10 (inattention to duty); Rule 11 (incompetency or inefficiency in the performing of duty); and Rule 21 (failure to report promptly to the Department any information concerning any crime or other unlawful action). Finally, the officer's conduct violated the Illinois Vehicle Code, 625 ILCS 5/11-212(b). In particular, as regards Rule 2 and 3, OIG found that the officer's failure to arrest the former BACP employee was an instance of providing treatment to a City employee that would not be accorded to a member of the public.

OIG recommended that CPD impose discipline against the officer, commensurate with the gravity of their violations, past disciplinary record, and any other relevant considerations. In response, CPD disagreed that the officer's conduct violated 625 ILCS 5/11-212 and Special Order S04-14-09, however, CPD agreed with OIG's other findings and recommendations and imposed a 30-day suspension and directed the officer to receive training on ISRs.

7 | Financial Interest in City Business; Failure to Report; Obstruction of OIG Investigation (C2022-000043881)

An OIG investigation established that a Chicago Fire Department (CFD) firefighter-EMT had undisclosed secondary employment as the proprietor of a business selling fire training props. Via that business, the employee, using a City contractor as an intermediary, sold nearly \$30,000 in articles to the CFD Training Academy in the year 2021. OIG's investigation further established that two senior Training Academy employees (one now-retired) orchestrated the purchases and failed to report the firefighter-EMT's improper financial interest in City business to OIG. The two senior Academy employees also attempted to make an additional unlawful purchase for the Training Academy from the firefighter-EMT's company in 2022. OIG's investigation also established that the contractor the firefighter-EMT used as an intermediary to sell articles to the City breached the terms of its City contract by facilitating the sales, and further breached its contract when its primary point of contact lied to OIG in two separate interviews.

OIG concluded that the firefighter-EMT violated the Chicago Fire Department Code of Professional Conduct's prohibition on conduct unbecoming a member of CFD and Rule 2.12, which prohibits commission of any act prohibited by the City of Chicago Personnel Code Rule XVIII or the MCC. The firefighter-EMT also violated MCC § 2-156-110, which prohibits City employees from having a financial interest in the sale of any article to the City, as well as City of Chicago Personnel Rules XVIII, Section 1, Subsections 43 (Failure to comply with the requirements of secondary employment as delineated in Personnel Rule XX, Section 3) and 50 (conduct unbecoming a public employee).

OIG concluded that the two senior Training Academy employees violated the Chicago Fire Department Code of Professional Conduct's prohibition on conduct unbecoming a member of CFD and Rule 2.18, which prohibits failure to report violations of rules and regulations. The two senior Training Academy employees also violated City of Chicago Personnel Rule XVIII, Section 1, Subsections 39 (incompetence or inefficiency in the performance of the duties of the position); 46 (failure to report misconduct by City employees to the proper City authority); and 50 (conduct unbecoming a public employee). Finally, the two employees violated MCC § 2-156-018(a), which requires city employees to report unlawful conduct by other city employees to OIG.

OIG concluded that the contractor violated City of Chicago Debarment Rules V(b) (serious violations of the terms of a City contract); V(g)(7) (misrepresentation to any governmental agency); and V(g)(10) (violation of ethical standards established by the City or other dishonesty incident to

performance of a City contract). OIG also concluded that the contractor's point of contact violated MCC § 2-56-140 by obstructing OIG's investigation.

OIG recommended that CFD impose discipline against the firefighter-EMT and the senior Training Academy employee who had not retired commensurate with the gravity of their violations, past disciplinary records, and any other relevant considerations. OIG recommended that CFD and DHR note the findings of OIG's investigation in the personnel file of the retired Training Academy employee. OIG recommended that the Board of Ethics find probable cause that the firefighter-EMT and the two Training Academy employees violated the GEO and impose appropriate sanctions. Finally, OIG recommended that DPS initiate debarment proceedings against the contractor.

In response, CFD indicated it is finalizing documentation to impose a two-month suspension on the firefighter-EMT and a six-month suspension on the still-active Training Academy employee. CFD indicated that the findings of OIG's investigation would be noted in the retired Academy employee's personnel file. The Board of Ethics referred the matter back to OIG for consideration of whether a fourth CFD employee also violated the GEO. Finally, DPS initiated debarment proceedings against the contractor.

8 | Police Officer Forgery; Perjury; Official Misconduct (C2022-000043852)

An OIG investigation established that between 2010 and 2022, a CPD officer submitted false evidence to the Department of Administrative Hearings (DOAH) in 56 separate hearings to contest personal vehicle citations. Specifically, the officer submitted forged police reports which stated that their car was stolen when ticketed, and forged citations that provided the appearance that they received duplicative tickets. The Police Officer also submitted copies of handicap placards that did not belong to them to contest parking tickets. Audio recordings from DOAH hearings revealed that the Police Officer repeatedly lied under oath to support the falsified evidence that they submitted. Additional evidence collected by OIG demonstrated that the officer attended personal DOAH hearings while collecting overtime and failed to identify themselves as a CPD officer when asked during a DOAH hearing. During OIG's investigation, the officer retired from CPD, after OIG requested that CPD relieve the officer of their police powers, but before OIG interviewed the officer.

OIG found that the Police Officer violated the Illinois criminal laws prohibiting forgery, perjury, and official misconduct. As a former member of CPD, the Police Officer also violated CPD Rules and Regulations, Article V, Subsections 1 (violating any law or ordinance), 2 (action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department), 3 (failure to promote the Department's efforts to implement its policy or accomplish its goals), 4 (conduct or action taken to use the official position for personal gain or influence), 14 (making a false report, written or oral), 30 (leaving duty assignment without being properly relieved or without proper authorization), 37 (failure to correctly identify himself by giving his name, rank and star number when so requested by a private citizen), and 41 (disseminating, releasing, altering, defacing or removing any Department record or information concerning police matters).

OIG recommended that CPD issue a formal determination that OIG's investigation substantiated serious misconduct and refer the former Police Officer for placement on the ineligible for rehire list maintained by DHR pursuant to the City's Policy Regarding Ineligibility for Rehire.

In response, CPD agreed with OIG's recommendations, and referred the former Police Officer to DHR for placement on the ineligible for rehire list.

9 | Discourteous Treatment; Misuse of City Position (C2022-000043920)

An OIG investigation established that an off-duty Department of Streets and Sanitation (DSS) division superintendent, who is responsible for directing and managing staff responsible for providing sanitation services to City residents, threatened to use their power as a DSS Superintendent to “bring heat” on City residents during a neighbor dispute between the Superintendent’s family members and the residents at the residents’ house.

DSS Work Rules prohibit DSS employees from making threats to members of the public and engaging in discourteous treatment. OIG found that the division superintendent’s actions violated DSS Work Rules and the City of Chicago Personnel Rules. Specifically, the Division Superintendent’s actions violated Personnel Rule XVIII, Section 1, Subsection 23 (discourteous treatment, including verbal abuse, of any other City employee or member of the public. Provoking or inciting another employee or member of the public to engage in such conduct); Subsection 32 (treating discourteously any member of the public where such person can reasonably believe that the employee is acting within the scope of his employment); and Subsection 50 (conduct unbecoming an officer or public employee).

OIG recommended that DSS impose discipline against the division superintendent, commensurate with the gravity of their violations, past disciplinary record, and any other relevant considerations. In response, DSS agreed with OIG’s recommendation for discipline and issued a 29-day suspension.

10 | Campaigning in CFD Uniform (C2022-000044076)

An OIG investigation established that a CFD firefighter/paramedic campaigned for alderman while wearing their CFD uniform and authorized photos of themselves wearing their CFD uniform to be posted on their campaign social media accounts.

OIG concluded that the employee violated MCC § 2-156-060, prohibiting unauthorized use of City property. OIG recommended that the Board of Ethics find probable cause to believe that the employee violated the GEO and initiate enforcement proceedings to determine appropriate sanctions. BOE voted at its January 2024 meeting to find that the employee committed a minor violation of the GEO.

11 | Harassment of a City Contractor (C2023-000000145)

An OIG investigation established that a DWM assistant chief operating engineer threatened and harassed multiple employees of a City contractor during their administration of a City program. When the City employee received what they believed to be unsatisfactory service from the contractor, the employee repeatedly screamed vulgarities at and made threats to the contractor’s representatives, including telling representatives that they hoped the representatives would be raped, that they hoped the representatives would get COVID and die, and that they would come look for the representatives in person and “be on the . . . news tomorrow” if not provided the service requested. As a result of the employee’s actions, the contractor—a national company with physical locations across the United States—shut down its Chicago office for the day due to safety concerns.

OIG concluded that the DWM employee engaged in harassment by telephone as described in 720 ILCS 5/26.5-2(a)(2), and further violated City of Chicago Personnel Rule XVIII, Section 1,

Subsections 15 (prohibiting violations of Illinois law), 23 (prohibiting discourteous treatment), and 50 (prohibiting conduct unbecoming a public employee).

OIG recommended that DWM discharge the employee and refer them for placement on the Ineligible for Rehire list maintained by DHR. In response, DWM preliminarily agreed with OIG's recommendations and requested that DOL prepare discharge charges for the employee.

C | Synopses of and Developments in 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.

This quarter, OIG has one update regarding criminal cases related to an OIG investigation.

1 | [State of Illinois v. Barbara Johnson, 23CR1229401 \(Circuit Court of Cook County\), OIG Case No. C2022-000043401](#)

On November 27, 2023, a Cook County grand jury indicted Barbara Johnson, a former Office of the City Clerk (OCC) payment service representative, on two counts of theft, one count of computer fraud, and one count of official misconduct. Johnson did not appear for her initial arraignments on December 5, 2023, or December 19, 2023, but was ultimately arraigned on February 27, 2024. Johnson's next court date is April 25, 2024.

OIG's investigation revealed that Johnson committed thefts of cash payments she received for the sale of City stickers pursuant to her position with OCC. OIG's analysis revealed that over time, Johnson's theft from the City amounted to well into six figures.

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.

1 | [In re Express Permits, Inc. 23-NR-0056 \(BACP\), OIG Case No. C2022-000043177](#)

In the Quarterly Report for the third quarter of 2023, OIG reported on its investigation of a project manager with the DOB who conducted permit reviews on behalf of the City for a permit expediting company licensed by the City and owned by the project manager's spouse. The spouse of the project manager knowingly made false statements regarding their relationship with the subject, which obstructed and delayed OIG's investigation. OIG's recommendations included that BACP consider revoking the Regulated Business License of the spouse's permit expediting company.

On March 11, 2024, acting upon a report of a Hearing Commissioner, BACP issued an order suspending all City of Chicago licenses issued to Express Permits, Inc., the spouse's business, for 180 days, and fining the business \$2,500.

E | Special Investigations

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

1 | Campaign Finance Investigations

The MCC bans City vendors, lobbyists, and those seeking to do business with the City from contributing more than \$1,500 each year to any elected City official or candidate's political campaign. Other rules and regulations, such as Executive Order 2011-4, place further restrictions on donations.¹⁰

Campaign contributions that potentially violate the MCC are sometimes identified through complaints; OIG also, however, engages in proactive monitoring and analysis of campaign contribution data to identify and examine potential violations. In this quarter, OIG's Center for Information Technology and Analytics is in the final stages of developing and streamlining an automated data process to facilitate this proactive analysis—specifically, to identify potentially improper contributions made to elected City officials or candidates by restricted contributors. In this effort, OIG will integrate and match data from a variety of sources, including City contracts and records of payments made by the City to individuals and entities.

Pursuant to MCC § 2-156-445, “[a]ny person who solicits, accepts, offers or makes a financial contribution that violates the limits set forth in this section...shall not be deemed in violation of this section if such person returns or requests in writing the return of such financial contribution within 10 calendar days of the recipient's or contributor's knowledge of the violation.” Accordingly, once a potential violation is identified, OIG notifies the donor and the donation recipient of the violation and provides the individual or entity 10 days to challenge the determination or cure the violation by returning the excess donation.¹¹ If the excess donation is returned in a timely manner, or it is determined that a violation did not occur, OIG closes the matter administratively. In the event the matter is not cured or successfully challenged, OIG will sustain an investigation and deliver the case to the BOE for adjudication.

This quarter, OIG did not close any campaign finance matters.

¹⁰ 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.

¹¹ If the donor and/or recipient was already aware that the excess donation was a violation at the time the donation was made, then they may not be entitled to notice and opportunity to cure the violation and avoid a fine.

2 | O'Hare 21

OIG provides oversight for major construction initiatives across the City. Specifically, OIG has worked with CDA to oversee the multi-billion-dollar expansion project at O'Hare International Airport, commonly known as O'Hare 21.

OIG manages the work of Integrity Monitors (IMs), professional services contractors charged with investigating, auditing, and testing various processes and contracts associated with O'Hare 21. The IMs are given full access to contractor records and personnel. They monitor contractors' compliance with laws, policies and procedures, and various contractual requirements, and report to an Integrity Monitoring Committee; that committee is constituted of representatives of DPS, CDA, and OIG.

Working with the IMs, OIG receives information, leads, and complaints regarding potential misconduct on the project. Participating with CDA and DPS on the monitoring committee, OIG works in concert with partner departments to develop strategies and approaches to problems considering shared interests and perspectives.

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

F | Fines and Recoveries

This quarter, as a result of a municipal prosecution previously reported on in the fourth quarter of 2023, the City recovered \$300.00 in the form of a fine for a violation of MCC § 2-56-140, which prohibits obstruction of OIG investigations.

IV | Public Safety

Pursuant to the separate powers and duties enumerated in MCC § 2-56-230, the Public Safety section supports OIG's mission of promoting economy, efficiency, effectiveness, and integrity by conducting independent, objective evaluations and reviews of CPD, the Civilian Office of Police Accountability (COPA), and the Police Board, as well as inspections of closed disciplinary investigations conducted by COPA and CPD's 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 the findings of these inquiries, OIG makes recommendations to improve the policies, procedures, and practices of those entities. The following summarizes one Public Safety section report released this quarter.

1 | Public Safety 2024 Outlook on Police Oversight and Accountability¹²

Each year, OIG publishes an Outlook on Police Oversight and Accountability that lists projects under consideration for launch in that year by the Public Safety section. Potential projects are listed in categories corresponding to the Public Safety section's strategic priorities: (a) CPD operational competence; (b) discipline and accountability; and (c) constitutional policing. In October 2023, OIG published its draft Outlook for public comment. The public comment period was open from October 31 to December 31, 2023, and OIG is grateful to all those who responded with comments during that period. The final version of the Outlook on Police Oversight and Accountability was published on January 31, 2024.

The list of projects is intended to serve as a guiding document and is subject to change. The Public Safety section may initiate other projects over the course of the year and the section may not undertake each of the listed projects in 2024. Potential projects are developed from a variety of sources, including input from community members, CPD members, and OIG staff.

B | Review of Closed Disciplinary Investigations

Pursuant to its obligations under the MCC, the Public Safety section reviews individual closed disciplinary investigations conducted by COPA and BIA. OIG may make recommendations to inform and improve future investigations, and, if it finds that a specific investigation was deficient such that its outcome was materially affected, may recommend that it be reopened. Closed investigations are selected for in-depth review based on several criteria, including, but not limited to, the nature and circumstances of the alleged misconduct and its impact on the quality of police-community relationships; the apparent integrity of the investigation; and the frequency of an occurrence or allegation. The closed investigations are then reviewed in a process guided by the standards for peer review of closed cases developed by the Council of Inspectors General on Integrity and Efficiency. OIG assesses sufficiency across several categories, including timeliness, professional standard of care, interviews, evidence collection and analysis, internal oversight, and case disposition.

¹² Published January 31, 2024. See <https://igchicago.org/publications/public-safety-2024-outlook/>.

This quarter, the Public Safety section’s Investigative Analysis unit examined 430 closed disciplinary cases and opened 38 for in-depth review. OIG found six COPA investigations and one BIA investigation that contained deficiencies materially affecting their outcomes.

Table 8: Disciplinary Cases Reviewed

Agency	Cases Screened	Cases Opened
BIA	115	8
COPA	315	30
Total	430	38

1 | Recommendations to Reopen Closed Disciplinary Investigations

This quarter, OIG sent COPA nine letters of recommendation to reopen investigations and BIA one. Five of those recommendations to reopen letters to COPA and one to BIA were for cases reviewed in 2023-Q4. BIA accepted OIG’s recommendation to reopen, and COPA has accepted one of the recommendations to reopen; COPA’s responses for the remaining eight cases are pending.

Additionally, by the end of this quarter, OIG received a response from COPA on a recommendation to reopen made in 2023-Q4, where COPA accepted the recommendation.

Below are summaries of investigations that have reached a final disciplinary decision. Going forward, once BIA or COPA has responded to an OIG recommendation to reopen an investigation, and once the underlying investigation has reached a final disciplinary decision, OIG’s recommendation letters and the agencies’ responses will be published on OIG’s website. In these procedural postures, OIG’s recommendations to reopen and the agencies’ responses have been available and, from time to time, released pursuant to MCC § 2-56-250 and the Illinois Freedom of Information Act. Accordingly, the summaries contained in this section of the quarterly report will include, as they do in this report, the names of involved CPD members. These recommendations to reopen, issued pursuant to MCC § 2-56-230(c), are separate from OIG’s own confidential investigative work, which is governed by the confidentiality provisions set out in MCC § 2-56-110.

a | Recommendation to Reopen to Investigate All Appropriate Allegations (C2022-000030410)

OIG reviewed a COPA investigation involving CPD members William Robles Jr., Star #19200, and Jason Pagan, Star #11549, related to their use of excessive force during the arrest of a 17-year-old victim and their failure to document their use of force.

The reporting party witness related that, on February 1, 2019, they observed an unmarked police vehicle nearly strike the 17-year-old victim, who was walking in the street close to the curb. According to the witness, the victim started cursing after they were nearly hit by the vehicle, and the officers in the vehicle “jumped out” and “grabbed” the victim. Soon after the encounter started, the witness observed Officer Pagan punch the victim multiple times in the face. A second witness’ statement given to COPA was consistent with the reporting party witness’ statement.

COPA did not sustain allegations that Officer Pagan struck, applied a chokehold, or used excessive force on the 17-year-old victim. COPA did sustain the allegation that Officer Pagan failed to properly document the force used on the victim in a Tactical Response Report (TRR) and

recommended a one-day suspension. COPA sustained the allegation that Officer Robles failed to activate their BWC and recommended a written reprimand.

The statements provided by both witnesses focused on the force used by the CPD members while stopping and arresting the victim; however, both witnesses also expressed concern about how the encounter began. There was no documentation in the case file to suggest that COPA contemplated allegations regarding the nature of the initial stop. The section of COPA's report which summarized the evidence collected begins by positing that Officer Pagan, Officer Robles, and CPD Sergeant Brian Schnier, Star #1273, received information about an armed black subject in their patrol area, and that they observed the subject who fit the description walking in the roadway. A COPA footnote clarifies that none of the CPD members interviewed could recall who provided the information or how it was received. The analysis section focused on the inability to determine, based on the preponderance of the evidence, whether the use of force was justified, but offered no discussion about the justification for the stop.

OIG's review further revealed that COPA's investigation of this log was documented only in a Modified Summary Report of Investigation (MSRI). In the standard COPA Summary Report of Investigation (SRI), each item of evidence, statements from all involved parties, and the analysis of evidence in reaching findings are described in detail. The MSRI is a condensed report in which evidence and statements are summarized collectively and the analysis section is comparatively brief. OIG referenced COPA's February 2019 guidelines for using the MSRI template and determined that this investigation did not meet those guidelines.

OIG recommended that COPA reopen the investigation to address the allegations of an improper street stop and to complete a standard SRI or amend the MSRI to indicate why COPA used the MSRI template.

COPA declined OIG's recommendation to reopen to address the improper stop allegation, stating that "COPA investigators declined to serve a Fourth Amendment-based allegation, because it was clear that the Officers would be exonerated as it is uncontroverted that [the victim] was violating the law." COPA noted that both CPD members and the Reporting Party Witness observed the victim walking in the roadway, which was what the victim was charged with in violation of MCC 09-060-080. COPA also wrote that "while it was unknown to the [Reporting Party Witness], [the victim] matched the description given [to] the Officers of a [victim] with a gun in the area." Therefore, COPA assessed the initial stop to be justified.

Additionally, COPA declined OIG's recommendation to re-draft the summary report. COPA wrote, "Utilization of the MSRI did not impact the thoroughness of the investigation or the depth of the analysis undertaken to reach the findings." Further, in February 2020, the MSRI guidelines were modified to permit COPA staff to use the condensed document in all investigations excluding major cases.

b | Recommendation to Reopen to Consider Totality of All Evidence (C2022-000030944)

OIG reviewed a BIA investigation involving Officer Salvador Esparza Jr., Star #11040, related to an incident in which Officer Esparza was intoxicated while off-duty, failed to pay their towing bill, threatened a tow truck driver when confronted with the towing bill, failed to cooperate with the Des

Plaines Police Department (DPPD), and attempted to use their position as a CPD member to avoid Field Sobriety Testing and a Driving Under the Influence (DUI) investigation by DPPD officers.

According to evidence contained in the investigative file, on April 26, 2019, Officer Esparza drove their personal vehicle into a construction site in Des Plaines, IL, and lodged the vehicle on a rock. A complaint was initiated by the tow truck driver who brought Esparza's vehicle to their home from the construction site. The tow truck driver stated although DPPD issued Officer Esparza traffic citations, Officer Esparza was not cited for DUI. BIA's investigative file includes BWC footage from on-scene DPPD officers, including what appears to be the first interaction between DPPD members and Officer Esparza. During the interaction, Officer Esparza refused to provide their driver's license to the DPPD officer. Moments later, Officer Esparza exited their car in an "unsteady" manner and "stumbled" while standing next to their vehicle. According to BIA's Investigative Closing Report, while outside of their vehicle, Officer Esparza "covertly showed [their] badge, placing it down by [their] thigh and let the DPPD officer know [they were] a police officer and stated [they] worked at the airport."

BWC footage captured a DPPD officer who was administering the Horizontal Gaze Nystagmus (HGN) test and states, "To be honest, the HGN wasn't great. You're putting me in a bad spot." Following the HGN test, Officer Esparza refused to complete any additional testing, asked that their vehicle be taken home and if the DPPD Sergeant would "do [them] a solid," and requested to speak with the DPPD Sergeant privately. There was no BWC footage from the DPPD Sergeant's perspective, but the start of the interaction between Officer Esparza and the Sergeant was captured by a DPPD officer's BWC. The Sergeant can be heard saying, "You understand the position you're putting us in, right?" Officer Esparza apologized during their interaction with the DPPD Sergeant, the DPPD officer briefly walked away, and the Sergeant summoned the DPPD officer while stating, "officer conference." The BWC footage cut off immediately thereafter.

BIA reached a finding of Not Sustained for the allegations that Officer Esparza attempted to use their position as a CPD member to avoid a DUI investigation and was intoxicated. BIA did not recommend discipline for Officer Esparza.

OIG reviewed BIA's analysis of the allegation that Officer Esparza attempted to use their position as a CPD member to avoid a DUI investigation. In support of the finding, the BIA investigator wrote they were "not able to determine if the fact that Officer Esparza had told the Officers that [they were] the Chicago Police had any effect on the outcome of the case," and could not determine whether Officer Esparza's conduct influenced DPPD's investigation. Based on OIG's review, however, the question at issue was whether Officer Esparza *attempted* to use their position to avoid DPPD's investigation, and a finding with respect to that allegation would not appropriately rest on whether they were successful in doing so.

Further, BIA's Investigative Closing Report did not contain any analysis regarding the allegation that Officer Esparza was intoxicated. The assigned BIA investigator wrote that Esparza was "unsteady" and "stumbled," and the BWC footage provided additional indicia of intoxication, such as Esparza being unable to name the location from which they were traveling. Additionally, the Traffic Crash Report completed by DPPD indicates that Esparza drove around two "Road Closed" signs, drove in the wrong lane, and entered a closed construction site before lodging their car on a rock. BIA's report should have included an analysis regarding the allegation that Officer Esparza was

intoxicated, and that analysis should have accounted for these facts in reaching a finding. Moreover, there was no indication in the investigative file of whether the assigned BIA investigator sought to interview on-scene DPPD members, which may have been instructive with respect to the allegations that Officer Esparza attempted to use their position as a CPD member to avoid investigation and was intoxicated.

OIG recommended BIA reopen the investigation to consider the totality of available evidence and further its analysis relative to allegations that Officer Esparza used their official position for personal gain and was intoxicated.

BIA accepted OIG's recommendation and reopened the investigation.

BIA contacted DPPD for interviews and received a "clear and specific declination from DPPD on behalf of their officers." In line with OIG's recommendation, BIA conducted additional analysis of the evidence, including BWC footage from the incident and Officer Esparza's first interview, and completed a follow-up interview with Officer Esparza. BIA Sustained allegations that Officer Esparza was intoxicated off-duty and attempted to use their position as a CPD member to avoid a DUI investigation by DPPD members. Upon reclosing the investigation, BIA recommended a 45-day suspension.

c | Recommendation to Reopen to Address the Allegations (C2022-000030950)

OIG reviewed a BIA investigation involving CPD Detective Patricia Stanton, related to conduct unbecoming of a police officer while investigating a juvenile sexual assault in 2001.¹³

The complaint underlying this investigation was submitted to COPA on May 26, 2020, and COPA subsequently referred the complaint to BIA. According to evidence contained in the investigative file, a police report was filed by the complainant with CPD in July 2001 for sexual assault when the complainant was thirteen years old. The incident report narrative stated the offender forced the complainant to perform oral and anal sex because the offender had paid more for marijuana they had purchased from a friend of the complainant. The supplemental detective report narrative stated that the sex was consensual according to both parties and no rape kit was made on the victim. In their complaint to COPA, the complainant alleged that the offender was the grandson of a CPD Sergeant, and that unknown CPD members covered up the complainant's sexual assault allegations, gave preferential treatment to the alleged offender, and harassed the complainant's family during the investigation. The complainant stated that an unknown male detective picked up the complainant and their mother and drove them, first, to a residence to identify the offender's residence and then drove them to the station to speak with two female detectives. The complainant stated that the younger detective, later identified as Detective Stanton, told the complainant "wipe your fucking face" when they were crying and accused the complainant of wanting to have sex.

BIA administratively closed the investigation without addressing the allegations that Detective Stanton told the complainant to "wipe your fucking face," accused the complainant of faking a rape, and that unknown CPD Department members attempted to interfere with the complainant's rape investigation.

¹³ According to CPD records, Detective Patricia Stanton retired November 22, 2011.

BIA's investigative file contained police reports related to the arrest of a juvenile offender, a note that the case was administratively closed, and a letter informing the complainant of the same. The case file did not contain any information indicating how BIA reached the determination to administratively close the matter. Further, the complainant's allegations, which differ dramatically from the accounts presented in the police reports, were not addressed anywhere in the file, nor was there any explanation for whether or how factual discrepancies were resolved in reaching a determination to terminate the case without investigation.

OIG recommended BIA reopen the investigation to address the complainant's allegations in the record and to reflect its rationale for disposing of the allegations against Detective Stanton in the investigative file. BIA accepted OIG's recommendation and reopened the investigation.

BIA conducted an analysis of the evidence in the investigative file but was unable to interview Detective Stanton due to their retirement from CPD in 2011 and an inability to reach them. BIA was also unable to identify the unknown Department members accused of harassing the complainant's family following their sexual assault. BIA did not sustain on either allegation against Detective Stanton or the unknown Department members.

d | Recommendation to Reopen to Conduct a Rule 14 Analysis (C2022-000044110)

OIG reviewed a COPA investigation concerning allegations against CPD Sergeant William Angus, Star #1691, in that he unlawfully detained and searched the complainant and his property. Subsequently, COPA made additional allegations that Sergeant Angus failed to provide an Investigatory Stop Receipt and approved an inaccurate ISR.

According to evidence contained in the investigative file, the incident occurred when Sergeant Angus detained the complainant after they stopped to adjust the seat on his Divvy bike that they were riding through Lincoln Park after work. After detaining the complainant, Sergeant Angus removed a bottle from the outside pocket of the complainant's backpack and asked them what the bottle was, to which the complainant responded that it was tonic water. Sergeant Angus returned the bottle and indicated to other officers on scene that they would be writing the complainant an Administrative Notice of Ordinance Violation (ANOV). Sergeant Angus made several requests for the complainant's driver's license, which the complainant refused to provide. Sergeant Angus reached into the complainant's pants pocket, removed a cell phone, and placed it on the hood of a police vehicle. Sergeant Angus then unzipped the complainant's backpack and placed the contents on the hood of the police vehicle. Sergeant Angus again asked the complainant if they had an ID to which they stated, "No." The incident concluded when the complainant provided their driver's license to Officer Noel Zaia, Star #12543, who issued the complainant an ANOV.

COPA obtained a copy of the ISR. The ISR for the stop lists Officers Tyler Woods, Star #19743, and Zaia as the reporting officers. In the narrative of the ISR it states that "R/Os [reporting officers] searched subject's backpack for fireworks after receiving [the] subject's consent with negative results"; the checkbox on the form is also marked that a search was conducted by consent.

During their interview with COPA, the complainant denied giving consent for a search of their backpack. COPA also interviewed Sergeant Angus, who acknowledged that BWC footage captured the entire event, which showed that the complainant did not give consent to a search. In a subsequent interview by COPA, Sergeant Angus acknowledged that the ISR was approved by him

and that the statement about receiving consent to search the backpack was inaccurate. COPA recommended a 30-day suspension for the sustained allegations that Sergeant Angus improperly searched the complainant and their backpack, failed to provide an Investigatory Stop Receipt, and approved an inaccurate ISR. Despite having found that the ISR was “inaccurate,” COPA did not bring any allegations against the reporting members and brought no allegations that anyone involved had violated Rule 14, which prohibits false reports.

During the investigation, COPA learned that Officer Zaia resigned from CPD effective August 3, 2021. In COPA’s SRI report, it notes that “Officer Woods is on military leave and is not anticipated back until late 2022. CPD Human Resources is unable to confirm his expected date of return. In light of the military leave and the 18-month requirement for the completion of investigations of allegations against Sergeants, COPA did not serve allegations against Officer Woods relating to inaccuracy of the Investigatory Stop Report.”

OIG recommended COPA reopen its investigation to conduct a Rule 14 analysis based on Sergeant Angus’ approval of the ISR which asserts, as contradicted by the evidence, that the complainant consented to a search, as well as his statements during his interview which were contradicted by video evidence. OIG also recommended COPA explore all avenues to complete an investigation into Officer Woods’ involvement in documenting inaccurate information in the ISR, including whether military leave serves as a reasonable cause for delay to toll the 18-month timeframe for investigations, or whether it is reasonable to, alternatively, open a separate investigation listing Officer Woods as the accused along with the associated alleged misconduct to pursue potential violations committed by Officer Woods upon his return.

COPA agreed to reopen its investigation and served allegations on Officer Woods after their return from military leave. COPA interviewed Officer Woods and they admitted to failing to complete an Investigatory Stop Receipt for the complainant, that he did not hear the complainant provide consent for the search, and that the statement written in the ISR that consent was given was a mistake.

COPA completed an additional SRI to include its analysis of the evidence and statements made by Officer Woods. COPA sustained the allegations that Officer Woods failed to provide an Investigatory Stop Receipt to the complainant in violation of CPD Rules 2, 3, and 5 and made a “false, misleading, incomplete and/or inaccurate statement” when completing the ISR in violations of CPD Rules 2, 3, and 10.¹⁴ COPA again did not bring nor conduct any analysis of Rule 14 violations, prohibiting false reports, written or oral.

[e | Recommendation to Reopen for Additional Analysis \(C2023-000000148\)](#)

OIG reviewed a COPA investigation involving CPD Field Training Officer August Moss, Star #10908, using his fingers and hands to poke the complainant in their chest area and pushed the complainant backward. The complaint was initiated on-scene after the complainant approached Sergeant Steve Pulia, Star #1938, and requested to file a complaint against Officer Moss.

¹⁴ CPD Rules and Regulations, Article V. Rules of Conduct: Rule 2-Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department, Rule 3-Any failure to promote the Department’s efforts to implement its policy or accomplish its goals, Rule 5-Failure to perform any duty, and Rule 10-Inattention to duty.

According to evidence contained in the investigative file, as the complainant observed a tow truck attempting to tow his vehicle, the complainant waved down Officers Kristopher Murray, Star #17951, and Brandon Baylian, Star #3361. Officer Redondo Navarro, Star #3553, and Officer Moss arrived at the scene to assist Officers Murray and Baylian. The responding officers attempted to explain to both the complainant and the tow truck driver that the repossession of the vehicle was a civil issue, and not a police matter. Officer Murray told the complainant and other civilians to “take ten feet back,” away from the tow truck driver because the driver was “just doing [their] job.” Officer Moss placed his right hand on the complainant’s chest, and then pushes the complainant about the chest. The complainant reacted by swatting Officer Moss’ hand off their chest, which resulted in Officer Moss’ BWC falling to the ground.

Officer Murray’s BWC captures Officer Moss stating to Sergeant Pulia, “My issue was that [the complainant] shoved [their] shoulder into him.” Sergeant Pulia asks who the complainant shoved their shoulder into and Officer Moss states, “Murray.” Sergeant Pulia asks why the complainant is not in handcuffs if they committed a battery against a police officer. Sergeant Pulia states to Officer Murray that if Officer Murray felt that the complainant committed battery against him, Officer Murray should place the complainant in handcuffs.

Further, Officer Murray’s BWC captures the complainant stating that they want to make a complaint against Officer Moss. Sergeant Pulia responds, “If you want to make a complaint against someone, 100-percent legit; we can do that. I’m trying to sort out what you did to my officers.” Sergeant Pulia asks Officer Murray what they are going to do with the complainant because if the complainant “battered one of [his] POs,” the complainant was “going to go in.” The complainant tells Sergeant Pulia and Officer Navarro that Officer Moss was “jabbing” him in the chest. Officer Navarro states, “When that happened, you put your hands on him and knocked his camera off, okay?” The complainant responds, “I see what it is, man, and I’m going to leave it alone,” and continuously says that he no longer wants to file a complaint. Sergeant Pulia responds with, “I’m the supervisor on scene for this drama. You already said you want to make a complaint. Guess what? We are going to make the complaint. If you’re pushing my officers, you’re coming with us. We are going to watch the camera and we are going to make the complaint. You got out of pocket as far as I’m concerned.” Then Officer Murray puts the complainant in handcuffs. The complainant asks, “So if I got to make a complaint, I got to go to jail?”

Officer Moss approaches Officer Baylian in a CPD vehicle with the complainant and asks what they are doing with the complainant, and Officer Baylian responds, “I think it’s battery to you.” Officer Moss asks, “To me? It was more like he brushed up on Murray.”

On Officer Moss’ BWC at the district while processing the complainant, an unidentified officer tells Officers Moss and Murray to name themselves as victims under the complainant’s arrest for battery; Officer Moss was the only victim listed on the arrest report. According to the arrest report, the complainant was disobeying Officer Moss’ verbal commands and “approached Officer Moss.” For Officer Moss to maintain a zone of safety, Officer Moss pushed the complainant back, and the complainant pushed Moss’ hand causing Moss’ BWC to fall to the ground.

The arrest report attested to by Officer Murray conflicts with Officer Murray’s BWC video footage of what occurred, specifically where Officer Moss approached the complainant prior to pushing the complainant. The arrest report also conflicts with Officer Moss’ statements to Sergeant Pulia when

Officer Moss stated that the complainant shoved their shoulder into Officer Murray. Additionally, Officer Moss also questioned when Officer Baylian told Officer Moss that the complainant was being taken in for battery against Officer Moss, when Officer Moss stated that the battery should have been against Officer Murray.

COPA was unable to interview the complainant and found that it was unclear whether the push by Officer Moss was within policy solely based on review of BWC. COPA administratively closed the investigation pending further cooperation from the complainant.

OIG recommended that COPA reopen the investigation to analyze whether the arrest of the complainant was in retaliation for their asking to make a complaint and whether there were false statements made by Officer Moss that the complainant “brushed up” against Officer Murray and “approached” Officer Moss. COPA accepted OIG’s recommendation and reopened the investigation.

COPA subsequently closed the investigation as a Non-Disciplinary Closure (NDC) in its Timeliness Initiative Project. Based on COPA's Timeliness Initiative Policy, cases "re-opened at the request of external agencies (i.e., PSIG, CPD, DOL, or IMT)," are ineligible to be closed under its non-disciplinary closure status. OIG made COPA aware of the closure and COPA responded that the investigation was closed in error and was again reopened.

COPA Not Sustained the allegation that Officer Moss poked the complainant at or near their chest area without justification, exonerated Officer Moss on the allegations that he pushed the complainant at or near their chest area without justification, and that he arrested the complainant without justification. COPA stated “[t]his investigation did not reveal any evidence that caused COPA to question the credibility of any of the individuals (sworn or unsworn) who provided statements” and did not conduct an analysis regarding whether Officer Moss made false statements.

f | Recommendation to Reopen to Address Potential Rule Violations (C2023-000000210)

OIG reviewed a COPA investigation involving CPD Officers Germaine Wrencher, Star #12375, and Bohdan Javorsky, Star #14113, related to a Taser discharge incident and subsequent arrest of an individual occurring on August 22, 2021.

In this incident, Officers Wrencher and Javorsky responded to a battery call and encountered the arrestee asleep in front of a hotel. Officer Wrencher apparently attempted to get the arrestee’s attention by kicking the bottom of their foot and told the arrestee they needed to leave and could not be in front of the hotel. When the arrestee did not comply with the orders to leave from the front of the hotel, Officer Wrencher tried to handcuff them, but was only able to handcuff their left wrist, as they attempted to leave. As the arrestee lay on their back, Officer Wrencher threatened to tase them three times if they did not turn over. The arrestee continuously asked what they did wrong, as they laid on the ground with hands in clear view. Officer Wrencher told them four times to turn over. Officer Wrencher then discharged his Taser at the arrestee for five seconds after they remained on their back and failed to comply with Officer Wrencher’s orders to turn over. After the first Taser discharge, Officer Wrencher asked the arrestee if they were “ready for another one” and then immediately discharged their Taser a second time. After the arrestee continued to lay on their back

on the ground, Officer Javorsky told Officer Wrencher to “tase [them] again” and Officer Wrencher discharged their Taser at the arrestee for a third time. Officer Wrencher continued to tell the arrestee to give the officers their hands and then discharged their Taser for a fourth time as the arrestee repeatedly yelled, “What did I do?” After Officer Wrencher told Officer Javorsky, “Back up, I’m going to tase [them] again,” the arrestee yelled out, “No” and swung at Officer Wrencher’s Taser but did not make contact. Officer Wrencher immediately discharged their Taser for a fifth time, telling the arrestee to put their hands behind their back as they screamed out that they wanted to go to the hospital. As the arrestee stood up, Officer Wrencher discharged their Taser for a sixth time. Additional CPD members responded and assisted in handcuffing and placing the arrestee for transport to Mercy Hospital. Officer Wrencher’s Taser Download Report showed that the arrestee was “exposed to six reenergized Taser cycles for a cumulative 28 seconds of energy.”

Despite COPA’s findings on the sustained allegations, with respect to Officer Wrencher, COPA did not investigate or conduct any analysis regarding potential violations of Rule 14 of CPD’s Rules of Conduct, which prohibits making false reports. In the Final Summary Report, COPA determined the arrestee to be a passive resister, yet Officer Wrencher told COPA that the arrestee “was an assailant each of the six times” they discharged his Taser. COPA found that Officer Wrencher’s statement “is wholly refuted by the video evidence,” which shows that the arrestee was lying on their back with their hands in the air in front of them the first time Officer Wrencher discharged his Taser. In the Tactical Response Report (TRR), Officer Wrencher detailed that the “offender became verbally and passively resistant” and “I used de-escalation techniques,” but COPA found that “neither Officer Wrencher nor his partner attempted to use de-escalation techniques or principles of force mitigation, as required by CPD policy [General Order G03-02-01: Response to Resistance and Force Options].”

While COPA’s Final Summary Report demonstrates that COPA identified this investigation to involve “Failure to Report Misconduct,” COPA did not include or conduct any analysis regarding whether Officer Javorsky had violated Rules 21 or 22 of CPD’s Rules of Conduct, which require members to report misconduct.

Officer Wrencher completed the TRR, which was subsequently reviewed and approved by Lieutenant Steven Cieciel, Star #770, on August 25, 2021. Lt. Cieciel found that “WRENCHER justifies each use of Taser to gain compliance and/or end further harm to others,” and concluded that “given the totality of the circumstances, specifically the ineffectiveness of the TASER, *R/L believes WRENCHER could have used a greater amount of force to affect this arrest.*” (Emphasis added.) Lt. Cieciel’s examination and approval of Officer Wrencher’s Taser use in the TRR is in contradiction with COPA’s findings that excessive force was used by Officer Wrencher in this incident, where COPA concluded that “Officer Wrencher’s Taser discharges were both an egregious violation of CPD’s use of force policy and were retaliatory in nature.” CPD General Orders require that supervisors determine whether a use of force by a member under their supervision may constitute misconduct and therefore require notification to COPA.

COPA sustained an allegation against Officer Wrencher for discharging their Taser without justification and sustained an allegation against Officer Javorsky for failing to intervene when they observed Officer Wrencher use excessive force. COPA recommended a minimum suspension of 120 days for Officer Wrencher and 90 days for Officer Javorsky.

OIG recommended that COPA reopen this investigation to address potential violations of Rules 14, 21, and 22 by Officers Wrencher and Javorsky and consider whether any allegations are appropriate against Lt. Ciecziel.

COPA declined OIG's recommendation to reopen the investigation. With respect to Officer Wrencher, COPA stated that since they have "no evidence that [they] intended to mislead or fabricate [their] account" of the incident, "COPA therefore cannot find that re-opening this case on this basis is an efficient use of its resources." For Officer Javorsky, COPA noted "that it has already recommended significant discipline" and it is "unlikely that COPA's recommendation would change materially based on new allegations." Although Lt. Ciecziel was not accused nor investigated in its original investigation, COPA stated that "re-opening the case at this time would not be an efficient use of COPA's resources because an arbitrator would likely limit or deny imposition of any discipline due to language in the lieutenant's collective bargaining agreement requiring that investigations be completed within 18 months. The incident occurred on August 22, 2021. Under Lt. Ciecziel's collective bargaining agreement, COPA would have had until February 2023 to complete its investigation."

V | Reports and Monitoring Activity

A | Audits and Follow-Ups

Separate from its confidential investigative work, OIG's Audit & Program Review (APR) section produces a variety of public reports including independent and objective analyses and evaluations of City programs and operations with recommendations to strengthen and improve the delivery of City services. These engagements focus on the integrity, accountability, economy, efficiency, and effectiveness of each subject. The following summarizes two such reports published this quarter.

1 | Follow-up to OIG's Audit of the Department of Planning and Development's Administration of the Neighborhood Opportunity Fund Small Grants Program (#C2023-000000229)¹⁵

OIG completed a follow-up to its December 2022 audit of the Department of Planning and Development's (DPD) administration of the Neighborhood Opportunity Fund (NOF) Small Grants program. NOF is an economic development tool that provides grants for development projects in "neighborhoods impacted by poverty, high unemployment, and other indicators of economic deprivation."¹⁶ NOF is funded by contributions from property developers who are required to contribute in exchange for permission to undertake downtown construction projects that exceed the Chicago Zoning Ordinance's size limits. Through NOF, DPD awards small grants up to \$250,000 and large grants between \$250,000 and \$2.5 million. The Small and Large Grants programs are currently administrated in separate divisions of DPD and have different direct management. Considering this operational separation, OIG focused the December 2022 audit on the Small Grants program.

The purpose of the 2022 audit was to determine whether DPD selected grantees based on application requirements, monitored funded projects for compliance with program requirements,

¹⁵ Published January 4, 2024. See <https://igchicago.org/wp-content/uploads/2024/01/OIG-Follow-up-to-the-Department-of-Planning-and-Developments-NOF-Small-Grants.pdf>.

¹⁶ City of Chicago, MCC § 16-14-040.

and formally measured the program's progress toward defined goals. OIG's audit determined that DPD adhered to selection and monitoring procedures, ensuring that the NOF Small Grants program awards grants to qualified applicants for approved project costs. OIG also determined, however, that DPD did not formally measure the program's progress toward defined goals, precluding it from determining whether the NOF Small Grants program had its intended effect of improving social and economic outcomes.

Based on the results of the audit, OIG recommended that DPD improve its procedures to ensure completion of all grantee selection steps and retention of related records. In addition, OIG recommended that DPD define measurable program goals and develop performance measurement procedures that would facilitate the assessment of progress toward those goals. Finally, OIG recommended that DPD ensure that it collects the contractually required quarterly performance reports from the third-party program administrator. In its response to the audit, DPD described corrective actions it would take.

In August 2023, OIG inquired about corrective actions taken by DPD in response to the audit. Based on the Department's responses, OIG concluded that DPD has fully implemented two of the corrective actions related to the audit findings, substantially implemented another, and partially implemented the fourth. Specifically, DPD had documented a project application timeline and review process to ensure that all grantee selection steps are completed. DPD identified measurable goals and key performance indicators for the program but could improve the alignment between the measurable goals and the key performance indicators. DPD also worked with its program administrator, SomerCor, to develop a standard quarterly reporting document, although this does not include some key metrics required by the SomerCor contract.

2 | Follow-up to OIG's Audit of the Department of Family and Support Services' Strategic Contracting (#C2023-00000221)¹⁷

OIG completed a follow-up to its August 2022 audit of the Department of Family and Support Services' (DFSS) Strategic Contracting. DFSS connects Chicagoans in need to resources covering a variety of categories, including senior health and wellness, housing, youth mentoring, and early childhood education.

In 2016, DFSS launched its Commitment to Outcomes initiative to clearly describe, measure, and report on the outcomes the Department wants to achieve through its social service programs. Developed with partners and stakeholders, the Commitment to Outcomes is described by DFSS as an "outcome-oriented model that focuses on how many people leave better off after receiving DFSS services, versus how many people come through the door." The ultimate goal of the Commitment to Outcomes' is to achieve better results for vulnerable Chicagoans by refocusing services on outcomes. Strategic Contracting is one phase of the Commitment to Outcomes. By connecting the Commitment to Outcomes and the Strategic Contracting process, DFSS seeks to ensure that its requests for proposals (RFPs) and contracts reflect the outcomes the Department seeks.

The purpose of OIG's 2022 audit was to determine whether DFSS' contracting processes align with the Department's Commitment to Outcomes, in which the Strategic Contracting process plays a part. OIG found that the DFSS Strategic Planning and Impact division's involvement in developing

¹⁷ Published March 12, 2024. See <https://igchicago.org/wp-content/uploads/2024/03/Department-of-Family-and-Support-Services-Strategic-Contracting-Follow-up.pdf>.

DFSS' RFPs and evaluation tools—critical steps in the Strategic Contracting process—helps align those steps with the Commitment to Outcomes. However, OIG determined there was room for improvement. OIG found the division could provide more guidance for the evaluation of RFP applications. In addition, the division could improve the RFPs, evaluation tools, and contracts by ensuring inclusion of the Commitment to Outcomes' key elements.

Based on the results of the audit, OIG recommended that DFSS ensure that its program divisions share an understanding of the key elements of the Commitment to Outcomes—namely, outcomes-based goals, outcome metrics, and data requirements. OIG also recommended that DFSS develop procedures to ensure it includes all key elements of the Commitment to Outcomes in all future RFPs, tools used to evaluate RFP applications, and contracts. Finally, OIG recommended that DFSS develop procedures to ensure that evaluators score applications according to the Department's scoring guidance and include written justification for their scores. In its response to the audit, DFSS described the corrective actions it would take.

In August 2023, OIG inquired about corrective actions taken by DFSS in response to the audit. Based on DFSS' follow-up response, OIG concluded that DFSS fully implemented the corrective actions. Specifically, in Summer 2022, DFSS hosted a staff training on outcomes-based goals and key elements of the Commitment to Outcomes. SPI staff developed regular RFP kick-off meetings to ensure that the DFSS personnel responsible for writing and managing RFPs understand key elements of the Commitment to Outcomes and how each RFP fits into this plan. The Department also stated it implemented quarterly and annual meetings for DFSS and program leadership to review outcome data and assess each program's performance towards its goals.

DFSS stated that the director of strategic planning was responsible for training the executive team “who regularly review contract scope language and are best positioned to ensure that all relevant and appropriate RFP elements” are included in contracts. However, the training had been delayed due to a vacancy in the director role. DFSS has since created and filled two new roles—the director of strategic planning and impact, and the senior director of strategy, policy, and equity—to fulfill the responsibilities of the director of strategic planning, including training the executive team. The director and senior director stated that the Department updated its core RFP training to provide additional guidance on the connection between the RFP and the contract and hosted a training on February 27, 2024. DFSS intends to repeat these trainings quarterly. Additionally, DFSS updated its RFP kick-off materials to reinforce that guidance. These updated kickoff materials have been in use since November 2023. Finally, the director and senior director stated that Deputy Commissioners were provided contract review guidance as part of a February 2024 Senior Staff meeting.

B | Advisories and Department Notification Letters

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

1 | Advisory Concerning the City's Complaint-Based Approach to Providing Services (C#2022-000043808)¹⁸

Across its past work, OIG has encountered multiple instances of inefficiency related to the City's reliance on complaints as its principal basis for determining when and where to provide services. To be sure, a complaint-based approach can address emergency situations and provide direct solutions to individual concerns. However, forgoing routine, proactive work in favor of responding to complaints can increase costs, actually impede the full provision of public services, and create or magnify inequities in service delivery. To support the coordination of the City's service delivery strategy, this advisory summarized OIG's past findings and suggested improvements to promote a balance between complaint-based and proactive approaches.

OIG advised the Mayor's Office of its observations and suggested that City departments develop and document service delivery strategies based on considerations of need, risk, and multi-year budget planning. These strategies could be implemented as part of the annual budget development process, the Capital Improvement Program, or departmental strategic planning. By implementing such an approach, the City could define the most urgent issues facing communities based on economic, demographic, social, and technological trends and better finance preventive maintenance of capital assets.

Whether or not they submit complaints, Chicagoans deserve quality services designed for the best outcomes for cost, safety, and equity. Observations from OIG's past work suggest that by relying primarily on complaints to deliver services, the City has missed opportunities to address issues before they negatively impacted operations and quality of life. OIG urges the Mayor's Office to lead City departments toward a more proactive service delivery strategy based on asset information, needs assessments, and long-term budgetary goals.

In response to OIG's advisory, the Mayor's Office agreed that "promoting the proper balance between complaint-based service provision and routine, proactive service provision is necessary to City operations." The response highlighted examples of how the City is striving to achieve that balance, noting that the Mayor's Office will "continue to work with the Office of Budget and Management and all City departments to ensure that long-term cost, safety, and equity guide decisions about service delivery."

2 | Solicitation of Charitable Donations from CFD Members (C2022-000042259)

OIG conducted an investigation into a complaint alleging that CFD supervisors instructed firefighters to collect money for a City resident after their car was damaged by a CFD truck. It was alleged that the supervisors told the firefighters that no discipline would be issued related to the damage if they were able to collect \$500 to give to the resident to help cover the cost of fixing the resident's car. OIG did not sustain misconduct allegations. Nonetheless, OIG notified CFD of a concern relating to CFD supervisors soliciting charitable donations from their subordinates or other CFD employees of a lower rank. Although a supervisor or official may not intend to coerce subordinates into donating to charitable causes, there may be an implied pressure to contribute when solicited by a higher-ranking member of the Department.

¹⁸ Published March 6, 2024. See <https://igchicago.org/wp-content/uploads/2024/03/Advisory-Concerning-the-City-Complaint-Based-Approach-to-City-Services.pdf>.

OIG recommended that CFD consider a policy describing when and how, if at all, it is appropriate for CFD supervisors to solicit charitable contributions from their subordinates or other lower-ranking members. The notification stated that, if CFD believes that such supervisor solicitations should be allowed, the policy should lay out appropriate safeguards around the practice.

In response, CFD indicated that it had recently reviewed and issued a policy regarding the solicitation of donations from the public for fire-associated charitable organizations. CFD is reviewing the issue identified by OIG and is considering a policy regarding the solicitation of charitable contributions by CFD members, beyond those already established by department policy.

3 | Hiring and Onboarding Unpaid City Workers (C2022-000043426)

OIG conducted an investigation into a complaint alleging that DOL retained an unpaid advisor without following the then-applicable procedures for volunteer workers contained in the Hiring Plan. OIG's investigation did not result in sustained disciplinary findings, however, OIG did issue a notification to the Mayor's Office and DOL regarding the incident. According to the notification, in May 2018, the Mayor's Office and DOL jointly engaged a "consultant" for the City. In total, the consultant worked for the City until 2023 and was not paid for their services pursuant to their volunteer agreements with the City. Nonetheless, from January 2020 to at least July 2022, the then-Mayor's political action committee appears to have paid the consultant's business, a political and public relations communications consultancy that previously did work on the then-Mayor's campaign. During their time with the City, the consultant counseled and offered input to the Mayor's Office and DOL on significant issues related to policy, legislation, media, communications, and community affairs. For example, the consultant counseled various City actors, including the then-Mayor, on public statements and communications strategy concerning: the deployment of the National Guard during the 2020 closure of the City's central business district; legislation regarding reparations; and the relationship between the CPD and Chicago Public Schools. The consultant also made suggestions about the deployment of a team of civilians to protect First Amendment rights during protests in 2020 and offered feedback on public statements concerning a CPD Complaint Register disclosure ordinance.

OIG determined that the Mayor's Office and DOL violated a number of provisions of the Volunteer Policy contained in the City of Chicago Hiring Plan during the retention and onboarding of this consultant. These included: failing to notify DHR of the need or opportunity for the type of volunteer work the consultant performed or alternatively, if the arrangement resulted from an unsolicited volunteer offer from the consultant, failing to provide to DHR and the OIG advance written notice of their intent to accept the advisor's offer to volunteer for the City; failing to provide copies of any documentation concerning the volunteer opportunity; and failing to promulgate procedures for using the volunteer worker. Most critically, however, the Mayor's Office, DOL, and the consultant failed to complete the Hire Certification forms required by the Volunteer Policy in the City's Hiring Plan which would have attested to the fact that the City did not hire the Mayor's campaign communications consultant for "Political Reasons or Factors," including "that the person worked in a political campaign."

OIG recommended that prior to engaging a new person, the Mayor's Office and DOL should determine into which general category of worker—employee, contractor, or volunteer—the person falls. Upon determining which category applies, the Mayor's Office and DOL should identify and follow the applicable procedures as set forth in the Employment Plan, Contractor policy, or applicable City policy. Finally, OIG recommended that if the Mayor's Office and DOL are unsure

which general category or onboarding procedures apply to a new person, they should consult with DHR and/or OIG for guidance.

DOL responded on behalf of itself and the Mayor's Office to OIG's recommendations. DOL stated that the Mayor's Office and DOL adhere to applicable procedures as set forth in the City Employment Plan and other applicable policies. Notice is provided to the Department of Human Resources and OIG through appropriate documentation for any volunteer that onboard. The Mayor's Office accepts volunteers through a range of programs; upon identification of a volunteer or a volunteer program, volunteer forms and the Master Hire Certification form are completed. DOL provided additional detail regarding its hiring and onboarding of volunteers and indicated that the Mayor's Office and DOL will continue to follow the City Employment Plan and other applicable City policies when onboarding volunteers.

4 | Department of Water Management Documentation of Employee Conduct and Performance (C2022-000043969)

OIG investigated allegations that DWM leadership unlawfully retaliated against a former employee for reporting noncompliance and misconduct to various authorities. OIG's investigation did not sustain the allegations; rather, OIG gathered evidence that the former employee had, for many years, been considered a problematic employee who inhibited the operations of the Department, was regularly insubordinate and disrespectful, and was unable to work with others. However, notwithstanding evidence that the former employee's conduct was well known to high-level DWM officials for years, DWM does not appear to have taken any steps to formally document the former employee's behavior until very shortly before his termination.

OIG highlighted the legal and operational risks in leaving performance concerns undocumented. From a legal perspective, both Illinois Law and the MCC provide robust legal protections to whistleblowers who report misconduct. DWM created legal risk by failing to adequately document and address purportedly years-long misconduct by an employee who was a manager with dozens of employees under their supervision. Were the City to defend a whistleblower retaliation lawsuit brought by the former employee, the City would be confronted with a bare personnel file featuring no formal discipline, aside from a suspension shortly before his termination, and no performance evaluations or oral or written reprimands or other contemporaneous documents describing the employee's conduct and performance over many years. OIG also noted that DWM's failure to conduct performance evaluations violates the plain terms of City of Chicago Personnel Rule XVI, which provides that "[t]he performance of all employees shall be evaluated periodically. The evaluation of performance shall be an integral part of the responsibility of each supervisor under the department head."

OIG also identified operational problems with DWM's approach, namely, the absence of systematic processes to evaluate employees, combined with the failure of DWM to formally document instances of misconduct by the former manager over the years, enabled what the then-Commissioner described as a "toxic environment" in the manager's section. That "toxic environment" was only fully revealed to senior DWM leadership when an employee, of their own volition, meticulously documented months of the former manager's behavior and delivered their notes to a Deputy Commissioner. DWM's failure to systematically identify and document the former manager's misconduct allowed an untenable and possibly dangerous environment in the manager's section to persist.

OIG accordingly recommended that DWM work with DOL and DHR to consider developing a mechanism to systematically and formally document serious misconduct on the part of its employees. OIG recommended that this mechanism may include, but is not necessarily limited to, conducting regular performance evaluations as required by City of Chicago Personnel Rule XVI.

DWM responded that whether an employee is deemed a whistleblower “calls for a legal conclusion” and that “an employee claims to be a whistleblower does *not* mean that they are in fact one as defined under state or local laws.” (Emphasis in original.) DWM maintained that its action was proper and lawful and would withstand legal scrutiny in a court of law.

DWM further indicated that “[b]ased on information and belief” it conducted yearly performance evaluations for its approximately 2,000 employees until around 2013 “when it ended the practice because it was not an effective tool for assessing employee performance.” The evaluations were often “poorly drafted, subjective, and many supervisors gave a blanket ‘meets expectations’ review regardless of their employees’ actual performance.” DWM’s prior performance evaluations “themselves presented legal risks as they were often not an accurate appraisal of an employee’s performance.”

DWM’s response stated that it “uses the disciplinary process to address performance-based or behavioral-based issues.” Progressive discipline is used “when appropriate.” DWM noted that pursuant to City of Chicago Personnel Rule XVIII, Section 2(a), “The City of Chicago uses progressive discipline at its discretion and does not solely rely on this concept in every instance when taking disciplinary action.” DWM concluded by stating that “[i]mmediate termination of an employee can be justified under certain circumstances.”

5 | Release of OIG Report No. 20-0003

In the fourth quarter of 2021, OIG reported on the results of its investigation into the conduct of members of the CPD and CFD during the initial response to a shooting victim and the aid provided to the victim at the scene and during his transport to the hospital. The victim of that shooting eventually died and OIG also investigated certain aspects of the treatment of the victim’s family during CPD’s investigation into the murder.

In March 2023, a family member of the victim requested that the Department of Law release OIG’s investigative report pursuant to MCC § 2-56-110(b). That section provides that OIG investigative reports and files are confidential and may not be released except as provided in section 110(b). That provision of the MCC allows the Corporation Counsel, in their “sole discretion” to release an OIG report to the public if the report “contain[s] sustained findings that *either* (1) is associated with a death, *or* (2) is or may be a felony as defined in the Illinois Criminal Code and is of a compelling public interest.” (emphasis added).

In March 2023, the then-Corporation Counsel denied the request. In a letter to the victim’s family member, the then-Corporation Counsel stated that all of the conditions required for a report to be eligible for release had not been met because “there has not been a felony as defined in the Illinois Criminal Code charged in this matter.” Thus, the then-Corporation Counsel wrote, “the release cannot take place.”

In April 2023, OIG wrote to the then-Acting Corporation Counsel, stating that the then-Corporation Counsel’s denial was based on a misreading of section 110(b). In particular, the then-Corporation

Counsel treated the two conditions specific in section 110(b) as conjunctive and mandatory to make a report eligible for release. However, the Municipal Code clearly states that a report is eligible for release if “either” condition is met and links the two conditions through the term “or.” Thus, the then-Corporation Counsel’s statement that “all conditions had not been met” for the report’s release was incorrect. Instead, because the victim died during the incident that OIG investigated, OIG’s report contained sustained findings “associated with a death” and that alone made the report eligible for release. Without taking a position on whether the Acting Corporation Counsel should exercise their discretion to release the report, OIG recommended that they reconsider the denial using the correct legal framework.

In March 2024, the Corporation Counsel notified OIG that it had reconsidered the denial and determined that it was legally permissible and appropriate to release the OIG report to the victim’s family member with some minimal redactions.

6 | Employee Email Signature Personalization (C2023-000000258)

OIG notified the Department of Assets, Information, and Services (AIS) that some City of Chicago employees included religious language in their signature blocks which appeared in emails sent from their City email accounts. OIG’s review of applicable policies governing email communication and signatures indicated that there was no City policy governing the content of email signatures and the guidance that the City offered on email communications did not provide “clear parameters regarding the use of religious or other personalized language in email signature blocks.” OIG noted that “religious language in email signatures has the potential to create the perception of unlawful religious discrimination or favoritism in the provision of City services, awarding of City contracts, or hiring.” OIG recommended that AIS, in consultation with, as appropriate, DOL and DHR, consider revisions to the Information Security Technology Policy to account for personalized content in official City email signature blocks.

In response, AIS stated that it met with representatives from DOL and DHR and they aligned on the need for guidelines for a standardized email signature block. They further stated that they are working with the newly created Department of Technology Innovation to have a City policy on a standardized email signature block by the end of the first quarter of 2024.

7 | Notification to Department of Buildings Regarding Contractor with Criminal Conviction (C2023-000000263)

OIG established that a former rehabilitation construction specialist for the Department of Housing (DOH) and current owner of Ridgeline Enterprise, Inc. with a Class C general contractor’s license failed to disclose their criminal conviction to DOB when he applied for his general contractor’s license and his subsequent license renewal.

OIG found that the former employee/general contractor was convicted and subsequently sentenced to one year of federal probation for wire fraud in connection with a scheme to defraud the City by falsely stating he had inspected porch repairs, which caused the City to pay a contractor for the purportedly completed work.

OIG sent a notification to DOB regarding the former employee/general contractor’s conviction and his failure to disclose his conviction to DOB in the course of applying for his general contractor’s

license. OIG made the notification for DOB to take any action it deemed appropriate regarding the former employee/general contractor.

In response, DOB revoked the general contractor license of Ridgeline Enterprises and barred Ridgeline's owner from obtaining any contractor license through DOB.

C | Other Reports and Activities

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

OIG issued no additional reports this quarter.

D | Monitoring Employment Actions

OIG's Compliance unit, situated within its Legal section, has broad oversight responsibilities under the Employment and Hiring Plans which govern the employment practices of the City, CPD, and the 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 disciplinary investigations 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 overseeing the City's employment actions, 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 reviews; and reviewing the City's hiring and employment practices to ensure compliance with applicable rules.

OIG performs quarterly reviews and audits of data regarding the hiring processes to identify Employment Plan violations or errors. As defined in the Employment Plan, a review involves a check of all relevant documentation and data concerning a matter, while an audit is a check of a random sample or risk-based sample of the documentation and data concerning a hiring element. Employment Plan violations are actions and/or behaviors that are not in compliance with the City's Employment and Hiring Plans. Errors are deviations in processes that are not Employment Plan violations, but actions and/or behaviors that differ from established departmental processes.

The following section includes information on these activities and others on which OIG is required to report pursuant to the Employment and Hiring Plans and MCC § 2-56-035.

1 | Review of Contracting Activity

Under the Contractor Policy, departments are required to annually report to OIG the names of all Contractors performing services on City premises. This quarter, OIG did not review any annual reports from Departments of Contractors performing services on City premises.

OIG may also choose to review any solicitation documents, draft agreements, final contracts, or agreement terms to assess whether they are in compliance with the Contractor Policy. This review includes analyzing contracts for common-law employee risks and ensuring the inclusion of *Shakman*-related boilerplate language. OIG shall report on all service contracts or agreements received and reviewed by OIG Hiring Oversight. This quarter, OIG received and completed review of one contract. 34 contracts are under review. The table below details the contract reviewed by OIG this quarter.

Table 9: Contracts Reviewed by OIG’s Compliance Unit

Contractor	Contracting Department	Duration	OIG Recommendation	Department Action
Lisa Walker	Department of Finance	2/12/24 - 10/31/24	No Violation	Not Applicable

2| Hiring Related Reviews Performed by OIG

a | Contacts by Hiring Departments

OIG reviews all reported or discovered instances in which 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. This quarter, OIG did not receive any notifications of direct contact occurrences.

b | Contacts by the Chicago Fire Department

OIG reviews all reported or discovered instances in which CFD contacted DHR or OPSA’s human resources function (OPSA-HR) 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. This quarter, OIG did not receive any notifications of direct contact occurrences by CFD.

c | Chicago Police Department Intervention

OIG reviews all reported or discovered instances in which CPD hiring units contacted DHR or OPSA-HR to lobby for or advocate on behalf of actual or potential applicants for covered positions or to request that specific individuals be added to any referral or eligibility list. This quarter, OIG did not receive any notifications of Chicago Police Department intervention.

d | Contacts by Elected and Appointed Officials

OIG reviews all reported or discovered instances in which 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.

This quarter, OIG did not discover or receive notice of any instances of an elected or appointed official contacting the City to affect any hiring for any covered position or other employment actions.

e | Exemptions

OIG reviews adherence to exemption requirements, all reported or discovered *Shakman*-exempt appointments, and modifications to Exempt Lists.¹⁹ This quarter, OIG received notification of 75 exempt appointments.

f | Senior Manager Hires

OIG may review in-process Senior Manager hires pursuant to Chapter VI of the City's Employment Plan, Chapter VII of the City of Chicago Police Department Hiring Plan for Sworn Titles, and Chapter VI of the City of Chicago Fire Department Hiring Plan for Uniformed Positions each covering the Senior Manager Hiring Process. This quarter, OIG reviewed ten Senior Manager hiring packets and found no violations.

g | Selected Department of Law Hiring Sequences

Pursuant to Section B.7 of the DOL Hiring Process, OIG has the authority to review in-process DOL hiring packets. Hiring packets include assessment forms, notes, documents, written justifications, and hire certification forms. This quarter, OIG conducted one review of a DOL hiring sequence and found no violations.

h | Discipline, Arbitrations, and Resolution of Grievances by Settlement

OIG receives notifications of disciplinary decisions, arbitration decisions, and potential grievance settlement agreements that may impact the procedures outlined in the City's Employment Plans. This quarter, OIG received two settlement agreements in resolution of a grievance.

i | Modifications to Class Specifications,²⁰ 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 and reviewed three modifications to minimum qualifications.

j | Referral Lists

A referral list includes applicants/bidders who meet the predetermined minimum qualifications generated by DHR for City positions. OIG may review this list by examining a sample of referral lists and notifying DHR when potential issues are identified. This quarter, OIG reviewed one referral list and found no violations.

¹⁹ An exempt position is a City position to which the requirements governing Covered Positions do not apply. These positions are cataloged on the Exempt List which is publicly available on the Department of Human Resources website.

²⁰ According to the Employment Plan, "Class specifications" are descriptions of the duties and responsibilities of a class of positions that distinguish one class from another. They are, in effect, the general descriptions utilized to determine the proper level to which a position should be assigned, and they include the general job duties and minimum qualifications of the position. Class specifications shall include sufficient detail so as to accurately reflect the job duties.

k | Chicago Police Department Written Rationale

OIG reviews any written rationale when no consensus selection was reached during a Consensus Meeting for Covered Positions within CPD. This quarter, OIG did not receive any written rationale related to a no consensus selection.

l | Chicago Fire Department Written Rationale

OIG reviews any written rationale when no consensus selection was reached during a Consensus Meeting for Covered Positions. This quarter, OIG did not receive any written rationale related to a no consensus selection.

m | Chicago Police Department Emergency Appointments

OIG reviews circumstances and written justifications for any emergency appointments made pursuant to the City of Chicago Personnel Rules and Section 2-74-050(8) of the Chicago Municipal Code. This quarter, OIG did not receive notification of any CPD emergency appointments.

n | Chicago Fire Department Emergency Appointments

OIG reviews circumstances and written justifications for any emergency appointments made pursuant to the City of Chicago Personnel Rules and Section 2-74-050(8) of the Chicago Municipal Code. This quarter, OIG did not receive notification of any CFD emergency appointments.

3 | Hiring Related Audits Performed by OIG

a | Selected Hiring Sequences covered by the City of Chicago Employment Plan

This quarter, OIG completed audits of six hiring sequences across six City departments. OIG selected these hiring sequences based on risk factors such as past errors and complaints.

Each quarter, OIG may audit in-process and completed hiring sequences conducted by the following departments or their successors: AIS, CDA, DOB, DSS, CDOT, DWM, and six other City departments selected at the discretion of OIG. The table below details the hiring sequences audited by OIG this quarter. A department response to a hiring sequence audit conducted in the third quarter of 2023 is summarized following the table.

Table 10: Hiring Sequences Audited in Q1 Pursuant to the City of Chicago Employment Plan

Department	Title	Findings	OIG Recommendation	Department Action
Chicago Fire Department	Commander – Quinn Training Academy	No violations or errors were found.	N/A	No response is required.
City Clerk	Administrative Assistant II	No violations or errors were found.	N/A	No response is required.
Office of Budget & Management	Project Manager – Grants	No violations or errors were found.	N/A	No response is required.

Chicago Police Department	Risk Manager - CPD	No violations or errors were found.	N/A	No response is required.
Department of Assets, Information & Services	Enterprise Architect Lead	No violations or errors were found.	N/A	No response is required.
Department of Family and Support Services	Project Manager, Homeless	No violations or errors were found.	N/A	No response is required.

On September 8, 2023, OIG’s Compliance unit conducted a discretionary audit of the CPD Police Cadet hiring files. OIG Compliance found that the Police Cadet hiring sequence violated multiple provisions of the City of Chicago Employment Plan (which governs the hiring of non-sworn CPD titles). In particular, multiple Overall Candidate Rating Sheets contained inaccurate information about the candidate’s educational background, one Overall Candidate Rating Sheet was revised improperly and contained indications that an interviewer may have improperly considered the candidate’s citizenship and residency in connection with hiring sequence. OIG Compliance found that the interviewer violated Chapter V, Section (B)(11) and (13) of the Employment Plan regarding candidate assessment form completion.

OIG’s Compliance unit recommended that the CPD member responsible for the violations attend the Department of Human Resources (DHR) Interview and Consensus Training. CPD concurred with OIG Compliance’s recommendation and would notify the interviewer’s chain of command so that the interviewer could register and participate in the training.

b | Examinations Covered by the City of Chicago Employment Plan

OIG may conduct an audit of DHR test development, administration, and scoring each quarter. This quarter, OIG conducted one test administration and scoring administration audit.

c | Chicago Police Department Testing

OIG is required to conduct audits of CPD testing including test administration and scoring. This quarter, two tests were audited for covered positions within CPD.

d | Chicago Fire Department Testing

OIG is required to conduct audits of CFD testing including test administration and scoring. This quarter, no tests were administered for covered positions within CFD.

e | Acting Up

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

f | Selected Chicago Police Department Hiring Sequences

Pursuant to Chapter XI of the CPD Hiring Plan for Sworn Titles, OIG completes mandatory audits of in-process and completed CPD hiring sequences as well as employees hired through the Merit

Promotion Process to ensure compliance with the hiring process. This quarter, OIG did not conduct any audits of CPD hiring sequences.

g | Selected Chicago Fire Department Hiring Sequences

Pursuant to Chapter IX of the CFD Hiring Plan for Uniformed Positions, OIG completes mandatory audits of in-process and completed CFD hiring sequences as well as employees hired through the Performance Selection Process. This quarter, OIG completed four audits and found no violations or errors.

h | Chicago Police Department Modifications to Class Specifications, Minimum Qualifications, and Screening and Hiring Criteria

OIG is required to conduct audits of CPD modifications to class specifications, minimum qualifications, and screening and hiring criteria. This quarter, OIG did not receive any requests for modifications from CPD.

i | Chicago Fire Department Modifications to Class Specifications, Minimum Qualifications, and Screening and Hiring Criteria

OIG is required to conduct audits of CFD modifications to class specifications, minimum qualifications, and screening and hiring criteria. This quarter, OIG did not receive any requests for modifications from CFD.

j | Chicago Police Department Candidate Lists

OIG is required to conduct audits of CPD candidate lists who meet the predetermined minimum qualifications for the positions that are created by DHR. This quarter, OIG did not conduct any audits of CPD candidate lists.

k | Chicago Fire Department Referral Lists

OIG is required to conduct audits of CFD referral lists who meet the predetermined minimum qualifications for the positions that are created by DHR. This quarter, OIG did not conduct any audits of CFD referral lists.

l | Chicago Police Department Acting Up

OIG is required to audit compliance with Chapter X of the Chicago Police Department's Hire Plan and the Acting Up Policy. This quarter, OIG did not receive any Acting Up reporting from CPD.

m | Chicago Fire Department Acting Up

OIG is required to audit compliance with Chapter XI of the Chicago Fire Department's Hire Plan and the Acting Up Policy. This quarter, OIG did not receive any Acting Up reporting from CFD.

n | Chicago Police Department Arbitrations and Resolution of Grievances by Settlement

OIG is required to audit all arbitration decisions and grievance settlement agreements that may impact the procedures under the Chicago Police Department's Hire Plan. This quarter, OIG did not receive any arbitration decisions or grievance settlement agreements that may impact the procedures under the Chicago Police Department's Hire Plan.

o | Chicago Fire Department Arbitrations and Resolution of Grievances by Settlement

OIG is required to audit all arbitration decisions and grievance settlement agreements that may impact the procedures under the Chicago Fire Department's Hire Plan. This quarter, OIG did not receive any arbitration decisions or grievance settlement agreements that may impact the procedures under the Chicago Fire Department's Hire Plan.

4 | Other Compliance Activity

a | Monitoring

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 and non-compliance with the City of Chicago's Employment and Hiring Plans. 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 16 hiring sequences across 10 City departments. The table below shows the breakdown of monitoring activity by department.²¹ A summary of the violation noted in the table below is included after the table.

Table 11: Hiring Sequences Monitored in Q1

Department	Intake Meetings Monitored	Tests Monitored ²²	Interview Sets Monitored ²³	Consensus Meetings Monitored	Violations
Chicago Department of Public Health	1	0	0	1	1
Chicago Police Department	0	0	3	2	0
Department of Law	0	0	0	2	0
Department of Water Management	0	1	0	0	0
Chicago Public Library	0	0	1	0	0
Business Affairs and Consumer Protection	1	0	0	0	0
Mayor's Office	0	0	0	1	0
Department of Human Resources	0	0	0	1	0
Department of Finance	0	0	1	0	0
Chicago Animal Care and Control	0	0	1	0	0

²¹ If a department is not included in this table, OIG did not monitor any elements of that department's hiring sequence(s).

²² Tests monitored are totaled by exam type, i.e. Police Officer, Detective, etc.; not total number of tests monitored for exam type.

²³ Interview Sets Monitored are totaled by positions monitored; not total number of interviews monitored.

On January 3, 2024, OIG’s Compliance Unit conducted a discretionary review of a hiring Consensus Meeting held by the Chicago Department of Public Health (CDPH). In this meeting the Hiring Team stated that they had already discussed candidates prior to the scheduled Consensus Meeting facilitated by the Department of Human Resources (DHR) Recruiter.

OIG Compliance found that the Hiring Team violated Chapter V, Section (B)(11) of the Employment Plan directing interviewers to not discuss candidates prior to the Consensus Meeting.

OIG recommended CDPH ensure that for all future hiring sequences, interviewers not discuss candidates until the consensus meeting. CDPH agreed with the recommendation. OIG also recommended DHR modify their “Interview and Consensus Training” materials, to include the prohibition. DHR agreed with the recommendation and revised the training.

b | Escalations

Recruiters, classification analysts, and testing administrators 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 one new escalation, which is pending. Two escalations received by OIG previously are also still pending. All escalations will be reported on in future quarters after completion. One escalation, originally received in the third quarter of 2023, is summarized below following this table.

Table 12: Escalations Received in Q1 2024

Escalation Status	Number of Escalations
Newly Initiated	1
Pending	3
Closed with Investigation	0
Closed without Investigation ²⁴	0

In the first quarter of 2024, OIG received a response on an escalation originally received on August 31, 2023. On that date, a Department of Human Resources (DHR) Recruiter notified OIG’s Compliance Unit that the Chicago Department of Public Health (CDPH) sought to add applicants to the Clinical Therapist II Referral List who did not meet minimum qualifications for the position, in that they did not possess any of the clinical licenses listed in the Job Specification. The DHR Job Specifications for Class Title Clinical Therapist II provides in part that “[p]ositions require individuals to possess of any one or more of the following clinical licenses or their equivalent which enables the clinician to practice with clinical supervision in the State of Illinois: Licensed Professional Counselor (LPC), Licensed Social Worker (LSW), or Associate Marriage and Family Therapist (AMFT).”

²⁴ Escalations categorized as Closed without Investigation are received by OIG with a self-initiated remedy from the DHR Commissioner. The escalation is considered closed after OIG reviews the escalation and concurs with the remedy issued by DHR with no further recommendations made by OIG.

After conducting its review, OIG’s Compliance unit found that the Referral List contained individuals who did not possess one or more of the required licenses. OIG Compliance recommended that for all future hiring sequences, including senior manager titles, CDPH ensure that Intake Meetings are conducted for all covered positions. OIG Compliance further recommended that CDPH work with each of its Human Resources Liaisons and assigned DHR Recruiter(s) to “...review any previously used Screening and Hiring Criteria for the Position and work together to create a Notice of Job Opportunity or Bid Announcement (for those Positions covered by a CBA) which shall include the Position’s predefined Class Specification, predefined minimum qualifications, Hiring Criteria, predefined minimum testing score when applicable and interview requirements...” as provided in Chapter III (4) of the City of Chicago Employment Plan.

In its response, CDPH denied that it sought to add applicants to the referral list who did not meet the minimum qualifications. Instead, CDPH responded that did not seek to change the minimum qualifications for the position (and thus did not require an Intake Meeting), however it did seek to give a preference to candidates with more advanced licenses such as Licensed Clinical Professional Counsel (LCPC), Licensed Clinical Social Worker (LCSW), and Licensed Professional Psychologist (LCP). CDPH stated that this caused confusion about which candidates CDPH wanted to consider for the position. CDPH informed OIG that, effective immediately, the Mental Health and Human Resources teams at CDPH will be required to conduct intake meetings for all mental health positions due to the fact that the qualifications for Mental Health positions are particularly nuanced. Additionally, within 30 days of its response, CDPH Mental Health and Human Resources teams would meet with DHR to review any previously used screening and hiring criteria for mental health positions.

c | Processing of Intakes

OIG receives complaints regarding the City’s hiring processes, including allegations of unlawful political discrimination and retaliation and other improper influence in connection with any aspect of City employment. OIG refers complaints and other instances of non-compliance, when appropriate, to the Investigations Section of OIG. OIG receives complaints by email, telephone, social media, through its website, and facsimile transmission. All complaints are logged in OIG’s case management system as intakes. OIG also has the authority to audit and review employment actions under the hiring plan and related policies and procedures, which are also logged in its case management system as intakes. OIG works collaboratively with appropriate departments to redress issues regarding City employment actions.

The table below summarizes the disposition of complaints related to the City’s hiring and employment processes received this quarter.

Table 13: Hiring and Employment-Related Intakes Received in Q1 2024

Intake Status	Number of Intakes
Newly Initiated	42
Pending	21
Closed ²⁵	21

²⁵ "Closed" includes Intakes that are opened for further Compliance Unit review and action, if necessary, as well as Intakes that are declined or referred to DHR for action.



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 igchicago.org.

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