



CITY OF CHICAGO  
OFFICE OF INSPECTOR GENERAL

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# Advisory on Department of Law's Cooperation with Oversight of Its Employment Actions

March 4, 2026

DEBORAH WITZBURG | INSPECTOR GENERAL FOR THE CITY OF CHICAGO



Deborah Witzburg | Inspector General  
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March 4, 2026

Oversight of the City's employment actions and related activities is among the statutory functions of the City of Chicago Office of Inspector General (OIG). In January 2026, OIG advised the City's Department of Law (DOL) that it had failed to meet its duty to cooperate with that oversight by refusing to provide hiring records to which OIG is entitled, and recommended that, going forward, DOL comply with oversight of its employment actions. DOL declined, in part, to provide the records OIG requested because they related to a position DOL described as "high profile." OIG noted in its advisory that neither OIG's legal authority to review employment actions nor DOL's duty to cooperate with OIG permit exceptions for "high profile" matters. OIG's advisory further reflects that, following DOL's refusal to provide OIG with the requested records, OIG submitted a covert and anonymous request for those records under the Freedom of Information Act (FOIA). DOL produced the records which it had previously declined to provide to OIG in response to that FOIA request, in a determination at odds with a suggestion that the records were so confidential as to be exempt from oversight.

OIG's powers and duties with respect to the City's employment practices derive from and arise out of decades-long litigation in *Shakman, et al. v. City of Chicago, et al.*, in which the City was accused of conditioning government employment on political patronage, and which resulted in the entry of court orders for reforms of the City's employment practices. A court-appointed monitor was charged with overseeing the City's compliance with those orders. Responsibility for ensuring the City's compliance gradually transitioned from the *Shakman* monitor to OIG between 2010 and 2014. That transition was completed when, in 2014, the City successfully argued for a finding of substantial compliance with the court's orders and to be released from monitorship.

In advocating for the finding of substantial compliance, DOL itself highlighted the importance of OIG's authority to independently monitor and investigate *all* City employment practices. DOL wrote in one filing that, "[i]n every possible sense, the OIG is given a free hand to ferret out misconduct wherever and whenever it may occur." Despite DOL's duty to cooperate with OIG and its own representations to the federal court about the importance of OIG's access to information about the City's employment actions, DOL refused to provide records that OIG lawfully requested. Even while declining to provide those records to OIG, DOL effectively acknowledged that the records could not even be exempted from *public* release by producing them in response to OIG's covert FOIA request.

OIG's January 2026 letter is attached at Appendix A. In a response to OIG's letter, dated February 27, 2026, and attached at Appendix B, DOL acknowledges that OIG has the authority to monitor employment actions under the City's Employment Plan, but does not explain why employment records were withheld from OIG. Instead, DOL only states that it recognizes "inconsistencies in production" between its responses to OIG and to FOIA requestors. DOL reports that it has provided "additional training on policy and procedures" to the employees involved in those tasks. The

Mayor's Office, to which OIG sent a copy of its advisory, also responded despite not being required to do so. In that response, dated February 3, 2026, and attached at Appendix C, the Mayor's Office notes that it asked DOL "to review the matter to ensure that [DOL's] approach remains consistent with all applicable legal obligations" and further that OIG's January 2026 letter was "the first notice the Mayor's Office has received regarding these concerns."



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Via Electronic Mail

January 30, 2026

Mary B. Richardson-Lowry  
Corporation Counsel  
City of Chicago  
121 N. LaSalle Street, Suite 600  
Chicago, Illinois 60602

RE: Office of Inspector General Oversight of Department of Law Employment Actions

Dear Corporation Counsel Richardson-Lowry:

The City of Chicago Office of Inspector General (OIG) writes regarding the Department of Law's (DOL) failure to comply with OIG's oversight of DOL's employment actions. Pursuant to Municipal Code of Chicago (MCC) § 2-56-035, OIG has authority to monitor, review, and investigate the City's employment actions and related activities. DOL and its employees have a statutory obligation to cooperate with OIG's work pursuant to MCC § 2-56-090, which makes it the "duty" of every City employee and department "to cooperate with the Inspector General in any inquiry undertaken pursuant to this chapter." Notably, as discussed further below, DOL itself has argued in federal court on behalf of the City that OIG's oversight of the City's employment practices is critical to the City's ongoing compliance with its responsibilities derived from the *Shakman* litigation.

Specifically, DOL has refused to provide to OIG certain employment records requested by OIG pursuant to OIG's clear authority to review them. Underscoring the impropriety of DOL withholding these records is its acknowledgment months later that they were in fact public records all along; after DOL refused to produce certain employment records, OIG submitted a Freedom of Information Act (FOIA) request for those same records without disclosing itself as the requestor, and DOL produced the records in response to OIG's covert FOIA request. Pointedly, the scope of DOL's duty to produce requested records to OIG is significantly broader than its duty to produce records pursuant to FOIA; those DOL records which are subject to FOIA are a subset of those that it is required to produce to OIG. Pursuant to MCC § 2-56-090, "[e]ach department's premises, equipment, personnel, books, records, and papers shall be made available as soon as practicable to the Inspector General..." That DOL published the records in response to a FOIA request but refused to produce them to OIG vitiates any suggestion that the records were somehow confidential or not otherwise subject to review by OIG.

# I | | OIG's Compliance Unit

OIG's Compliance unit has critical oversight responsibilities under the City's Employment Plan and the related policies and procedures which govern the employment practices of the City, the Chicago Police Department, the Chicago Fire Department, and the Department of Law. The functions performed by the Compliance unit are the product of a partnership which evolved between OIG and the court-appointed monitor overseeing the City's hiring and promotion practices under the decrees entered in *Shakman, et al. v. City of Chicago, et al.*, No. 69-cv-2145 (N.D. Ill.).

## A | | *Shakman* Litigation Background

In *Shakman, et al. v. City of Chicago, et al.*, Michael Shakman, a Chicago resident, claimed that City officials conditioned government employment on political patronage. In 1972, a consent decree was entered which specifically prohibited the City from "conditioning, basing, or knowingly prejudicing or affecting any term or aspect of governmental employee, upon or because of any political reason or factor."<sup>1</sup> In 1983, a second consent decree extended the 1972 decree prohibitions to the City's hiring of new employees.<sup>2</sup> These agreements are collectively known as the *Shakman* Decrees.

In July 2005, an *Application to Hold the City of Chicago and its Mayor in Civil Contempt for Violations of the Court Orders* was filed in the litigation, detailing repeated instances of manipulation in interviewing, selection, and hiring processes by City officials.<sup>3</sup> City officials were also accused of manipulating the hiring system to ensure preferential hiring and promotions for candidates pre-selected for political reasons, in direct violation of the *Shakman* Decrees. In August 2005, a federal court appointed a hiring monitor to "ensure future compliance" with the Court's prior orders in *Shakman* and to study existing City employment practices.<sup>4</sup> In March 2007, the City entered into an "Agreed Settlement Order and Accord," which imposed a monitor to oversee the City's compliance with the Accord and facilitate the creation of the City's Hiring Plans.<sup>5</sup>

From spring 2010 through spring 2014, responsibility for ensuring the City's compliance with its obligations under the *Shakman* decrees gradually transitioned from the court-appointed monitor to OIG for both program compliance and monitoring activities, as well as disciplinary investigations into any related misconduct. That transition was completed in June 2014 with the court finding the City in substantial compliance with the *Shakman* decrees.

## B | | DOL Argued for **the City's** Substantial Compliance with the *Shakman* Decrees by Stating that OIG was Empowered to Monitor and Investigate All City Hiring Practices

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<sup>1</sup> *Shakman v. Clerk of Cook Cnty.*, 994 F.3d 832, 836 (7th Cir. 2021).

<sup>2</sup> *Id.*

<sup>3</sup> *Application to Hold the City of Chicago and its Mayor in Civil Contempt for Violations of the Court Orders, Shakman, et al., v. Democratic Org. of Cook County, et al.*, 1:69-cv-02145 (N.D. Ill. Jul. 26, 2005) (ECF No. 310).

<sup>4</sup> *Agreed Settlement Order and Accord, Shakman, et al., v. Democratic Org. of Cook County, et al.*, 1:69-cv-02145 (N.D. Ill. Mar. 21, 2007) (ECF No. 601), at 1.

<sup>5</sup> *Id.*

In advocating for a finding of substantial compliance with the consent decrees imposed on the City, DOL specifically highlighted the importance of OIG's authority to independently monitor and investigate *all* City hiring, promotion, and contracting practices.<sup>6</sup> DOL stated to the federal court that it had achieved substantial compliance with the *Shakman* consent decrees in part by “[e]mpowering the Office of the Inspector General to independently monitor and investigate *all* City hiring, promotion, and contracting practices for substantial compliance.”<sup>7</sup> DOL further supported its argument for the City's substantial compliance with the *Shakman* consent decrees by stating that “[i]n every possible sense, the OIG is given a free hand to ferret out misconduct wherever and whenever it may occur.”<sup>8</sup>

Presently, OIG's Compliance unit is responsible for 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 promotions; performing legally mandated and discretionary audits and reviews; and reviewing the City's hiring and employment practices to ensure compliance with applicable rules.<sup>9</sup>

## II | OIG's Requests to Review DOL Employment Records

Certain of DOL's hiring procedures are described in the City's "Department of Law Hiring Process," an exhibit to the City's Employment Plan.<sup>10</sup> That separate document, notably, covers only certain enumerated positions within DOL.<sup>11</sup> On May 21, 2024, in the exercise of its powers and duties under MCC § 2-56-035, OIG sent DOL a request for the hiring file associated with the position of First Assistant Corporation Counsel (requisition number 397839). On May 30, 2024, DOL responded with a letter stating that the requested hiring file was attached; there were, however, no records attached. Additionally in that correspondence, DOL asked for information about why the position was being

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<sup>6</sup> The City of Chicago's Mem. In Support of the Agr. Mot. for Ent. of an Ord. of Substantial Compliance, *Shakman, et al., v. Democratic Org. of Cook County, et al.*, 1:69-cv-02145 (N.D. Ill. May 15, 2014) (ECF No. 3765) (emphasis added).

<sup>7</sup> *Id.* at 2 (emphasis added).

<sup>8</sup> *Id.* at 30.

<sup>9</sup> As defined in the City's 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.

<sup>10</sup> See Dept. of Law Hiring Process,

[https://www.chicago.gov/content/dam/city/depts/dhr/general/Department\\_of\\_Law\\_Hiring\\_Process\\_4.19.17\\_FINAL.pdf](https://www.chicago.gov/content/dam/city/depts/dhr/general/Department_of_Law_Hiring_Process_4.19.17_FINAL.pdf).

<sup>11</sup> Even hiring processes for titles that *are* enumerated in this document are subject to OIG's oversight. The Department of Law Hiring Process requires that DOL forward to OIG monitoring notification forms, the names of all candidates and interviewers, and all interview assessment forms, notes, documents, written justifications, and hire certification forms which are made part of the hiring file. See Dept. of Law Hiring Process, ch.B(3); ch.B(7). Furthermore, MCC § 2-56-035 states that “[t]he inspector general shall have the authority to monitor, audit and review employment actions under the hiring plan *and related policies and procedures*. In addition, the inspector general shall have the authority to review or investigate allegations of non-compliance with the hiring plan *and related policies and procedures*.” MCC § 2-56-035(b) (emphasis added).

reviewed by OIG since it was “high profile and [*Shakman* Exempt].”<sup>12</sup> OIG responded on June 26, 2024, and stated that it “respectfully decline[d] to provide further information on the background of this specific request, besides stating that OIG regularly reviews hiring sequences at all levels across all City departments, including *Shakman* Exempt positions.”

On July 2, 2024, OIG sent a separate request for the personnel file of an employee with the title of Deputy Corporation Counsel. On July 3, 2024, DOL sent OIG a letter stating that “[a]s a matter of protocol, the Department of Law will not provide documents or files for exempt employees.” That letter stated, without citing to a supportive authority, that the MCC and the Employment Plan do not give OIG authority to “intervene in hiring decisions” or “review the files of candidates to fill exempt positions.”

The MCC does not create an exception to oversight for *Shakman*-exempt positions or “high profile” positions, as DOL’s May 30, 2024 letter suggests. Far from being outside the scope of any regulatory or oversight authority, the City’s Exempt Position hiring process is governed by Chapter IX of the City’s Employment Plan.

DOL itself has represented in federal court filings that OIG’s exercise of this broad authority—including oversight of exempt sequences—was integral to the City’s compliance with the order of that court and with federal law. DOL itself told the *Shakman* court that “[a]s a nonpartisan oversight agency with independent statutory authority, the OIG is well suited to honestly and forthrightly assess the City’s compliance efforts, and to call the City to account when those efforts fall short. In recognition of this institutional competency, the City expanded the OIG’s authority and obligations to monitor City employment actions and to investigate *all* allegations of non-compliance with its hiring plans and related policies.”<sup>13</sup> OIG’s authority to review documents related to exempt hiring enables OIG, in DOL’s words, to “honestly and forthrightly assess the City’s compliance efforts.”

Even DOL’s Hiring Process, where applicable, reemphasizes this and states that “[a]ll assessment forms, additional notes, documents, written justifications, and Hire Certification Forms shall be made part of the Hiring File and provided to OIG Hiring Oversight upon request.”<sup>14</sup>

Moreover, hiring and personnel records of City employees are public records, which if non-exempt, are subject to release under FOIA.<sup>15</sup> The Illinois Public Access Counselor has held that personnel and hiring records are public, and that only limited exemptions apply under FOIA or the Personnel Records Review Act.<sup>16</sup> After DOL refused to produce records in response to OIG’s request, OIG submitted an anonymous FOIA request to DOL for the same records on October 28, 2025. On November 21, 2025, DOL fulfilled the anonymous FOIA request for the same hiring and personnel files which it previously refused to provide OIG. DOL is poorly situated to argue that it may withhold

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<sup>12</sup> “Exempt Positions are those where any factor may be considered in actions covered by [the] Employment Plan and Other Employment Actions, unless otherwise prohibited by law, and are listed on the Exempt List[.]” City of Chicago Employment Plan, ch. IX(A)(1).

<sup>13</sup> City’s Mem. In Support, *Shakman* (N.D. Ill. May 15, 2014) (ECF No. 3765), at 5 (emphasis added).

<sup>14</sup> Dept. of Law Hiring Process, ch.B(7).

<sup>15</sup> “Public records” means all records, [...] pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of, or under the control of any public body. See 5 ILCS 140/2(c).

<sup>16</sup> See State of Illinois Office of the Attorney General Public Access Opinion 14-013 (Oct. 14, 2014).

hiring and personnel records from OIG while also acknowledging that those same records are public and subject to FOIA.

Critically, contrary to DOL's suggestion, OIG does not seek to "intervene" in any hiring decisions, and did not do so here. The Employment Plan is clear that if OIG discovers a violation or error in a hiring sequence, it "may refer the matter to the [Department of Human Resources (DHR)] Commissioner or make recommendations for appropriate corrective actions to the DHR Commissioner, the Department of Law, and/or any affected department head."<sup>17</sup> OIG has no power—nor does it seek any—to influence a hiring process or decision aside from making recommendations to remediate violations of the City's Employment Plan, or its related policies, and has at no point sought to do so during the referenced hiring sequences.

DOL has a duty to cooperate with OIG in any inquiry undertaken pursuant to Chapter 2-56 of the MCC. The law does not contain an exception to the duty to cooperate with OIG or its authority to monitor, audit, and review employment actions for requests for records related to hiring files of exempt positions and certainly does not excuse "high profile" positions from oversight.<sup>18</sup>

## III | Conclusion

DOL's withholding of employment records from OIG is improper given the scope of OIG's authority under MCC § 2-56-035, DOL's statutory duty to cooperate with OIG, and DOL's own legal arguments on the importance of OIG's oversight of the City's employment practices. DOL eventually acknowledged that the very records it withheld from OIG were in fact public records; it produced them in response to an anonymous FOIA request covertly submitted by OIG. This fact would be difficult to reconcile with a good faith rationale for refusing to produce them to OIG.

Accordingly, OIG recommends that going forward, DOL comply with OIG's oversight of its employment actions pursuant to MCC § 2-56-035.

OIG invites the Department of Law to respond in writing on or before March 2, 2026. Any such response will be made public together with this advisory.<sup>19</sup> Our contact person for this matter is Chief Assistant Inspector General Sanford Roth. Please contact him at 773-478-3957 or at [sroth@igchicago.org](mailto:sroth@igchicago.org) with any questions.

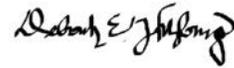
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<sup>17</sup> City of Chicago Employment Plan, ch. XIV(D).

<sup>18</sup> See *Hines v. Dep't of Public Aid*, 221 Ill.2d 222, 230 (2006) (court must enforce statute as written and may not annex new provisions or substitute different ones, or read into the statute exceptions, limitations, or conditions which the legislature did not express).

<sup>19</sup> MCC § 2-56-110(a) 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.

Respectfully,



Deborah Witzburg  
Inspector General  
City of Chicago

cc: Aja Carr Favors, First Assistant Corporation Counsel, DOL  
Nathaniel Wackman, General Counsel, OIG  
Cristina Pacione-Zayas, Chief of Staff, Mayor's Office  
Sheila Bedi, Chief Strategy Officer/Counsel to the Mayor, Mayor's Office

# Appendix B | Department of Law Response



## DEPARTMENT OF LAW CITY OF CHICAGO

### Via Electronic Mail

February 27, 2026

Deborah Witzburg  
Inspector General  
City of Chicago  
231 S. LaSalle Street, 12 Floor  
Chicago, IL 60604

### **RE: Office of Inspector General Correspondence of January 30, 2026**

Inspector General Witzburg:

The Department of Law (DOL) is in receipt of your correspondence. We acknowledge the Office of Inspector General (OIG) has the authority to monitor employment actions that fall under the City's Hiring Plan, per Municipal Code Sec. 2-56-035. However, we disagree with the OIG's characterization of the Department in your correspondence. DOL did not intentionally fail to comply with this provision of the Code. Notwithstanding the foregoing, we recognize that there were inconsistencies in production, which provide an opportunity for DOL to review internal processes and procedures. That review has occurred.

Further, the Department has taken steps to address any gaps between the coordination of file production for responses to the OIG and Freedom of Information Act requests by providing additional training on policy and procedures for administrative employees involved in these tasks. We have also added an additional managerial review requirement for these requests. Out of an abundance of caution, we will continue to conduct a comprehensive review of internal protocols to mitigate any inconsistencies with file production in the future.

DOL remains committed to lawful compliance. We welcome continued constructive engagement between the OIG and the Department of Law.

Sincerely,

*Mary B. Richardson-Lowry*

Mary B. Richardson-Lowry  
Corporation Counsel

cc: Cristina Pacione-Zayas, Chief of Staff, Office of the Mayor  
Aja Carr Favors, First Assistant Corporation Counsel, Department of Law  
John Hendricks, Managing Deputy, Litigation, Department of Law  
Nathaniel Wackman, General Counsel, Office of Inspector General

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**Re: Correspondence from the Inspector General**

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**From** Cristina Pacione-Zayas <Cristina.Pacione-Zayas@cityofchicago.org>

**Date** Tue 2/3/2026 5:49 PM

**To** Nathaniel Wackman <nwackman@igchicago.org>; Mary Richardson-Lowry <Mary.Richardson-Lowry@cityofchicago.org>

**Cc** Deborah Witzburg <dwitzburg@igchicago.org>; Sanford Roth <sroth@igchicago.org>; Aja Carr-Favors <Aja.Carr-Favors@cityofchicago.org>; Sheila Bedi <Sheila.Bedi@cityofchicago.org>

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Dear Inspector General Witzburg,

As a result of this correspondence, I have asked the Corporation Counsel to review the matter to ensure that the Department of Law's approach remains consistent with all applicable legal obligations.

The Department of Law has consistently demonstrated integrity, professionalism, and a strong commitment to ethics, and we have every reason to expect that it will conduct itself in accordance with the high standards it has long upheld.

Your letter is the first notice the Mayor's Office has received regarding these concerns. We are treating this matter with the seriousness it warrants. Thank you for bringing it to my attention.

**Cristina Pacione-Zayas, PhD** | ella, she, her (Learn more about pronouns [here](#))

**Chief of Staff, Office of the Mayor**

Desk: 312-744-6280

Mobile: 312-965-1014



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**From:** Nathaniel Wackman <nwackman@igchicago.org>

**Sent:** Friday, January 30, 2026 1:37 PM

**To:** Mary Richardson-Lowry <Mary.Richardson-Lowry@cityofchicago.org>

**Cc:** Deborah Witzburg <dWitzburg@igchicago.org>; Sanford Roth <sroth@igchicago.org>; Aja Carr-Favors <Aja.Carr-Favors@cityofchicago.org>; Cristina Pacione-Zayas <Cristina.Pacione-Zayas@cityofchicago.org>; Sheila Bedi <Sheila.Bedi@cityofchicago.org>

**Subject:** Correspondence from the Inspector General

[Warning: External email]

Dear Corporation Counsel Richardson-Lowry:

On behalf of the Inspector General, please see the attached correspondence. Thank you.

Sincerely,

Nate

**Nathaniel Wackman**

(He/Him/His)

General Counsel

Office of Inspector General

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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](https://igchicago.org).

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