



CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

20
25

Advisory on Regulating the Conduct of City Council Members

August 20, 2025

DEBORAH WITZBURG | INSPECTOR GENERAL FOR THE CITY OF CHICAGO



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August 20, 2025

The Municipal Code of Chicago (MCC) grants the Office of Inspector General (OIG) the authority to investigate misconduct by Alderpersons, as elected officers of the City, pursuant to MCC §§ 2-56-030(b) and -050(a)(1). The specific redressable misconduct by Alderpersons which OIG can investigate, however, is limited. In contrast to City employees, Alderpersons are not subject to the City of Chicago Personnel Rules or the City's Diversity and Equal Employment Opportunity Policy. Alderpersons are, of course, subject to criminal laws, and OIG is empowered to participate in investigations into criminal misconduct by Alderpersons pursuant to MCC §2-56-030(j). The only administrative sanction OIG can pursue for Aldermanic misconduct which falls short of criminal conduct, however, is a finding of probable cause for a violation of the City of Chicago Governmental Ethics Ordinance (GEO) from the Chicago Board of Ethics (BOE). This leaves significant potential misconduct which may fall outside those specific categories enumerated in the GEO and therefore may not be subject to investigation by OIG.

Without a mechanism to address or sanction bad behavior outside the City Council chamber which falls into the wide gap between criminal misconduct and the specific acts prohibited by GEO, the behavior of City Council members may reflect poorly on the body as a whole and further erode public trust in City government.

The Illinois Municipal Code provides that a city council "shall determine its own rules of proceeding and punish its members for disorderly conduct." 65 ILCS 5/3.1-40-15. The GEO recognizes that City Council wields the power to "discipline its own members" for misconduct. MCC § 2-156-495. Furthermore, the City Council's own Rules provide for it to address such conduct. Rule 37 of the Rules of Order and Procedure of the City Council, City of Chicago for Years 2023-2027 endows the Committee on Committees and Rules with jurisdiction over, among other things, "the conduct of Council members." City Council has already promulgated Rule 50, which empowers it to take action to address misconduct occurring during City Council meetings, but City Council has not exercised its authority to address misconduct committed by its members outside the Council chamber.

OIG recommended that the Committee on Committees and Rules develop clear rules and procedures by which it can meaningfully evaluate and adjudicate any Aldermanic misconduct which might not otherwise be prohibited by the GEO or criminal law.

OIG invited the Committee on Committees and Rules to respond in writing by May 23, 2025, noting that any such response would be made public together with this advisory pursuant to MCC § 2-56-110(a)(b). As of this writing, OIG has received no response.

Appendix A: OIG Letter



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Via Electronic Mail

April 23, 2025

The Honorable Michelle A. Harris, Chairperson
Committee on Committees and Rules
Chicago City Council
121 North LaSalle Street, Room 200
Chicago, Illinois 60602

Re: Aldermanic Misconduct, OIG Case #C2024-000000135

Dear Chairperson Harris:

The Office of Inspector General (OIG) writes to notify you of categories of alleged Aldermanic misconduct that, while appearing potentially unethical or inappropriate, fall outside the scope of misconduct prohibited by the City of Chicago Government Ethics Ordinance (GEO). OIG, therefore, lacks the ability to recommend findings or sanctions for this misconduct from the Chicago Board of Ethics (BOE). Thus, as discussed below, OIG recommends that City Council consider developing more specific rules and procedures for addressing Aldermanic misconduct that does not fall within the scope of the GEO.

The Municipal Code of Chicago (MCC) grants OIG the authority to investigate misconduct by Alderpersons, as elected officers, pursuant to MCC § 2-56-050(a)(1). The specific *redressable* misconduct OIG can investigate, however, is limited. In contrast to City employees, Alderpersons are not subject to the City of Chicago Personnel Rules or the Diversity and Equal Employment Opportunity Policy.¹ These are the primary mechanisms through which City employees are held accountable for, for instance, discriminatory acts, discourteous treatment, and incompetence. Instead, the only administrative sanction OIG can pursue for Aldermanic misconduct which falls short of criminal conduct is a finding of probable cause for a violation of GEO from BOE. Prohibited conduct for Alderpersons under the GEO includes certain enumerated political activity, conflicts of interest and improper influence when Alderpersons maintain business relationships or have financial interests in certain matters, specific campaign finance contributions, particular uses of the City seal or City property, and various prohibitions on the representation of enumerated categories of persons. The GEO also outlines various post-employment restrictions on Alderpersons, requires elected officials to submit yearly Statements of Financial Interest and report certain misconduct, and imposes a fiduciary duty on elected officials.

¹ While MCC § 2-56-025 provides that "all other matters related to city council" should be referred to the City Council Committee on Ethics and Government Oversight, however, this provision refers to non-investigative matters.

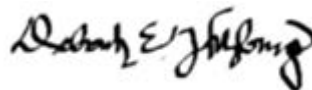
This leaves significant potential misconduct which may fall outside those specific categories and therefore may not be subject to investigation by OIG. There is, however, an opportunity for City Council itself to address bad acts by its members which fall outside of the specific categories of conduct prohibited by the GEO. The statutory and rule-based foundation for City Council's authority to do so is clear. The Illinois Municipal Code provides that a city council "shall determine its own rules of proceeding and punish its members for disorderly conduct." 65 ILCS 5/3.1-40-15. The GEO recognizes that City Council wields the power to "discipline its own members" for misconduct. MCC § 2-156-495. Furthermore, the City Council's own Rules provide for it to address such conduct. Rule 37 of the Rules of Order and Procedure of the City Council, City of Chicago for Years 2023-2027 (Rule 37) endows the Committee on Committees and Rules with jurisdiction over, among other things, "the conduct of Council members." City Council has already promulgated Rule 50, which empowers it to take action to address misconduct occurring during City Council meetings, but City Council has not exercised its authority to address misconduct committed by its members outside the Council chamber.

Notably, Rule 47 provides that "the latest published edition of 'Robert's Rules of Order Newly Revised' shall govern the Council in all cases to which they are applicable and in which they are not inconsistent with the special rules of this Council." In turn, Robert's Rules explains in detail the process an assembly may use to determine the appropriateness and form of discipline against one of its members. Robert's Rules explicitly endorses a body such as City Council possessing "the ultimate right to make and enforce its own rules, and to require that its members refrain from conduct injurious to the organization or its purposes." RONR (12th ed.) 61:1.

Without a mechanism to address or sanction bad behavior outside the Council chamber which falls into the wide gap between criminal misconduct and the specific acts prohibited by GEO, the behavior of City Council members may reflect poorly on the body as a whole and further erode public trust in City government. As such, in light of its jurisdiction over the conduct of members, OIG recommends that the Committee on Committees and Rules develop clear rules and procedures by which it can meaningfully evaluate and adjudicate any Aldermanic misconduct which might not otherwise be prohibited by the GEO or criminal law.

OIG invites the Committee on Committees and Rules to respond in writing by May 23, 2025. Any such response will be made public together with this advisory.² If you have any questions for OIG, please contact Assistant Inspector General Chad Ayers at cayers@igchicago.org or (773) 478-0896.

Respectfully,



Deborah Witzburg
Inspector General
City of Chicago

² MCC § 2-56-110(a)(b) authorizes the Inspector General to issue a public statement "if an investigation, audit or review concerns inefficient or wasteful management." As such, OIG intends to publish this letter as transmitted.

cc: The Honorable Matthew J. Martin, Chairperson, Committee on Ethics and Government
Oversight, Chicago City Council



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

For further information about this report, please contact the City of Chicago Office of Inspector General, 231 S. LaSalle Street, 12th Floor, Chicago, IL 60604, or visit our website at igchicago.org.

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