



CITY OF CHICAGO  
OFFICE OF INSPECTOR GENERAL

# Quarterly Report: Second Quarter 2024

July 15, 2024

DEBORAH WITZBURG | INSPECTOR GENERAL FOR THE CITY OF CHICAGO

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

Enclosed for your review is the public report on the operations of the City of Chicago Office of Inspector General (OIG) during the second quarter of 2024, filed with City Council pursuant to Section 2-56-120 of the Municipal Code of Chicago.

The second quarter of 2024 has been a busy one at the Office of Inspector General (OIG). We received nearly 5,000 intakes, concluded 34 misconduct investigations, and reported on the Chicago Police Department's preparedness for this summer's Democratic National Convention, all while carrying on our ongoing duties to audit and evaluate City programs, oversee the City's employment practices, and review closed police disciplinary cases.

A thread runs through a number of the matters which are reported herein: that here in City government, the rules ought to apply to everyone—regardless of titles, relationships, or contract amounts. This quarter, we found that a high-ranking Chicago Fire Department (CFD) official violated City rules when they appeared, bearing their CFD uniform and implements, at an inspection being conducted by another City department at the property of a personal friend. The inspection proceeded, but we cannot abide by an appearance that someone might get special treatment because they are friends with a City official.

We report on our findings that a major City contractor misrepresented their status as a City-based business in five separate City bid packages in order to improperly secure a bidding advantage on high-value infrastructure contracts; the City has initiated debarment proceedings against that contractor on the basis of OIG's investigation.

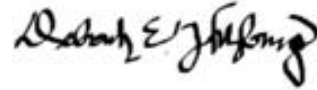
We note herein the sentencing of long-time Alderman Edward M. Burke in a criminal case related to an OIG investigation. We report on an OIG investigation which revealed that a former deputy mayor and another former senior employee of the Mayor's Office drank alcohol on City time, encouraged subordinates to drink on City time, and drove a City vehicle after drinking; those former employees have been referred for placement on the Department of Human Resources ineligible for rehire list.

We will continue to pursue aggressive enforcement of the City's rules against all those who break them, as we work to pay down the deficit of legitimacy at which Chicago operates.

Meanwhile, our program and policy work continues to uncover areas of waste, inefficiency, and ineffectiveness. We report this quarter on our discovery of policy and practice gaps which have permitted City employees to improperly receive simultaneous disability and salary payments, at significant expense to the City. We report, too, on recommendations we've made for improvements to conflict of interest and recusal policies, keeping of public records, and data sharing among City departments.

It is, as always, a tremendous privilege to work alongside my colleagues at OIG in pursuit of a government which more closely resembles the one which Chicagoans deserve. Thank you for your attention to our work.

Respectfully,

A handwritten signature in black ink, appearing to read "Deborah E. Witzburg". The signature is written in a cursive style with a large, stylized initial 'D'.

Deborah Witzburg  
Inspector General  
City of Chicago

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This quarterly report provides an overview of the operations of the City of Chicago Office of Inspector General (OIG) from April 1, 2024, through June 30, 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.<sup>1</sup> 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.

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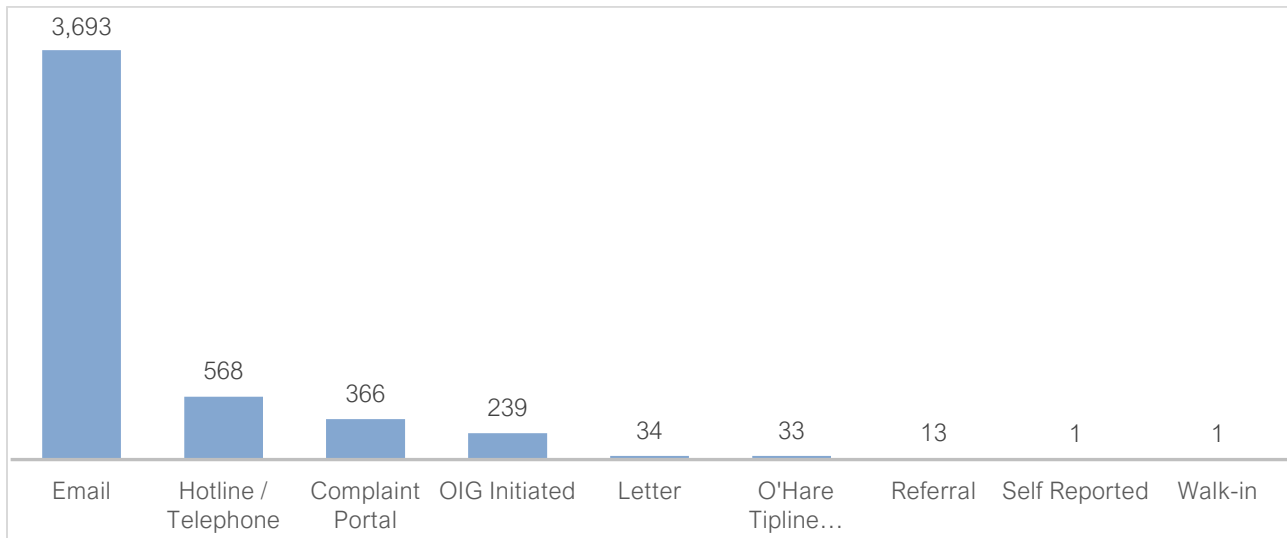
<sup>1</sup> “City government” includes the City of Chicago and any sister agency which enters into an Intergovernmental Agreement with the City for the provision of oversight services by OIG.

# II | Intakes

## 1 | Intakes Received This Quarter

OIG received 4,948 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.<sup>2</sup> 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 Q2 2024, OIG made 378<sup>3</sup> intake referrals to City departments or other agencies.<sup>4</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> OIG referred 368 intakes to the agencies listed in Table 1. Some intakes were referred to more than one agency, resulting in a total of 378 referrals.

<sup>4</sup> 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 Police Department	192
Chicago Civilian Office of Police Accountability	128
Chicago Department of Human Resources	9
Chicago Department of Water Management	5
Chicago Fire Department	5
Chicago Public Schools Office of Inspector General	4
Chicago Department of Streets and Sanitation	3
Illinois Department of Children and Family Services Office of Inspector General	3
Illinois Department of Human Services Office of Inspector General	3
Illinois Office of Executive Inspector General	3
Chicago Department of Transportation	2
Illinois Department of Child and Family Services	2
Illinois Office of Attorney General	2
U.S. Social Security Administration Office of Inspector General	2
Carpentersville Police Department	1
Chicago Department of Aviation	1
City Colleges of Chicago Office of Inspector General	1
Cook County Sherriff's Office of Professional Review	1
Effingham County State's Attorney's Office	1
Federal Labor Relations Authority	1
Chicago Department of Fleet and Facility Management	1
Illinois Department of Public Health	1
Illinois Department of Revenue	1
Illinois State Police	1
Lake County Sheriff's Office	1
Lake County State's Attorney's Office	1
Oak Lawn Police Department	1
Plainfield Police Department	1
U.S. Department of Homeland Security Office of Inspector General	1
<b>Total</b>	<b>378</b>

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 Q2 2024, OIG discontinued 796 intakes.

Table 2: Discontinued Intakes

Category of Discontinued Intakes	Number of Discontinued Intakes
Do Not Process	267
Inquiries	321
Spam	208
<b>Total</b>	<b>796</b>

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 Q2 2024, OIG declined 29 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	3
Failure to Allege a Violation of MCC § 2-156	10
<b>Total</b>	<b>29</b>



## 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)<sup>5</sup> of Chicago and OIG.

### A | Misconduct Investigations

#### 1 | Investigative Activity This Quarter

As of the close of this quarter, OIG has 201 active investigations. During Q2 2024, OIG initiated 21 investigations, of which 4 were self-initiated, and concluded 34 investigations.

#### 2 | Open Matters

OIG's 201 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 <sup>6</sup>
City Employees	156
Elected Officials	18
Contractors, Subcontractors, and Persons Seeking Contracts	16
Licensees	3
Appointed Officials	2
Other	6
<b>Total</b>	<b>201</b>

Table 5: Nature of Allegations Under Investigation

Nature of Allegations	Number of Cases
Misconduct	199
Ineffectiveness	1
Waste/Inefficiency	1
<b>Total</b>	<b>201</b>

<sup>5</sup> 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/>.

<sup>6</sup> 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 201 pending investigations, 96 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, Q2 2024

Case ID <sup>7</sup>	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
C2022-000041795	21-0451	False statements/Theft
C2022-000041796	21-0452	False statements/Theft
C2022-000041801	21-0457	False statements/Theft
C2022-000041804	21-0460	False statements/Theft
C2022-000042145	21-0820	False records submitted to City
C2022-000042359	21-1049	MBE fraud
C2022-000042921	21-1635	Time falsification
C2022-000043833	N/A	Time fraud/Fraud

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

Case ID <sup>7</sup>	Legacy ID	General Nature of Allegations
C2022-000043865	N/A	Fraud
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
C2022-000043937	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
C2022-000044003	N/A	Official misconduct
C2022-000044022	N/A	Residency violation
C2022-000044042	N/A	Fraud
C2022-000044045	N/A	Ethics violation
C2022-000044046	N/A	Official Misconduct
C2022-000044065	N/A	False statements
C2022-000044078	N/A	Time Falsification
C2022-000044086	N/A	Ethics Violation
C2022-000044091	N/A	Residency Violation
C2022-000044093	N/A	Official Misconduct
C2022-000044099	N/A	Retaliation
C2022-000044101	N/A	Official Misconduct
C2022-000044102	N/A	Official Misconduct
C2022-000044122	N/A	Criminal Investigation
C2023-000000004	N/A	Retaliation
C2023-000000010	N/A	Official Misconduct
C2023-000000011	N/A	Official Misconduct
C2023-000000015	N/A	Ethics Violation
C2023-000000026	N/A	Fraud
C2023-000000027	N/A	Fraud
C2023-000000028	N/A	Official Misconduct
C2023-000000032	N/A	Official Misconduct

Case ID <sup>7</sup>	Legacy ID	General Nature of Allegations
C2023-000000033	N/A	Duty Disability Fraud
C2023-000000038	N/A	Ethics 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
C2023-000000097	N/A	Conduct unbecoming
C2023-000000102	N/A	Ethics Violation
C2023-000000103	N/A	Personnel Rule Violation
C2023-000000104	N/A	Personnel Rule Violation
C2023-000000105	N/A	Personnel Rule Violation
C2023-000000109	N/A	Conduct unbecoming
C2023-000000118	N/A	EEO Violation
C2023-000000119	N/A	Ethics Violation
C2023-000000120	N/A	Residency Violation
C2023-000000121	N/A	Duty Disability Fraud
C2023-000000122	N/A	Sexual Harassment
C2023-000000128	N/A	Fraud
C2023-000000155	N/A	Secondary Employment Violation
C2023-000000157	N/A	Residency Violation
C2023-000000158	N/A	Personnel Rules Violation
C2023-000000159	N/A	Personnel Rules Violation
C2023-000000164	N/A	Conduct Unbecoming
C2023-000000165	N/A	Ethics Violation
C2023-000000166	N/A	Fraud
C2023-000000175	N/A	Fraud
C2023-000000177	N/A	Ethics Violation
C2023-000000178	N/A	Fraud

Case ID <sup>7</sup>	Legacy ID	General Nature of Allegations
C2023-000000179	N/A	Retaliation
C2023-000000180	N/A	Ethics Violation
C2023-000000181	N/A	Fraud
C2023-000000182	N/A	Bribery
C2023-000000183	N/A	Fraud
C2023-000000189	N/A	Theft
C2023-000000193	N/A	Fraud
C2023-000000194	N/A	Theft

### 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 PBC.

In Q2 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,<sup>8</sup> 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.<sup>9</sup>

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

<sup>8</sup> 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.

<sup>9</sup> 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.

and outcome of the cases for public reporting purposes and thus may not contain all allegations and/or findings for each case.

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

OIG Case Number	Department or Agency	OIG Recommendation	Department or Agency Action
C2022-000041810	Chicago Department of Public Health	Discharge the employee and refer them for placement on the ineligible for rehire list maintained by the Department of Human Resources (DHR).	The Chicago Department of Public Health (CDPH) requested the Department of Law (DOL) prepare charges for the member.
C2022-000042390	Chicago Fire Department	Discharge the employee and refer them for placement on the ineligible for rehire list maintained by DHR.	CFD reported that it intended to implement the discipline of termination and place the employee on the ineligible for rehire List and that it had initiated the procedural due process steps to terminate the employee.
C2022-000042456	Chicago Department of Public Health	Impose discipline commensurate with the gravity of the violations, past disciplinary history, and other relevant considerations.	CDPH issued a written reprimand to the employee.
C2022-000042973	Chicago Fire Department	Impose discipline on the employee commensurate with the gravity of the violation, past disciplinary record, and any other relevant considerations	CFD agreed to reprimand the employee.
C2022-000043618	Department of Procurement Services	Initiate debarment proceedings against the contractor.	The Department of Procurement Services (DPS) initiated debarment proceedings against the contractor.
C2022-000043815	Chicago Police Department	Refer former official for placement on the ineligible for rehire list maintained by DHR.	CPD disagreed with OIG's recommendation.



OIG Case Number	Department or Agency	OIG Recommendation	Department or Agency Action
C2022-000043902	Board of Ethics	Find probable cause to believe that the subject violated MCC § 2-156-142(c) and impose appropriate sanctions.	BOE found probable cause to believe that the subject violated MCC § 2-156-142(c) and imposed a \$5,000 fine, which the subject agreed to pay.
C2022-000043917	Board of Ethics; Department of Buildings	Find probable cause to believe that the subject violated MCC § 2-156-142(c) and impose appropriate sanctions; revoke licensed contractor's masonry license.	BOE found probable cause to believe that the subject violated MCC § 2-156-142(c) and is pursuing proceedings to impose a \$5,000 fine; the Department of Buildings (DOB) revoked the contractor's masonry license.
C2022-000043984	Chicago Department of Aviation	Discharge the employee and refer for placement on the ineligible for rehire list maintained by DHR.	The Chicago Department of Aviation (CDA) preliminarily agreed with OIG's recommendation to discharge the employee and refer them for placement on the ineligible for rehire list. CDA requested DOL prepare discharge charges for the employee.
C2022-000044087	Office of Emergency Management and Communications	Refer former employee for placement on the ineligible for rehire list maintained by DHR.	The Office of Emergency Management and Communications (OEMC) referred the former employee for placement on the ineligible for rehire list maintained by DHR.
C2023-000000017	Mayor's Office	Refer former employees for placement on the ineligible for rehire list maintained by DHR.	The Mayor's Office referred the former employees for placement on the ineligible for rehire list maintained by DHR.

OIG Case Number	Department or Agency	OIG Recommendation	Department or Agency Action
C2023-000000214	Department of Water Management	Discharge the employee and refer for placement on the ineligible for rehire list maintained by DHR.	The Department of Water Management (DWM) preliminarily agreed with OIG's recommendations to discharge the employee and requested discharge charges from DOL.
C2023-000000226	Chicago Department of Aviation	Refer the former employee for placement on the ineligible for rehire list maintained by DHR.	CDA referred the former employee for placement on the ineligible for rehire list maintained by DHR.

## 1 | Fraud in Securing Rental Assistance (C2022-000041810)

An OIG investigation established that a public health administrator III with CDPH violated federal fraud statutes, state forgery statutes, and the City of Chicago Personnel Rules by defrauding the Chicago Housing Authority's (CHA) Housing Choice Voucher Program. Specifically, the subject initially failed to report their City income to CHA, and later underreported their City income to CHA using forged City paystubs. During their interview with OIG, the subject admitted to providing their City paystubs to a third party to be altered to contain a lower year-to-date income for the express purpose of tendering the altered paystubs to CHA in order to remain in the voucher program.

OIG concluded that the employee violated 18 U.S.C. § 1001(a)(3) (knowingly and willfully making or using any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry), 720 ILCS 5/17-3(a)(2) (knowingly issuing or delivering a false document knowing it to have been thus made or altered), and the City's Personnel Rule XVIII, Section 1, Subsection 15 (engaging in any act or conduct prohibited by the MCC, the Illinois Compiled Statutes (ILCS), applicable laws of other states, or federal statutes).

OIG recommended that CDPH discharge the employee and refer them for placement on the ineligible for rehire list maintained by DHR. Pursuant to OIG's recommendation, CDPH sent a request for charges to DOL.

## 2 | Battery of a Member of the Public (C2022-000042390)

An OIG investigation established that an off-duty CFD lieutenant-emergency medical technician (EMT) physically struck a member of the public without justification on a public road while stopped at a traffic light. The altercation caused an unrelated member of the public to call 911 to report two people physically fighting and asked CPD to respond and arrest the CFD member. The victim suffered multiple injuries which required a subsequent hospital visit. CPD responded to the hospital and spoke with the victim. A CPD detective identified the CFD member after taking a number of investigative steps and the CFD member ultimately turned himself in for arrest.

OIG concluded that the CFD member violated 720 ILCS 5/12-3.05(c) (aggravated battery of a person in the public way), as well as City of Chicago Personnel Rule XVIII, Section 1, Subsections

15 (engaging in any act or conduct prohibited by the MCC, the Illinois Compiled Statutes (ILCS), applicable laws of other states, or federal statutes) and 50 (conduct unbecoming a public employee).

OIG recommended that CFD discharge the employee and place the employee on the DHR ineligible for rehire list. In response, CFD reported that it intended to implement the discipline of termination and place the employee on the ineligible for rehire List and that it had initiated the procedural due process steps to terminate the employee.

### 3 | Secondary Employment (C2022-000042456)

An OIG investigation established that a CDPH sanitarian engaged in outside employment without the requisite notice and authorization. The sanitarian was the registered agent for two private businesses owned by her family members and had previously served in a number of corporate roles in those same businesses, as well as being a signatory on the business bank accounts, but had failed to request departmental approval of her business activity, as required.

OIG accordingly found that the employee violated City of Chicago Personnel Rule XVIII, Section 1, Subsection 43 (failure to comply with the requirements of secondary employment), and Personnel Rule XX, Section 3 – Outside Employment.

OIG recommended that CDPH impose discipline commensurate with the gravity of the employee's violation, past disciplinary record, and any other relevant considerations. In response, CDPH issued a written reprimand to the employee.

### 4 | Misuse of City Position (C2022-000042973)

An OIG investigation established that a CFD deputy commissioner engaged in conduct unbecoming a public employee. OIG's investigation revealed that the subject appeared at an inspection conducted by a joint task force of City departments of a property owned by one of the subject's personal friends. The subject arrived at the inspection bearing official CFD implements and interacted with the City employees conducting the inspection. While the evidence did not demonstrate that the subject influenced the inspection or obtained preferential treatment for their friend, OIG concluded that the subject's conduct created the appearance of impropriety as evidenced by testimony from the inspection task force members.

OIG found that the employee violated City of Chicago Personnel Rule XVIII, Section 1, Subsection 50 (prohibiting conduct unbecoming a public employee) and CFD General Order 13-007 - Code of Professional Conduct Section 2.12 (prohibiting behavior violative of Personnel Code Rule XVIII).

OIG recommended that CFD impose discipline on the employee commensurate with the gravity of the violation, past disciplinary record, and any other relevant considerations. In response, CFD agreed to reprimand the employee.

### 5 | Misrepresentations in Bid Packages (C2022-000043618)

An OIG investigation established that a DWM contractor misrepresented its status as a City-based business in five separate bid packages in an effort to gain bid preferences to which it was not entitled. The contractor's bid packages repeatedly indicated that all of its employees were based in the City of Chicago when, in reality, the majority of the contractor's workforce did not work at a

facility located in the City. The contractor made these misrepresentations to obtain a bidding advantage on infrastructure contracts of significant value—specifically, the contractor was awarded all five contracts, which were collectively valued over \$50 million.

OIG concluded that the contractor violated MCC § 1-21-010 (false statements), as well as City of Chicago Debarment Rules V(c) (making false statements in a bid, proposal, or application for City work); V(g)(6) (using false statements to obtain some benefit); V(g)(7) (misrepresentation to any governmental agency); V(g)(8) (falsely claiming to be eligible for the Chicago Business Preference); and V(g)(10) (dishonesty incident to obtain any contract).

OIG recommended that DPS initiate debarment proceedings. In response, DPS initiated debarment proceedings against the contractor.

## 6 | Failure to Appear for OIG Interview (C2022-000043815)

An OIG investigation established that a former high-ranking CPD official breached their duty to cooperate with OIG while a City employee. OIG determined that the official possessed information relevant to an OIG investigation and provided the official with a notice of interview, which the official signed. The official failed to appear for their OIG interview, and subsequently left their City employment without ever cooperating with OIG's investigation. The official's failure to cooperate significantly impacted OIG's investigation.

OIG concluded that the official's conduct violated MCC § 2-56-090 (imposing a mandatory duty to cooperate with OIG), as well as CPD Rule 1 (violation of any law or ordinance), Rule 2 (any action or conduct which impedes CPD's efforts to achieve its policy and goals or brings discredit upon CPD), Rule 3 (any failure to promote CPD's efforts to implement its policy or accomplish its goals), and Rule 5 (failure to perform any duty).

Given the official's high-ranking position, OIG recommended that CPD refer the official for placement on the ineligible for rehire list maintained by the Department of Human Resources. In response, CPD acknowledged the importance of cooperating with OIG investigations and CPD's close working relationship with OIG, but declined to refer the former official for placement on the ineligible for rehire list, noting that the official did not meet the criteria for an ineligible for rehire designation under the then-applicable policy because the official was not the subject of the investigation at the time he resigned from City employment, and that OIG's recommendation seemed severe under the circumstances because OIG did not attempt to reschedule the interview after the official missed it.

## 7 | Bribery (C2022-000043902)

An OIG investigation established that a property owner attempted to bribe a DOB inspector during an inspection of the owner's property. When the DOB inspector noted that the work performed on the property did not conform to approved architectural plans and subsequently declined to pass the rough inspection of the property, the property owner dropped an envelope containing cash onto the inspector's clipboard. The inspector allowed the envelope to fall to the floor and thereafter reported the bribe to senior DOB officials.

OIG concluded that the property owner's conduct violated the GEO, MCC § 2-156-142(c).

OIG recommended that BOE find probable cause to believe that the property owner violated MCC § 2-156-142(c) and impose appropriate sanctions. In response, BOE found probable cause to believe that the property owner violated MCC § 2-156-142(c) and imposed a \$5,000 fine on the property owner, which the property owner agreed to pay.

## 8 | Bribery (C2022-000043917)

An OIG investigation established that a licensed contractor attempted to bribe a DOB inspector during an inspection of a property on which the contractor worked. When the DOB inspector informed the contractor that the work performed on the property did not conform to City-approved plans, and subsequently declined to provide final approval for the work, the contractor offered money to the inspector. The inspector declined the offer and reported the contractor's conduct to senior DOB officials.

OIG concluded that the licensed contractor's conduct violated the City of Chicago GEO gift ban, MCC § 2-156-142(c).

OIG recommended that BOE find probable cause to believe that the licensed contractor violated MCC § 2-156-142(c) and impose appropriate sanctions. OIG also recommended that DOB revoke the licensed contractor's still-active masonry license. In response, BOE found probable cause to believe that the licensed contractor violated MCC § 2-156-142(c) and has initiated proceedings to pursue a \$5,000 fine against the contractor. DOB also revoked the contractor's masonry license.

## 9 | Residency Violation (C2022-000043984)

An OIG investigation established that a motor truck driver with CDA does not reside in the City of Chicago and resides in Sauk Village, Illinois, in violation of the City's residency requirement, MCC § 2-152-050. OIG also found that the employee knowingly provided a false address on the City's residency affidavit.

During the subject's interview with OIG, the subject admitted that they do not live in the City. In addition, over the course of approximately 11 months, OIG also conducted six separate surveillances of the Sauk Village residence. In all six surveillances, the subject was observed departing from and/or arriving to the Sauk Village residence. Moreover, the subject falsified their City residency affidavit by stating that they lived at a City address while knowingly living at the Sauk Village residence.

OIG concluded that the subject's conduct violated City of Chicago Personnel Rules, Rule XVIII, Section 1, Subsection 15 (engaging in any act or conduct prohibited by the MCC, the Illinois Compiled Statutes (ILCS), applicable laws of other states, or federal statutes) and Subsection 41 (failure to be an actual resident of the City of Chicago). OIG also concluded that the subject knowingly provided a false address on their residency affidavit in violation of Personnel Rule XVIII, Section 1, Subsection 6 (providing a false or misleading answer to any question in any application, questionnaire, information form or other document provided by the City), and MCC § Section 1-21-010.

OIG recommended that CDA discharge the subject and refer them for placement on the ineligible for rehire list maintained by DHR. In response, CDA preliminarily agreed with OIG's recommendation and requested separation charges from DOL.

## 10 | Theft of City ID (C2022-000044087)

An OIG investigation established that a former police communications operator with OEMC filed a false police report stating that their OEMC badge was lost. Shortly thereafter, the subject resigned from City employment, and relayed the same false information to OEMC personnel. In actuality, the subject's OEMC badge had not been lost; rather, the subject unlawfully retained possession of the badge. OIG's investigation established that several years after the end of the subject's employment with OEMC, the subject presented the badge as a form of identification to CPD members who were investigating a shooting in which the subject was eventually charged with attempted murder, aggravated battery with a firearm, and unlawful possession of a firearm.

OIG found that the subject's conduct violated City of Chicago Personnel Rule XVIII, Section 1, Subsection 6 (providing false information on a City form), Subsection 15 (engaging in any act or conduct prohibited by the MCC, the Illinois Compiled Statutes (ILCS), applicable laws of other states, or federal statutes), and Subsection 19 (theft or unauthorized possession of City of Chicago property).

OIG recommended that OEMC refer the subject for placement on the ineligible for rehire list maintained by DHR. In response, OEMC did so.

## 11 | Violation of CPD Rules (C2022-000044089)

An OIG investigation established that a CPD Sergeant failed to follow CPD orders and directives during a mental health incident involving another CPD member who appeared to be in crisis. The CPD Sergeant had responded to a 911 call made by the CPD member's spouse reporting that the CPD member had left the spouse's residence without the CPD member's wallet, badge, ID or cell phone and that the CPD member had threatened to shoot themselves. The investigation established that the Sergeant failed to appropriately document the incident and failed to recommend immediate intervention by CPD's Professional Counseling Division or Employee Assistance Program. Body worn camera (BWC) footage captured the interaction between the Sergeant and the CPD member, wherein the Sergeant acknowledged the serious nature of the mental health call.

OIG found that the Sergeant violated CPD Rules and Regulations, Article V, Rule 3 (failure to promote the Department's efforts to implement policy or accomplish goals), Rule 5 (failure to perform any duty), Rule 6 (disobedience of an order or directive), and Rule 10 (inattention to duty).

OIG recommended that CPD impose discipline against the Sergeant, commensurate with the gravity of their violations, past disciplinary record, and any other relevant considerations. In response, CPD agreed in part and disagreed in part with OIG's identified violations. Specifically, CPD agreed that responding CPD Sergeant violated a CPD Special Order requiring that he complete a Crisis Intervention Report for the incident. CPD disagreed that OIG's investigation established that the responding CPD Sergeant failed to identify that the involved CPD member was experiencing a mental health crisis. CPD noted that based on the Sergeant's training, and considering the totality of the circumstances, the Sergeant concluded that the involved CPD member was not experiencing a mental health crisis. CPD imposed a penalty of violation noted, and will require the Sergeant to complete additional training.



## 12 | Violation of Drug and Alcohol Policy (C2023-000000017)

An OIG investigation established that on several instances in 2022 and 2023, a former deputy mayor possessed and consumed alcohol on City time, encouraged subordinate employees to drink alcohol on City time, and drove a City vehicle after consuming alcohol. OIG conducted interviews and reviewed video footage, relevant financial statements, and receipts from instances in which the former deputy mayor purchased and consumed alcohol during working hours. OIG's investigation also established that the former deputy mayor drove their City vehicle home from events at which they had multiple drinks on two occasions. OIG's investigation further established that another former senior employee of the Office of the Mayor purchased and consumed alcohol on City time on several occasions. Video footage showed the former deputy mayor and former senior employee leaving City Hall and going to a bar during work hours, while receipts showed that they purchased multiple alcoholic beverages while on the clock on several different occasions. Witness testimony also indicated that on one occasion, the former senior employee returned from a lunch and stated, "I'm drunk, I want to leave and not do these interviews." The former senior employee proceeded to nonetheless conduct interviews for a Mayoral Fellow position.

OIG concluded that the former deputy mayor violated the City of Chicago Drug and Alcohol Policy, the City of Chicago Vehicle and Equipment Policy, and City of Chicago Personnel Rule XVIII, Section 1, Subsections 24 (drinking alcoholic beverages or using drugs not prescribed or in a manner not prescribed by a physician during working hours; possession of alcohol or illegal drugs while on duty), 46 (failure to report misconduct by City employees to the proper City authority), and 50 (conduct unbecoming a public employee). OIG further concluded that the former senior employee violated City of Chicago Drug and Alcohol Policy and City of Chicago Personnel Rule XVIII, Section 1, Subsection 24.

OIG recommended that the Mayor's Office place the former deputy mayor and former senior employee on the ineligible for rehire list maintained by DHR. In response, the Mayor's Office agreed with OIG's recommendation and referred the former employees for placement on the ineligible for rehire list.

## 13 | Residency Violation (C2023-000000214)

An OIG investigation established that a filtration engineer IV with DWM does not reside in the City of Chicago and resides in Bolingbrook, Illinois, in violation of the City of Chicago's residency requirement, MCC § 2-152-050. OIG also found that the employee knowingly provided a false address on their City residency affidavit.

OIG's investigation established that the subject holds and pays a mortgage on the Bolingbrook residence and that the subject's children attend school in the Bolingbrook area. Moreover, the evidence shows that the subject receives a homestead exemption for the Bolingbrook residence, which requires that they reside at the property. In addition, on several occasions, OIG observed the subject leaving the Bolingbrook residence and going to work.

OIG concluded that the subject's conduct violated the City of Chicago Personnel Rules, Rule XVIII, Section 1, Subsection 15 (engaging in any act or conduct prohibited by the MCC) and Subsection 41 (failure to be an actual resident of the City of Chicago). OIG also concluded that the subject falsely reported a City residence on their most recent DHR Change of Address Form and residency

affidavit, and thereby violated City of Chicago Personnel Rule XVIII, Section 1, Subsection 6 (providing false information on any document provided by the City).

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

## 14 | False Reports (C2023-000000226)

An OIG investigation established that a former emergency management coordinator with CDA made a false statement to their supervisor and filed a false police report. The former employee falsely claimed to their supervisor that they were the victim of an armed robbery and then made a report of the same to the police. The employee did so in an effort to excuse the loss of the employee's City cell phone. Police video captured the employee admitting to lying about the robbery.

OIG found that the subject violated City of Chicago Personnel Rule XVIII, Section 1, Subsections 8 (false statements in official investigation), 15 (engaging in any act or conduct prohibited by the MCC, the Illinois Compiled Statutes (ILCS), applicable laws of other states, or federal statutes), and 50 (conduct unbecoming), as well as the 720 ILCS 5/26-1 (disorderly conduct).

During the investigation, the subject resigned from CDA. OIG recommended that CDA refer the subject for placement on the ineligible for rehire list maintained by DHR. In response, CDA did so.

## 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 two updates regarding criminal cases related to an OIG investigation.

### 1 | United States of America v. Edward Burke, 19-CR-322 (N.D. Ill.), OIG Case No. 19-0019

On May 30, 2019, former Alderperson Edward M. Burke was indicted in the United States District Court for the Northern District of Illinois on racketeering and bribery charges for allegedly abusing his position to solicit and extort private legal work and other benefits from companies and individuals with business before the City. Indicted as co-defendants with Burke were real estate developer Charles Cui and aldermanic aide Peter J. Andrews. The allegations related to Burke corruptly soliciting work for his private law firm from companies involved in redevelopment projects at the Old Main Post Office and a fast-food restaurant in his ward. Burke was also alleged to have threatened to oppose a Chicago museum's admission fee increase because the museum failed to respond to Burke's inquiry about an internship at the museum for a child of Burke's friend.

On December 21, 2023, a federal jury convicted Burke on 13 counts, including racketeering; corruptly soliciting, demanding, accepting, or agreeing to accept things of value; using an interstate

facility to promote unlawful activity; and attempted extortion. Cui was also found guilty on five counts, while Andrews was acquitted of all charges against him.

On June 24, 2024, U.S. District Judge Virginia Kendall sentenced Burke to two years in prison and imposed a \$2 million fine.

## 2 | City of Chicago v. Brett Frey, Case No. 20241400857 (Cir. Ct. Cook County), OIG Case No. C2022-000043881

On May 22, 2024, the City of Chicago filed a verified complaint for a violation of MCC § 2-56-140 (obstruction of OIG investigation) and § 1-21-010 (false statements to the City) against Brett Frey, a part-owner and employee of City contractor Air One Equipment, Inc. The complaint alleges that, during an interview in an OIG investigation, Frey misrepresented Air One's involvement in a contemplated transaction that would have enabled a CFD employee to sell goods to CFD, in violation of the City of Chicago GEO. In an initial interview, Frey denied that Air One had any knowledge of or involvement in a contemplated transaction for CFD to purchase custom shelving for a CFD trailer. In a subsequent interview, Frey admitted that he and Air One were involved in the contemplated transaction and that he initially worked with a CFD employee on the transaction.

The City's complaint seeks a fine of \$500 for Frey's violation of MCC § 2-56-140, as well as a fine of \$1,000 and the City's attorney's fees and costs for Frey's violation of MCC § 1-21-010.

## 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.

OIG has no updates this quarter.

## 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.<sup>10</sup>

<sup>10</sup> 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.

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.<sup>11</sup> 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 closed one campaign finance matter that involved \$1,000 in disallowed contributions. Details are provided in the table below.

Table 8: Campaign Finance Activity

Case #	Donation Amount (Year)	Donation Source	Donation Recipient	Amount of Returned Funds
C2023-000000337	\$2,500 (2022)	Entity doing business with the Chicago Board of Education	City elected official	\$1,000

## 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.

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Any contract negotiated, entered into, or performed in violation of any of the provisions of this Order shall be terminable by the City.

<sup>11</sup> 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.

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

OIG does not have any fines or recoveries to report this quarter.

## 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 Bureau of Internal Affairs (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 | Follow-up Inquiry on the Chicago Police Department’s Preparedness for Mass Gatherings<sup>12</sup>

OIG completed a follow-up inquiry of its February 2021 review of “Chicago’s Response to George Floyd Protests and Unrest.”<sup>13</sup> In its February 2021 report, OIG found that despite advance information signaling the planning of large-scale public protest gatherings following the murder of George Floyd, CPD was under-equipped and unprepared to respond to the scale of the protests and unrest in the downtown area and across Chicago’s neighborhoods from May 29 through June 7, 2020 (2020 protests and unrest). OIG identified failures within intelligence assessment, major event planning, field communication and operation, administrative systems, and, most significantly, from CPD’s senior leadership.

OIG’s February 2021 report presented the following findings on specific CPD operational failures and shortcomings in response to the protests and unrest:

1. Breakdowns in the mass arrest process resulted in CPD’s failure to arrest some offenders, the release of some arrestees without charges, and risks to officer and arrestee safety.
2. During the events at issue, CPD did not fulfill its force reporting obligations and did not provide clear and consistent guidance to officers on reporting obligations.
3. CPD’s operational response to the protests and unrest and gaps in its relevant policies crippled accountability processes from the start.

<sup>12</sup> Published May 30, 2024. See <https://igchicago.org/publications/follow-up-on-cpd-preparedness-for-mass-gatherings/>.

<sup>13</sup> City of Chicago Office of Inspector General, “Chicago’s Response to George Floyd Protests and Unrest,” February 18, 2021, accessed March 8, 2024, <https://igchicago.org/wp-content/uploads/2023/08/OIG-Report-on-Chicagos-Response-to-George-Floyd-Protests-and-Unrest.pdf>.



Also, in February 2021, CPD published an After Action Report (AAR) on the mass gatherings.<sup>14</sup> In it, CPD identified five areas for improvement:

- Accountability
- Planning and Preparedness
- Command and Control
- Training
- Communication

Within each area for improvement, CPD identified relevant strengths and weaknesses and committed to specific action items to address the issues identified. These commitments included revising policies, increasing training, establishing new response teams, improving internal and external communications, and more.

OIG's 2021 report did not include specific recommendations. In its follow-up inquiry, OIG examined the steps CPD has taken to address the deficiencies in its preparedness for mass gatherings as identified in the February 2021 OIG report and CPD's AAR.

The objectives of this inquiry were to:

- Determine whether CPD has, independently and in collaboration with other entities, developed operational procedures for responding to mass gatherings and/or protests post-2020;
- Describe CPD's current mass arrest procedures and determine what changes, if any, have been made since 2020;
- Evaluate CPD's current policies and procedures for deploying force and reporting the use of force in mass gathering circumstances; and
- Assess the impact any such revisions and actions might have on the ability of stakeholders, including the Department, to enforce accountability throughout and following the response to mass gatherings.

To assess and understand CPD's policy changes made to enhance its mass protest response post-2020, OIG reviewed written statements and supportive documentation from CPD, including operational plans, examples of tabletop exercises, and training materials. Additionally, OIG reviewed CPD's publicly posted Coordinated Multiple Arrest Policy Suite of draft directives, including proposed directives on response to crowds, protests, and civil disturbances.

First, OIG found that the Department has developed formal guidance for its response to both planned and unplanned large-scale events, and has included other City public safety and infrastructure agencies in both the plan development and evaluation phases. CPD has also periodically performed drills and tabletop exercises covering a range of complex scenarios. OIG found that CPD has audited and expanded its inventory of deployable equipment, including passenger vans and BWCs. The collaborative development of detailed operational plans and the reinforcement of such processes may help mitigate the confusion that was evident in the Department's response during the 2020 protests and unrest, as well as strengthen CPD's response to future large-scale events.

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<sup>14</sup> Chicago Police Department, "After Action Report: The Chicago Police Department's Response to Civil Unrest between May 29, 2020 and June 12, 2020," February 5, 2021, accessed April 10, 2024, [https://home.chicagopolice.org/wp-content/uploads/2021/02/AAR\\_FINAL\\_2-4-21.pdf](https://home.chicagopolice.org/wp-content/uploads/2021/02/AAR_FINAL_2-4-21.pdf).

OIG found that CPD has drafted extensive revisions to its policies governing coordinated multiple arrest incidents. Such revisions were informed by improvement areas identified as a result of CPD's response to the 2020 protests and unrest. In response to this follow-up inquiry, the Department reported to OIG that it had been working with the Independent Monitoring Team (IMT) charged with assessing compliance with the consent decree entered in *Illinois v. Chicago* and the Office of the Illinois Attorney General on a suite of coordinated multiple arrest policy updates.<sup>15</sup> Such policy updates included measures that improved upon existing guidance for the documentation and processing of mass arrests, including explicitly instructing officers to activate BWCs for arrests and processing, and requiring supervisors to review, approve, and maintain possession of Coordinated Multiple Arrest Reports prior to transporting arrestees. The policy updates were more specific and comprehensive about the reporting obligations for each tactical response in a multiple arrest context, and they expanded Department review beyond Tactical Response Reports (TRRs). Coordinated Multiple Arrest Reports that indicate a reportable use of force are now part of the Department force review process. Such policy revisions may result in more complete arrest documentation and improved use of force reporting compliance, which could in turn strengthen any efforts to implement individual-level accountability for misconduct. Although the proposed policy changes are promising, there may not have been time for meaningful Department training or inclusion of public input prior to their implementation ahead of the Democratic National Convention (DNC) in August 2024. Additionally, the proposed policy changes did not improve CPD's ability to assess all misconduct allegations stemming from a single large-scale event, hindering its ability to perform comprehensive after-action analyses that could contribute to policy and training improvement.

OIG found that CPD had not improved its guidance on roll call content and execution; oversight agencies and professional organizations in comparable large cities, such as New York, stress the importance of standardized messaging during roll calls to ensure that all members receive the same tactical information and constitutional reminders. The majority of roll call training materials CPD provided to OIG in the course of this inquiry were developed in 2018 and 2019. While CPD's operational plans for pre-planned large-scale events included the time and place of roll calls, they did not address the content of such roll calls, which may differ in duration and detail depending on individual leaders. Further, it was unclear what controls CPD used to ensure roll calls are held for large-scale spontaneous events. The materials CPD provided to OIG suggest they had not identified best practices for roll call content and execution and that the risk for inconsistent roll calls remains. Standardized messaging during roll calls aids in coordinating police behavior and preventing fragmentation during the course of a mass event. Without considerations to standardize and adopt best practices for roll calls, CPD may face the same internal communications challenges that occurred in 2020. Those challenges resulted in confusion among members over Departmental policy, with negative consequences for the protection of protestors' rights and the ability to hold Department members accountable for misconduct.

Finally, OIG found that CPD's trainings and policies on crowd management tactics—such as the use of encirclement and Oleoresin Capsicum (OC) spray—may have increased the risk of infringement of lawful demonstrators' constitutional rights. For example, although CPD training materials on crowd control tactics mentioned the First and Fourth Amendments generally, they made no mention of the First Amendment right to peaceful assembly or the Fourth Amendment protections against unlawful search and seizure.

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<sup>15</sup> Consent Decree, *State of Illinois v. City of Chicago*, No. 17-cv-6260 (N.D. Ill. Jan. 31, 2019).

The 2020 protests and unrest exposed CPD's lack of preparedness to respond to a large-scale gathering that necessitated mass arrests. OIG found that, since those events, CPD has drafted extensive policy revisions that improve mass arrest procedures as well as expand and clarify use of force reporting. CPD has engaged other City departments in formalizing operational responses for both planned and unplanned large-scale events. The Department has also taken steps to quantify and increase its inventory of deployable equipment, and periodically performed drills and exercises throughout the city. Such preparation may better equip Department members for responding to future large-scale events and as tense, unpredictable situations arise. Whether large-scale events are pre-planned or spontaneous, proper planning can help ensure the Department is prepared to respond effectively and appropriately.

Still, OIG's findings raise concerns that the quality of CPD's response to a large gathering may deteriorate in practice. Despite CPD bolstering its operational planning and preparation for large-scale events, gaps remained in the Department's ability to effectively and uniformly communicate such plans and implement after-action accountability. Further, CPD's training on certain tactical responses to large crowds risks escalating tensions and violating the constitutional rights of lawful demonstrators. Notably, improved plans without proper dissemination and training of said plans may not result in improved operations. Specifically, policies that do not address the constitutional right to peacefully protest and that do not ensure comprehensive after-action review risk outcomes that may undercut the Department's legitimacy and damage public trust in law enforcement. OIG presented its findings for CPD's consideration as it prepares for future large gatherings.

## 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.

This quarter, the Public Safety section's Investigative Analysis unit examined 386 closed disciplinary cases and opened 25 for in-depth review. OIG found three COPA investigations and three BIA investigations that contained deficiencies materially affecting their outcomes.

Table 9: Disciplinary Cases Reviewed

Agency	Cases Screened	Cases Opened
BIA	108	9
COPA	278	16
<b>Total</b>	<b>386</b>	<b>25</b>

## 1 | Recommendations to Reopen Closed Disciplinary Investigations

This quarter, OIG sent two letters of recommendation to reopen investigations to COPA and two letters of recommendation to reopen investigations to BIA. COPA accepted OIG's recommendation to reopen one investigation, and the other recommendation is pending a response. OIG learned that BIA did not respond to one letter of recommendation before finalizing the disciplinary process and declined to reopen the other investigation. OIG also sent one notification letter citing errors to the disciplinary record to COPA as well as one to BIA, after which the appropriate records were corrected by each respective agency.

Additionally, by the end of this quarter, OIG received a response from COPA on eight recommendations to reopen made in 2024-Q1. COPA accepted one recommendation to reopen and declined the other seven recommendations to reopen.

Below are summaries of investigations that have reached a final disciplinary decision. Moving 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 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 Conduct a Rule 14 Analysis (C2023-000000074)

OIG reviewed a BIA investigation involving CPD Officers Galo Rodriguez, Star #14228, and Issac Lopez, Star #17334, and Sergeant Sergio Vences, Star #1525, alleging that they failed to conduct a proper investigation related to a traffic stop of off-duty CPD member Kevin Popp, Star #13364.

During its review of the investigation, OIG reviewed BWC footage captured by Officer Rodriguez's camera that shows an open beer can in a cupholder inside Officer's Popp personal vehicle. The video also captures Officer Popp unable to balance after stepping out of the vehicle, and several minutes of non-verbal communication between Officer Rodriguez and Sergeant Vences. Subsequently, Officer Rodriguez drove Officer Popp's truck to a location identified as Officer Popp's residence and parked it nearby, while Officer Lopez drove Officer Popp in the CPD vehicle to their residence. Two hours later, at a different location, Metra police officers found Officer Popp slumped over the steering wheel of their vehicle. Officer Popp was arrested for Driving Under the Influence.<sup>16</sup> The BWC footage of the arrest shows a beer can in the cupholder like the one that appeared in Officer Rodriguez's BWC video.

During their interview with BIA, Officers Rodriguez and Lopez both denied seeing or smelling alcohol in the vehicle. BIA sustained the allegations and recommended a two-day suspension for Officer Lopez and a five-day suspension for Officer Rodriguez, both for neglect of duties, and a six-day suspension for Sergeant Vences for inattention to duty.

<sup>16</sup> Officer Popp's arrest was investigated as a separate case.

OIG recommended that BIA reopen this investigation to conduct any necessary additional investigation and analysis, including but not limited to Rule 14 analysis regarding the Officers' statement related to the smell and observation of alcohol and an analysis regarding the multiple instances of non-verbal communication between Officer Rodriguez and Sergeant Vences as captured on BWC footage.

In response to OIG's recommendation, BIA reopened the investigation and re-examined the evidence. However, BIA did not make changes to its original findings.

### [b | Recommendation to Reopen to Correct the Disciplinary History \(C2023-000000209\)](#)

OIG reviewed a COPA investigation concerning allegations that CPD Officer Joseph Lisciandrello, Star #19362, used excessive force, verbally threatened an arrestee, deactivated his BWC prematurely, and failed to properly document the facts of the force used on an arrestee.

Officer Lisciandrello was on routine patrol with Officers Bryan Mordan, Star #11437, and Thomas Bishop, Star #17301, when they conducted an investigatory stop on an individual who was subsequently arrested for various narcotics charges. As the CPD members transported the arrestee to the 11th District, the arrestee became agitated and headbutted Officer Mordan while handcuffed in the rear passenger seat. Officer Lisciandrello delivered an open hand strike to the arrestee's face from the front passenger seat, a use of force they later documented in a TRR, and Officer Mordan gained control of the arrestee shortly thereafter. Following their arrival at the 11th District station, Officer Lisciandrello assisted the arrestee out of the patrol car and grabbed their left arm to direct them into the station. As the arrestee exited the car they stated, "Take the cuffs off, I'll beat your bitch ass."

COPA's investigation revealed that during the transport of the arrestee, Officer Lisciandrello verbally threatened to engage in a physical altercation with the arrestee. Inside the district station, Officer Lisciandrello pushed the handcuffed arrestee onto a table resulting in injuries. Officer Lisciandrello and witness CPD members present deactivated their BWCs immediately after the arrestee was pushed. COPA brought an additional allegation against Officer Lisciandrello for not properly documenting the arrestee's actions which led to the push which they documented in a TRR.

COPA sustained allegations that Officer Lisciandrello used excessive force, threatened the arrestee, and deactivated their BWC prior to the conclusion of the incident. COPA unfounded the allegation that Officer Lisciandrello failed to document the facts and circumstances of the force used on the arrestee. COPA recommended a 60-day suspension for Officer Lisciandrello.

During its review, OIG identified an outdated disciplinary history report in the investigative file, which was also reflected in COPA's Summary Report of Investigation (SRI). COPA's SRI report stated that "[Officer Lisciandrello] has no recent disciplinary history" when, in fact, Officer Lisciandrello's disciplinary history changed materially during the time between the generation of the disciplinary history report and COPA's decision on a disciplinary recommendation in the instant matter.

OIG recommended that COPA reopen the investigation to correct Officer Lisciandrello's disciplinary history and review its disciplinary recommendations in light of those records.

In response to OIG's recommendations, COPA reopened its investigation, generated an updated disciplinary history report for Officer Lisciandrello, and included Officer Lisciandrello's sustained disciplinary history in its SRI. In its updated SRI, COPA noted its concern for Officer Lisciandrello's previous discipline for "activation/reactivation" of his BWC "[demonstrating] a concerning pattern and lack of transparency." Nonetheless, COPA did not change its recommendation for a 60-day suspension.

### [c | Recommendation to Reopen to Investigate Appropriate Allegations \(C2023-000000310\)](#)

OIG reviewed a COPA investigation concerning misconduct allegations made during the procurement and execution of a search warrant on July 25, 2019, by CPD members Sergeant Sherman Jefferson, Star #2445, Officer Patrick Bowery, Star #11973, and Officer Michael Key, Star #8813.

During an interview with COPA, two complainants stated they were asleep at the time of the search warrant execution. One of the complainants stated they were only partially covered with a sheet and not wearing clothing when the involved CPD members entered their residence. The partially covered complainant alleged that they were struck in the head and foot by their bedroom door when an unknown CPD member pushed the door open during the search warrant execution. The complainants further alleged they requested an ambulance because one complainant suffered from an asthma attack and sustained injuries to their head and foot. The other complainant was handcuffed for the duration of the search warrant execution. The complainants also noted that several of the search team members were not wearing identifying information, further concealed their identities by wearing masks, and would not provide badge numbers when requested.

CPD members did not recover any contraband during the search of the residence. In fact, the complainants informed the involved officers that they were searching in the wrong apartment, as the subject of the search warrant lived upstairs.

Following the execution of the search warrant, the complainants told one of the CPD members that they received the wrong information for the search warrant, and the CPD member responded, "This is not the first time and this probably won't be the last time this happens."

COPA conducted a preliminary investigation of the incident and concluded that the case was eligible for non-disciplinary closure under its Timeliness Initiative Project.<sup>17</sup> COPA recommended retraining for Sergeant Jefferson for the allegation that they failed to ensure subordinates were wearing their prescribed stars, name tags, unit designators, and/or rank insignias.

During its review, OIG noted that COPA determined that this investigation met its criteria for closure under its Timeliness Initiative and placed the investigation in a Non-Disciplinary Closure (NDC) status. In COPA's policy document governing its Timeliness Initiative and NDC process, it states that upon evaluation of the investigative file "for potentially viable allegations," a discovery of "potentially viable allegations" would disqualify an investigation for NDC. COPA lists allegations

<sup>17</sup> According to COPA's policy on Special Project Process, the Timeliness Initiative Project is "intended to review open COPA investigations that have, or are likely to, eclipse the 18-month [PBPA collective bargaining agreement timeframe for completing an investigation], and to consider each investigation for closure by way of non-disciplinary recommendation."



concerning search warrant procurement and execution as among those that would disqualify an investigation for closure under its Timeliness Initiative.

OIG recommended that COPA reopen its investigation, investigate the appropriate allegations, and close the matter in accordance with policy.

In response to OIG's recommendations, COPA declined to reopen the investigation, determining "that either there are no viable allegations of misconduct that could be sustained or that it is improbable that discipline would be imposed." COPA also noted that the investigation was over three years old and "a review of arbitrator decisions involving similarly situated cases demonstrates that it is very unlikely that any discipline would be imposed."

#### [d | Recommendation to Reopen to Investigate Appropriate Allegations \(C2023-000000330\)](#)

OIG reviewed a COPA investigation concerning allegations that CPD Officers Tracey Drew, Star #13167, and Reginal Pippen, Star #15512, used excessive force resulting in an arrestee's sustaining injuries while being placed in custody.

Officers Drew and Pippen responded to a domestic disturbance call at the arrestee's residence and observed the arrestee punch her spouse in the face. While attempting to handcuff the arrestee, Officers Drew and Pippen grabbed her arms, but the arrestee resisted by pulling away and refusing to put her hands behind her back. Officer Drew placed the arrestee in a "Full Nelson" hold and pushed her body up against the front porch of the residence. The arrestee informed Officers several times she was not wearing undergarments under her nightgown and could feel Officer Drew's genitalia touching her body. After Officers completed an emergency takedown on the arrestee, she suffered a knee injury and was transported via ambulance for medical care. The arrestee was diagnosed with an anterior knee dislocation and further referred for follow-up appointments for vascular and orthopedic surgeries. The arrestee later filed a federal civil lawsuit in the Northern District of Illinois against the involved members for use of excessive force and settled with the City of Chicago for \$50,000.

COPA conducted a preliminary investigation of the incident and concluded that the case was eligible for non-disciplinary closure under its Timeliness Initiative Project. COPA did not make any training recommendations for either involved Officer.

During its review, OIG noted that COPA determined that this investigation met its criteria for closure under its Timeliness Initiative and placed the investigation in a NDC status. In COPA's NDC memorandum, it states that upon evaluation of the investigative file "for potentially viable allegations," a discovery of "potentially viable allegations" pre-determined by the agency would disqualify an investigation for NDC. COPA lists allegations concerning unjustified uses of excessive force resulting in an injury as among those that would disqualify an investigation for closure under its Timeliness Initiative.

OIG recommended that COPA reopen this investigation, investigate all appropriate allegations, and close the matter in accordance with policy.

In response to OIG's recommendations, COPA declined OIG's recommendation to reopen the investigation, determining "that either there are no viable allegations of misconduct that could be sustained or that it is improbable that discipline would be imposed." COPA also noted that the investigation was over three years old and "a review of arbitrator decisions involving similarly situated cases demonstrates that it is very unlikely that any discipline would be imposed."

[e | Recommendation to Reopen to Investigate Appropriate Allegations \(C2023-000000345\)](#)

OIG reviewed a COPA investigation concerning allegations that CPD Officers Keith Crot, Star #11624, and Samuel Flores, Star #17305, used excessive force during an investigatory stop of the complainant and another individual who were riding their bicycles on a sidewalk.

According to CPD's arrest report, Officers Crot and Flores observed the complainant and another individual, both appearing to be over the age of 12, riding their bicycles on the sidewalk. The Officers gave the complainant a verbal order to stop, but the complainant did not comply. The Officers "conducted wristlocks and secured resisting arrestee in handcuffs," then escorted them to their CPD vehicle. The complainant refused to place their feet inside the vehicle and kicked Officer Crot several times in the chest.

OIG reviewed video footage included in the investigative file, which showed Officers Crot and Flores pull the handcuffed complainant out of the vehicle by their legs and onto the ground face first. Both Officers then placed their knees on the complainant's back for several seconds.

COPA conducted a preliminary review and determined that this investigation met its criteria for closure under its Timeliness Initiative and placed this investigation in a NDC status. In COPA's NDC memorandum, it states that upon evaluation of the investigative file "for potentially viable allegations," a discovery of "potentially viable allegations" pre-determined by the agency would disqualify an investigation for NDC. COPA lists allegations concerning unjustified excessive force used on a restrained individual as among those that would disqualify an investigation for closure under its Timeliness Initiative.

OIG recommended that COPA reopen this investigation, investigate all appropriate allegations, and close the matter in accordance with policy.

In response to OIG's recommendations, COPA declined OIG's recommendation to reopen determining "that either there are no viable allegations of misconduct that could be sustained or that it is improbable that discipline would be imposed." COPA also noted that the investigation was over three years old and "a review of arbitrator decisions involving similarly situated cases demonstrates that it is very unlikely that any discipline would be imposed."

[f | Recommendation to Reopen to Correct the Record with the Correct CPD Member \(C2024-000000038\)](#)

COPA investigated allegations that Officers Peter Delgado, Star #10509, and Lawrence Kerr, Star #4871, arrested the complainant and searched their vehicle without justification. During its review, OIG determined that COPA misidentified one of the accused CPD members in its investigative file.

The correct accused CPD member, Officer Enrique A. Delgado Fernandez, #6261, was listed by name, Star number, and Beat number on five Department reports within COPA's investigative file. Further, the incident that led to the investigation occurred in the 6<sup>th</sup> District, which is where the correct accused CPD member was working on the date of incident.

OIG recommended that COPA reopen the investigation to correctly identify Officer Enrique A. Delgado Fernandez as the accused CPD member and update that officer's disciplinary history to reflect the investigation in the Case Management System (CMS).

In response to OIG's recommendations, COPA reopened the investigation, removed the incorrectly identified accused CPD member, and added the correct accused CPD member in CMS. COPA subsequently placed the investigation in an NDC status.

#### [g | Recommendation to Reopen to Investigate All Appropriate Allegations \(C2024-000000076\)](#)

OIG reviewed a BIA investigation concerning an allegation that off-duty civilian CPD Detention Aide Epigmenio Arias, Jr. was involved in a "physical altercation with an individual reported as a victim of a battery, which resulted in maltreatment of another person while off duty."

CPD Officers Oscar Alvarez, Star #15076, and Amber J. Serrano, Star #18234, were dispatched to a battery in-progress call at a bar and encountered an unconscious victim lying on the sidewalk. Several members of the University of Illinois at Chicago (UIC) Campus Police Department informed -a CPD Sergeant that the offender had advised them that "he's a Police Officer with the 22<sup>nd</sup> District." Witnesses on scene told the responding CPD members that the unconscious victim and the offender were friends and both intoxicated.

Sergeants Amy M. Mogelberg, Star #1476, and Jim P. Duong, Star #909, also responded to the location and verified through a phone call that Epigmenio Arias, Jr. was a Detention Aide with CPD. The BWC footage does not show whether any of the responding CPD members questioned Detention Aide Arias, Jr. about their intoxication or whether they identified themselves as a police officer.

During its review, OIG identified that while BIA sustained an allegation that Arias, Jr. was involved in a physical altercation where they struck an individual causing them to lose consciousness, BIA did not address whether Detention Aide Arias, Jr. violated any CPD policies relative to intoxication or impersonating a police officer when he told a UIC Police Officer that he was a police officer from the 22<sup>nd</sup> District.

OIG recommended that BIA reopen the investigation to investigate whether Detention Aide Arias, Jr. violated any additional applicable rules and directives. BIA did not provide a response to OIG's recommendations. Arias, Jr. served the recommended three-day suspension in June 2024.

#### [h | Recommendation to Reopen to Investigate Appropriate Allegations \(C2024-000000395\)](#)

OIG reviewed a COPA investigation concerning allegations that CPD members Michael Conroy, Star #20972, and Bernard McDevitt, Star #2954 conducted a traffic stop and search of the

complainant without justification. The complainant also alleged that Detective Conroy grabbed their genital area but did not search any other part of their person.

According to CPD's Investigatory Stop Report (ISR), the involved CPD members observed the complainant fail to signal before turning at an intersection and initiated a traffic stop. Per the ISR narrative, the members observed the complainant was "visibly nervous, sweating and moving [their] shaking hand rapidly from the waistband area to the right side of [their] person," which are movements "consistent with offenders concealing weapons and contraband." The narrative also stated that Detective Conroy "swiftly moved to open the driver's side door and asked the [complainant] to exit," after which the complainant became irate and screamed at the CPD members. The CPD members placed the complainant in handcuffs, performed a pat down of the complainant, and searched the vehicle. No contraband or weapon was discovered in the pat down or search and the complainant was released with a traffic citation.

On July 24, 2023, COPA determined that this investigation met its criteria for closure under its Timeliness Initiative and placed this investigation in a NDC status. In COPA's NDC memorandum, it states that upon evaluation of the investigative file "for potentially viable allegations," a discovery of "potentially viable allegations" pre-determined by the agency would disqualify an investigation for NDC. COPA lists allegations concerning the act of sexual misconduct as among those that would disqualify an investigation for NDC. COPA has made no record of whether it considered the sexual misconduct allegation related to the CPD member allegedly grabbing the complainant's genital area.

OIG recommended that COPA reopen this investigation, investigate the appropriate allegations, and close the matter in accordance with policy.

In response to OIG's recommendations, COPA declined OIG's recommendation to reopen determining "that either there are no viable allegations of misconduct that could be sustained or that it is improbable that discipline would be imposed." COPA also noted that the investigation was over three years old and "a review of arbitrator decisions involving similarly situated cases demonstrates that it is very unlikely that any discipline would be imposed."

### [i | Recommendation to Reopen to Conclude the Investigation to Findings \(C2024-000000413\)](#)

OIG reviewed a COPA investigation concerning allegations against five CPD members: Officer Ivan Robles, Star #2871; Officer Alec Gomez, Star #13917; Officer Felipe Zamorano, Star #6730; Officer Rudy Estrada, Star #7557; and Officer Michael Walsh, Star #122661. On January 7, 2022, the accused CPD members allegedly engaged in a foot pursuit and investigatory street stop of a juvenile subject. COPA additionally alleged that the CPD members turned off their BWCs prior to the end of the interaction and failed to notify OEMC of the foot pursuit. COPA determined that this investigation met its criteria for closure under its Timeliness Initiative and placed this investigation in an NDC status.

According to CPD's ISR, the accused members were conducting routine patrol when they observed a juvenile subject walking southbound on Homan Avenue. The juvenile subject looked in the members' direction and "bladed [their] body away from [the members] as if [they] were attempting to conceal an object from [the members]." The ISR narrative states that "due to [the members']

experience,” the members exited their unmarked police vehicle to conduct a field interview of the juvenile. When the juvenile subject fled, the members engaged in a foot pursuit. When the involved members apprehended the juvenile, they conducted a protective pat down but did not recover any contraband from the juvenile subject.

COPA’s investigative file shows that, in the course of its investigation, COPA had in fact reached sustained findings on some allegations and recommended two- to four-day suspensions against those officers who were not on a leave of absence nor had resigned from CPD. Further, a note in COPA’s case management system indicated that the assigned COPA investigator drafted and revised the Final Summary Report.

Nonetheless, COPA ultimately closed the investigation in a NDC status. Both COPA’s Timeliness Initiative criteria and its NDC memorandum indicate that upon evaluation of the investigative file, a discovery of “potentially viable allegations” pre-determined by COPA would disqualify an investigation for NDC. COPA’s policy documents note that “although not an absolute disqualification,” its review staff would consider “whether potentially viable allegations involved vulnerable individuals, including juveniles, the elderly, and disabled individuals.” This investigation involved a juvenile subject, sustained findings on some allegations, and a disciplinary recommendation.

Additionally, COPA’s policy documents on the NDC process state that “if there’s a strong likelihood that a specific allegation(s) may have resulted in a Sustained finding, a recommendation of training will be under the “Additional Recommendations” section of that specific allegation.” However, despite in fact reaching sustained findings on some allegations. COPA made no recommendations for training.

OIG recommended that COPA reopen the investigation to conclude the investigation’s findings, rather than placing the investigation in a NDC status.

COPA declined OIG’s recommendation to reopen. In its response, COPA stated that it conducted a “rigorous review” of cases prior to placing them in a NDC status and determined that there were no viable allegations of misconduct; COPA did not comment in its response on the fact that it had in fact concluded that certain allegations of misconduct should be sustained. COPA also noted the age of this, and other investigations closed in a NDC status and that “a review of arbitrator decisions involving similarly situated cases demonstrates that it is very unlikely that any discipline would be imposed.”

## [j | Recommendation to Reopen to Address Material Deficiencies \(C2024-000000129\)](#)<sup>18</sup>

OIG reviewed a BIA investigation concerning allegations against seven CPD Officers: John Nicezporuk, Star #14461; Alberto Retamozo, Star #12845; Alexander Kim, Star #20153; Dennis Mack, Star #4390; Anthony Keany, Star #20934; Matthew Bracken, Star #13910; and Bienvenido Acevedo, Star #6380; and one CPD Sergeant, Michael Nowacki, Star #2373, related to their alleged membership in the Oath Keepers. National Public Radio (NPR) reported the accused members’ involvement with the group in an article naming active CPD members who had been “identified as likely matches on [an] Oath Keepers list.” Furthermore, the Anti-Defamation League

<sup>18</sup> Published July 9, 2024. See <https://igchicago.org/wp-content/uploads/2024/07/Recommendation-to-Reopen-Log-2023-0004935-1.pdf>

made allegations regarding the accused members' associations with the Oath Keepers in an email to former CPD First Deputy Superintendent Eric Carter dated August 8, 2022.

BIA's investigation consisted of, among other things, interviews of the seven CPD members—during which, each provided information establishing a connection to or association with the Oath Keepers. None of the accused admitted to being current members of the Oath Keepers; however, Officers Nicezporuk, Retamozo, and Kim—admitted to having been members at some point. Despite the evidence that these seven CPD members had some past involvement with the Oath Keepers organization, BIA did not sustain the allegations concluding that “membership into organizations in itself is not a rule violation.”

In its review, OIG found several material deficiencies that would impact the outcome of the investigation. Specifically, during the investigation, BIA conducted deficient interviews, failed to conduct an additional investigative step, and concluded that “membership [in] organizations in itself is not a rule violation,” an analysis that is materially deficient because it runs contrary to CPD's Rules and Regulations.

OIG learned that BIA bypassed CPD's internal Command Channel Review (CCR) process, immediately placing the investigation in a Closed/Final status. BIA's decision to bypass CCR also bypassed OIG's contemporaneous review.<sup>19</sup> In light of this procedural posture, OIG recommended that CPD take whatever procedural steps available to it to remedy the investigation's deficiencies, specifically:

- conduct an additional interview of Sergeant Michael Nowacki, to address what the assigned BIA Investigator described as “unanswered questions” about Nowacki's involvement with the Oath Keepers;
- re-interview Officer Dennis Mack and Officer Anthony Keany and strictly enforce prohibitions against counsel interfering with a BIA interview; and
- conduct and explain an analysis of whether admitted membership in the Oath Keepers is a violation of CPD rules.

In its letter to BIA, OIG referenced that the BIA investigator wrote in an email to Sergeant Nowacki's legal counsel that there were unanswered questions related to the emails Sergeant Nowacki received from the Oath Keepers. However, the BIA investigator failed to conduct a follow-up interview with Sergeant Nowacki to gain clarity on the questions related to the emails. OIG recommended that BIA consider whether it should provide Sergeant Nowacki with notice of a Rule 14 allegation based on any of his testimony in the first interview and any new facts developed during the email review or based on the existence of over 150 pages of emails.

<sup>19</sup> Pursuant to the MCC § 2-56-030 and -230, OIG's Public Safety section has the power and duty to review individual closed CPD disciplinary investigations, and “if it finds a deficiency that it concludes materially affected the outcome of the investigation, recommend that the investigation be reopened.” MCC § 2-56-230(c)(ii). Moreover, the Public Safety Deputy shall “have full access to all information in the possession or control of [CPD] in order to conduct, any review or audit within the Public Safety Deputy's jurisdiction.” MCC § 2-56-230(h). On April 10, 2024, BIA bypassed Command Channel Review, and thereby OIG's contemporaneous review, and closed this investigation with findings of Not Sustained. OIG notes that other recent BIA investigations into similar allegations (e.g. Log #2020-0001998 (investigating CPD member association with the Proud Boys and Log #2021-0004419 investigating CPD member membership in the Oath Keepers) have been subject to Command Channel Review. Had CPD not bypassed OIG's review, OIG would have recommended that this investigation be reopened before it reached Closed/Final Status.



During the audio-recorded subject interviews of Officers Dennis Mack and Anthony Keany, their attorney (each was represented by the same counsel) can be heard providing answers for questions asked to each of the accused officers. The BIA investigator failed to note these actions by legal counsel in the record and, accordingly failed to note that they “ensur[e] that the Department member’s counsel . . . does nothing to disrupt or interfere with the interview” in violation of CPD Directive S08-01-05 and the Consent Decree, Paragraph 465(d).<sup>20</sup> OIG recommended that BIA reopen this investigation and re-interview Officers Mack and Keany to question them again about their alleged membership in the Oath Keepers and strictly enforce the rules against interference by counsel.

Lastly, OIG informed CPD as it had informed CPD in a prior Recommendation to Reopen that the Oath Keepers is recognized by the Southern Poverty Law Center as a “far-right antigovernment group,”<sup>21</sup> as well as described by the Anti-Defamation League as “a large but loosely organized collection of right-wing anti-government extremists who are part of the militia movement, which believes that the federal government has been coopted by a shadowing conspiracy that is trying to strip American citizens of their rights.”<sup>22</sup> While the Oath Keepers, which was founded in 2009, has become more widely known following the January 6, 2021 attack on the U.S. Capitol, its members have been involved in numerous armed confrontations with government actors throughout the country dating back to the group’s inception.<sup>23</sup>

BIA’s investigative record does not reflect any analysis of whether association with or membership in an anti-government extremist group may have brought discredit upon the Department or failed to promote the Department’s efforts to implement its policy or accomplish its goals, in violation of Rules 2 and 3, respectively.

OIG noted that both recently and dating back more than 50 years, CPD has conducted and applied analyses of Rule 2 in similar or analogous circumstances. One of those investigations involved a CPD-initiated investigation into the alleged memberships of multiple CPD members in the Ku Klux Klan (KKK), another investigation involved a CPD member’s involvement with the Proud Boys, and a third investigation involved a CPD recruit’s use of “street gang terminology.” In each of those investigations, CPD found that the accused CPD members were in violation of Rule 2 and sustained the allegations.

Despite the plain language, long-established precedent, and recent reliance on the application of Rule 2 to CPD members’ associations with certain groups, BIA’s analysis in the instant case appears to rest at least in part on the conclusion that “membership into organizations in itself is not

<sup>20</sup> Illinois v. City of Chicago, No. 17-cv-6260, 2019 WL398703 (N.D.Ill. Jan 31, 2019).

<sup>21</sup> Oath Keepers | Southern Poverty Law Center (splcenter.org)

<sup>22</sup> Indictment ¶ 3, United States v. Rhodes, No. 22-cr-15 (D.D.C. June 22, 2022) (ECF No. 167) (indicting Oath Keepers founder and associates on charges, including Seditious Conspiracy, in connection with January 6 attack on U.S. Capitol); see also Statement of Offense ¶ 3, United States v. Ulrich, No. 22-cr-15 (D.D.C. April 29, 2022) (ECF No. 117) (same; statement of offense filed with plea agreement in Oath Keepers case); Oath Keepers | ADL

<sup>23</sup> See, e.g., United States v. Bundy, 968 F.3d 1019, 1023-24 (9th Cir. 2020) (describing 2014 incident where Oath Keepers joined with Nevada rancher Cliven Bundy in an armed standoff with federal law enforcement); United States v. Huff, 630 F. App’x 471, 474-76, 490-91 (6th Cir. 2015) (affirming federal firearms conviction of Oath Keepers member in connection with a 2010 attempt to take over a Tennessee courthouse to perform citizens’ arrest on local officials for failure to indict President Obama on fraud and treason charges). See also Examining Extremism: The Oath Keepers | Center for Strategic and International Studies (csis.org).



a rule violation.” OIG found BIA’s analysis deficient and that it materially affected the outcome of the investigation. In response to OIG’s recommendations, BIA responded in writing to each of OIG’s concerns.

First, BIA disagreed that the investigator failed to conduct a thorough investigation by not conducting an additional interview related to emails Sergeant Nowacki received from the Oath Keepers. BIA states in its letter that “the emails were reviewed and the review was documented on the closing report of the investigations.”

Secondly, in response to OIG’s observation that the BIA investigator failed to note legal counsel’s behavior in the record, and accordingly failed to note whether legal counsel interfered with the investigation, BIA states that it is at the discretion of the investigator to determine if legal counsel is interfering with an interview, and that counsel’s whispers to Officers Mack and Keany in their respective interviews, did not rise to the level of disruptive behavior or interference. BIA writes that it “does not believe this procedural step rises to the level of ‘deficiency’ in the investigation or materially affects the outcome of the investigation.”

With respect to its analysis of Rule 2, BIA states in its letter:

Most importantly, none of the accused members were actively participating or had previously participated in the group [Oath Keepers]. Spam email notifications do not warrant a violation of Rule 2 of the Rules and Regulations of the Chicago Police Department. The mere fact that the accused members signed up to become a member of an organization long before the average citizen and the Officer of the Inspector General knew the group exists, is not enough evidence to suggest the Chicago Police department currently employs members of the Oath Keepers.

In conclusion, BIA declined to reopen the investigation.

## 2 | Notifications

### a | Notification to BIA to Correct the Disciplinary Record (C2022-000038884)

OIG reviewed a closed investigation concerning allegations that former CPD Officers Harriett Davis, Employee #11486, and Jaqueline Watkins, Employee #28795, failed to properly respond to a burglary in progress call on September 9, 2008. BIA sustained the allegation and recommended a one-day suspension for CPD Officers Davis and Watkins.

OIG learned that Officer Watkins grieved the recommended discipline under Grievance No. 022-14-009/168. The arbitrator’s award set aside the one-day suspension for Watkins and ordered that “her record shall reflect the allegation was not sustained and that the one-day suspension is not a part of her record.”

OIG’s review of the electronic file in CPD’s CMS showed the allegation brought against Officer Watkins as sustained and a penalty of one-day suspension, contrary to the arbitrator’s award.

OIG notified BIA of this error and recommended the correction of Officer Watkins discipline record to reflect the arbitrator’s award.

OIG reviewed Watkins' disciplinary record for this investigation in CMS and found that BIA corrected the finding and discipline in accordance with the arbitrator's decision.

#### b | Notification to COPA to Correct the Finding (C2024-000000128)

OIG reviewed an investigation conducted by COPA concerning allegations that CPD Officers Kenneth Sunde, Star #18633, and Panos Theodorides, Star #5383, detained and searched the complainant without justification, failed to activate their BWCs in a timely manner, and acted in a disrespectful or unprofessional way.

According to COPA's Final Summary Report, COPA reached a finding of Exonerated on the allegation that Officer Sunde detained the complainant without justification and sustained the allegations that they searched the complainant's vehicle without justification and failed to timely activate their BWC. COPA recommended a five-day suspension for Officer Sunde. However, the findings for Officer Sunde on the CPD page in its CMS are listed as Exonerated for the allegation that they detained the complainant without justification and Not Sustained for the allegations that they searched the complainant without justification and failed to timely activate their BWC.

OIG notified COPA of the error in the listed findings documented for Officer Sunde and recommended that it make the necessary correction to the findings in CMS.

COPA reopened the investigation and corrected the findings in CMS to correspond with the findings in its Final Summary Report.

#### c | Notification to CPD

OIG notified CPD of an anonymous complaint that an unknown CPD member at the 11th District inappropriately treated and dismissed the complainant when they went to make a report at the 11th District, and recommended that CPD take any appropriate corrective action.

The complainant's statement said, in part:

I'm not asking for individuals to be addressed. The department needs to be addressed. In addition to the appropriate oversight official or group, I would like this report to be shared with the department head (Davina Ward). In November 2023, I went into the police station on Harrison and Kedzie to make a police report. I didn't expect to have a negative experience. However, as I tried to explain details about an escalating situation, I was immediately treated with what came across as annoyance, skepticism, and indifference. The two individuals I spoke with ultimately refused to make a report or even let me speak with someone else. They didn't even try to offer any advice or potential solution. The first person (a woman) was rude and passed me off to the second person (a man) after seeming to lose interest. The second person was polite but otherwise dismissive of my concerns. I walked out of the police station feeling let down and as if I wasted my time. It seemed to reaffirm the thought that Chicago police are not here for its citizens. After an incident, I often hear police saying there were no prior reports of any issues. Well, I tried to report concerning behavior where I felt unsafe and the police literally dismissed me... There is always talk about bridging the gap between the community and the Chicago Police Department. In any organization, customer service is vital. When a member of the community reaches out, that should be welcomed. Any interaction with a community

member is an opportunity to build a relationship. It is an opportunity to build trust. It is an opportunity to educate. It is an opportunity for a community member to come away from the interaction and say, I went to the CPD about an issue I was experiencing and felt heard, valued, and more informed. It's also an opportunity for the CPD to learn about and from members of the community.

OIG did not conduct any further investigation into the matter and did not take any action beyond providing the anonymous complainant's concerns to CPD.

The Commander of CPD's 11<sup>th</sup> District responded to OIG's notification in a letter which described the incident as "not indicative of CPD's mission and vision," and reports that the example provided in the letter was used to remind "sworn and non-sworn members in the 11<sup>th</sup> District, of the importance of employing the concepts of Procedural Justice and Legitimacy focusing on giving others a voice, neutrality in decision making, respectful treatment and trustworthiness."

# 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 one such report published this quarter.

### 1 | Follow-up to OIG's Audit of the Department of the Department of Buildings' Permit Inspections Process (C2023-000000314)<sup>24</sup>

OIG completed a follow-up to its August 2022 audit of the DOB permit inspections process. Based on DOB's responses, OIG concluded that DOB has not implemented corrective actions related to the audit findings.

DOB's mission is to "enhance safety and quality of life for Chicago's residents and visitors through permitting, inspections, trade licensing, and code enforcement."<sup>25</sup> In particular, DOB administers and enforces the Chicago Construction Codes which "establish minimum standards for the construction, alteration, repair, maintenance, and demolition of buildings and other structures in order to protect public health, safety, and welfare."<sup>26</sup>

DOB reviews applications and issues building permits. Property owners or their representatives, such as licensed contractors, file permit applications, which DOB reviews before approval and issuance. Construction work requiring permits may not begin until DOB issues necessary permits. In addition to permits, the Construction Codes require Certificates of Occupancy (COOs) for certain projects. DOB issues a COO only after confirming that construction work complies with the Construction Codes. The City requires COOs for projects involving the construction or substantial alteration of four or more residential units or non-residential space exceeding 10,000 square feet; a change of occupancy type; or the construction or substantial rehabilitation of any space for certain occupancy types. By contrast, buildings such as single-family homes and two- or three-flats do not require COOs.

A single permit can require multiple types of inspections; for example, a new construction permit for a single-family home might require new construction, masonry, electrical, and plumbing inspections. These different areas that fall under the general umbrella of construction are known as "trades." Typically, each trade associated with a permit requires two inspections: a "rough" inspection to confirm that initial work conforms to the applicable Code, and a final inspection to confirm that contractors completed the work correctly. To illustrate this point, DOB management stated that it would expect a two-flat to have at least ten inspections performed across five trades,

<sup>24</sup> Published June 5, 2024. See <https://igchicago.org/wp-content/uploads/2024/06/Follow-up-to-OIGs-Audit-of-DOBs-Permit-Inspections-Process.pdf>.

<sup>25</sup> City of Chicago Department of Buildings, "Mission," accessed June 28, 2024, [https://www.chicago.gov/city/en/depts/bldgs/auto\\_generated/bldgs\\_mission.html](https://www.chicago.gov/city/en/depts/bldgs/auto_generated/bldgs_mission.html).

<sup>26</sup> The Chicago Construction Codes are Titles 14A through 14C, 14E through 14G, 14M, 14N, 14P, 14R, and 14X of the Municipal Code of Chicago. City of Chicago Department of Buildings, "Construction Codes," accessed June 28, 2024, [https://www.chicago.gov/city/en/depts/bldgs/provdrs/bldg\\_code.html](https://www.chicago.gov/city/en/depts/bldgs/provdrs/bldg_code.html).

i.e., a rough and final inspection for each. The Construction Codes provide that permit holders must pass all required inspections before a structure may be occupied or used.

DOB inspects work subject to permit requirements and issues stop work orders for unpermitted work. DOB may also suspend the permit privileges or revoke the licenses of contractors who perform work outside the scope of permits or do not request required inspections.<sup>27</sup> DOB management stated that it relies on complaints from the public and other contractors to identify such instances.

The purpose of OIG's 2022 audit was to determine whether DOB inspects construction work subject to permit requirements to verify compliance with the Chicago Construction Codes. OIG found that DOB's inspection processes allow some permit holders to construct buildings without required inspections. In a review of permits issued between January 1, 2017, and December 31, 2019, OIG identified 42 buildings that did not have all the required inspections and found that the associated buildings had nonetheless been fully constructed. These included 35 single-family homes, several of which had already been sold or listed for sale. In these 42 cases, DOB noted that general contractors had failed to request inspections. While DOB consistently performed requested inspections, it did not use available data to identify situations where permit holders had not requested required inspections.

Based on the results of OIG's audit, OIG recommended that DOB develop procedures to ensure completion of required inspections before a building is fully constructed; train its staff to maintain data in an effective and consistent manner; proactively monitor issued permits, and improve its data quality to support thorough and accurate monitoring of those permits and evaluation of program performance; and consider alternative procedures to ensure that permit holders request inspections, such as requiring that a wider variety of buildings receive a COOs.

In November 2023, OIG inquired about corrective actions taken by DOB in response to the audit. Based on DOB's follow-up response, OIG concluded that DOB has not implemented corrective actions. OIG urged DOB to develop procedures to identify required inspections and ensure that it completes them before a building is fully constructed. OIG also continued to urge DOB to ensure inspectors and supervisors use its current data management system in a more effective and consistent manner to facilitate proactive monitoring.

## B | Advisories and Department Notification Letters

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

### 1 | [Chicago Department of Public Health Recusal Policy \(C2022-000042456\)](#)

Sanitarians are employees of CDPH and are responsible for, among other things, conducting health inspections of City businesses. Following an investigation, OIG notified CDPH that they have not promulgated conflict of interest or recusal policies beyond the standard City policies for sanitarians who serve in positions of elevated civic trust. OIG recommended that CDPH consider crafting an additional policy requiring recusal for sanitarians who may be assigned inspections of

<sup>27</sup> Municipal Code of Chicago § 4-36

establishments with which they may have a relationship beyond the professional inspector-inspectee relationship.

In response, CDPH stated that it was in the process of promulgating a conflict of interest policy to supplement the standard City of Chicago policy.

## 2 | Simultaneous Wage and Duty Disability Payments (C2022-000043391 and C2022-000043402)

A City employee who is injured while working for the City may be entitled to duty disability payments if they are unable to work as a result of the injury. However, a City employee may not receive both their regular City paycheck and a duty disability payment for the same pay period. Following investigations into instances in which City employees simultaneously received both regular paychecks and duty disability checks, OIG notified the Department of Finance (DOF) that, because no process to reconcile lists of City employees receiving regular wage payments and employees receiving duty disability payments exists between City departments and Gallagher Bassett (GB) (the City's duty disability administrator), some employees received both payments for the same pay periods. Related OIG investigations discovered a breakdown in information sharing between parties involved in management of duty disability payments, a lack of clear procedures to detect and prevent simultaneous disbursement of disability and regular wage payments, and a need to train relevant actors. OIG accordingly recommended DOF, the City's *de facto* clearinghouse for duty disability coordination, develop procedures to prevent future erroneous payments.

In response, DOF stated that a contributing cause of simultaneous payments is a failure of City departments to take proper payroll coding action when an employee receives duty disability payments, often due to employee attrition, administrative changes, and retirements. DOF indicated it would implement measures to address these issues going forward, including formal mandatory training of department HR personnel and the implementation of perpetual and routine training to prevent double recoveries. DOF will also direct GB to edit their initial benefit letter to have more admonishing language and prescriptions on what the employee and City HR personnel should do upon receipt of notification of initial benefit payment from GB. Finally, the Workers' Compensation Division of DOF will collaborate with the DOF's Payroll Division for the development of actionable communication to affirm payroll disbursements cease during an active workers' compensation disability case.

## 3 | Access to Dog Registration Data (C2022-00000043571)

Following an investigation into the handling of a lost dog brought to a Chicago Animal Care and Control (CACC) facility, OIG notified the CACC and the Office of the City Clerk (OCC) that CACC lacked access to OCC's database of issued dog licenses, which resulted in CACC's inability to use database information to attempt to identify and locate owners of lost dogs brought to CACC facilities. OIG recommended that OCC extend access to the database of registered dog owners to CACC. OIG further recommended that should that prove unreasonably burdensome, OCC should discuss alternative methods of delivering information regarding registered dog owners to CACC.

In response, OCC stated that it had communicated with CACC and that the two departments had agreed on a method of sharing dog license database information.

#### 4 | CPD's Documentation and Tracking of Seized Vehicles (C2022-000043815)

OIG conducted an investigation into allegations, among others, that CPD officers improperly returned a vehicle seized by CPD during an investigation but was never impounded.

OIG notified CPD that while CPD Special Orders govern the impoundment of vehicles and the procedures attendant thereto, no CPD orders provide policies regarding the proper procedure or documentation of the temporary seizure of vehicles by CPD. OIG was unable to find any directive, policy, or procedure for CPD members to follow when seizing a vehicle and then returning it without impounding the vehicle. OIG recommended that CPD amend its policies to ensure the proper tracking of vehicles seized, but not impounded, by CPD, both to protect the City and CPD members from potential liability and to mitigate risk to the City arising from accidents or other incidents involving those vehicles.

CPD agreed that the instance giving rise to OIG's notification was not governed by CPD policies because it is not an impoundment or seizure of a vehicle. An arrestee's vehicle that moves with the arrestee is processed as akin to personal property. Under this circumstance, the vehicle would not move with the arrestee in the absence of probable cause to make an arrest. As such, details of the vehicle should be documented in the automated arrest report. In the case where that vehicle is subject to neither impoundment nor seizure, the vehicle can be subject to field release at the direction of the arrestee, or released to the arrestee in the event the decision is made to release the arrestee without charges.

CPD indicated that addressing the circumstances raised by OIG could best be accomplished with modifications to the automated arrest report and associated written guidance. Additionally, CPD could issue written guidance via a Bureau of Patrol memo instructing Watch Operations Lieutenants on the proper way to release vehicles and document the applicable vehicle actions.

#### 5 | City Council Use of Non-City Email Addresses (C2023-000000108)

OIG notified BOE that during an investigation, it learned that an alderperson and/or members of their staff were using a personal Gmail account to contact City employees to conduct City business. OIG noted that all members of City Council and their staff members should use their @cityofchicago.org email addresses when conducting City business, to ensure that public records are subject to and readily available for production pursuant to the Illinois Freedom of Information Act. OIG recommended that BOE promulgate and provide guidance for City Council members and staff regarding the use of @cityofchicago.org email addresses for the conduct of City business during BOE's annual ethics training.

BOE responded that it would incorporate the use of @cityofchicago.org email addresses into its ethics training.

## 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 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. 72 contracts are under review. The table below details the contract reviewed by OIG this quarter.

Table 10: Contracts Reviewed by OIG’s Compliance Unit

Contractor	Contracting Department	Duration	OIG Recommendation	Department Action
Administrative Law Judges: Kathryn Bailey, Richard Danaher, Catherine Diggins, Natasha Holmes, and Jamar Orr	Department of Administrative Hearings	Contract is in effect until director deems services are no longer necessary.	No Violation	Not Applicable

## 2 | Hiring Related Reviews Performed by OIG

### a | Contacts by Hiring Departments

OIG tracks 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 received no notifications of direct contact occurrences.

### b | Contacts by the Fire Department

OIG tracks all reported or discovered instances in which CFD contacted DHR or the Office of Public Safety Administration’s (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 received no notifications of direct contact occurrences.

### c | Chicago Police Department Intervention

OIG tracks 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 received no notifications of CPD intervention.

### d | Contacts by Elected and Appointed Officials

OIG tracks 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 received no notifications of political contacts.

## e | Exemptions

OIG reviews adherence to exemption requirements, all reported or discovered *Shakman*-exempt appointments, and modifications to Exempt Lists.<sup>28</sup> This quarter, OIG received notification of 56 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 three senior manager hiring packets and found no violations. Additionally, OIG found one violation of a senior managing hiring packet that was previously pending review, which is summarized below.

### OIG Compliance Case No. C2024-000000411 – Office of Public Safety Administration Project Manager Violation

The Compliance section of OIG conducted a review of the senior manager hiring file associated with OPSA project manager-IT title. In conducting this review, OIG determined that the hiring sequence violated the Employment Plan because a Justification Memo and Hire Certification Forms were not provided.

OIG recommended that the department head of OPSA should submit the Justification Memo and the candidate's Hire Certification form to OIG within 14 days, that the department head of OPSA should review each Candidate Assessment Form prepared by the interviewers, and that the DHR recruiter should work with OPSA to ensure that all requisite paperwork is submitted before candidates begin their roles.

OPSA responded to OIG asserting that it submitted the materials timely to DHR, who failed to submit the paperwork to OIG. DHR agreed with OIG's findings and provided the necessary paperwork after confirming that a recruiter failed to submit the materials to OIG.

## 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 no reviews of DOL hiring sequences.

## 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 did not receive any arbitration decisions that may impact the procedures outlined in the City's Employment Plans.

<sup>28</sup> 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.

## i | Modifications to Class Specifications,<sup>29</sup> 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 two notifications of proposed modifications to the minimum qualifications. OIG also received and reviewed one notification of a proposed modification to experience criteria.

## 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 did not review any referral lists.

## 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 MCC. 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 MCC. 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 conducted audits of six hiring sequences across four 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: the Department of Assets, Information and Services (AIS), CDA, DOB, the Department of Streets and Sanitation (DSS), the Chicago Department of

<sup>29</sup> 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.

Transportation (CDOT), DWM, and six other City departments selected at the discretion of OIG. For 2024, OIG selected the following six additional departments: the Chicago Treasurer’s Office, OCC, CDPH, OPSA, OEMC, and the Department of Family and Support Services (DFSS). The table below details the hiring sequences audited by OIG this quarter.

Table 11: Hiring Sequences Audited in Q2 Pursuant to the City of Chicago Employment Plan

Department	Title	Findings	OIG Recommendation	Department Action
Department of Human Resources	Assistant Commissioner	No violations or errors were found.	N/A	No response is required.
Office of Public Safety Administration	Medical Administrator	No violations or errors were found.	N/A	No response is required.
Chicago Department of Aviation	Assistant Commissioner	No violations or errors were found.	N/A	No response is required.
Chicago Department of Aviation	Financial Analyst	No violations or errors were found.	N/A	No response is required.
Chicago Department of Aviation	Manager of Security Communications Center	No violations or errors were found.	N/A	No response is required.
Department of Water Management	Laborer - Apprentice	No violations or errors were found.	N/A	No response is required.

## 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 audited one test administration.

### c | Chicago Police Department Testing

OIG is required to conduct audits of CPD testing including test administration and scoring. This quarter, OIG audited one test administration for covered positions within CPD and observed one error as the start time of the test was delayed.

### d | Chicago Fire Department Testing

OIG is required to conduct audits of CFD testing including test administration and scoring. This quarter, OIG did not audit any test administration or scoring for CFD.

### e | Acting Up

OIG audits compliance with Chapter XIII of the City's Employment Plan and the Acting Up Policy. This quarter, OIG received no 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 conducted one audit of a CPD hiring sequence and found no violations or errors.

### 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 one audit 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 CPD's Hire Plan. This quarter, OIG did not receive any arbitration decisions or grievance settlement agreements that may impact the procedures under CPD'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 CFD's Hire Plan. This quarter, OIG did not receive any arbitration decisions or grievance settlement agreements that may impact the procedures under CFD'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 15 hiring sequences across seven City departments. The table below shows the breakdown of monitoring activity by department.<sup>30</sup>

<sup>30</sup> If a department is not included in this table, OIG did not monitor any elements of that department's hiring sequence(s).



Table 12: Hiring Sequences Monitored in Q2

Department	Intake Meetings Monitored	Tests Monitored <sup>31</sup>	Interview Sets Monitored <sup>32</sup>	Consensus Meetings Monitored	Violations	Errors
Chicago Department of Aviation	1	0	0	1	0	0
Chicago Fire Department	0	0	1	3	0	0
Chicago Police Department	0	1	0	2	0	1
Department of Human Resources	0	0	0	1	0	0
Department of Streets and Sanitation	0	0	1	1	0	0
Department of Water Management	0	0	1	0	0	0
Chicago Public Library	0	0	1	1	0	0

### OIG Compliance Case No. C2024-000000101 – Chicago Public Library Employment Plan Violation

On March 20, 2024, the Compliance section of OIG received late interview notifications arising from the senior equity officer hiring sequence in the Chicago Public Library (CPL). Separately, on February 26, 2024, OIG was also alerted that candidate interviews were occurring for the library division chief title, but OIG had not received notification regarding the scheduled interviews. In each hiring sequence, the administrative services officer failed to provide timely notification to OIG regarding scheduled candidate interviews in order to facilitate OIG’s monitoring of hiring processes.

OIG recommended that, for all future hiring sequences, CPL ensure that all required Monitor/Hiring Oversight Notification Forms are completed and provided to DHR and OIG, within the timeframes mandated by the Employment Plan, which requires at least four days notice to OIG of interviews. The CPL commissioner agreed with OIG’s findings and followed up with CPL’s Human Resources team.

### 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: conduct a review of the hiring sequence, refer the matter to the DHR

<sup>31</sup> Tests monitored are totaled by exam type, i.e. Police Officer, Detective, etc.; not total number of tests monitored for exam type.

<sup>32</sup> Interview Sets Monitored are totaled by positions monitored; not total number of interviews monitored.

commissioner or appropriate department head for resolution, or refer the matter to the OIG Investigations section.

This quarter, OIG received three new escalations, which are pending review.

Table 13: Escalations Received in Q2 2024

Escalation Status	Number of Escalations
Newly Initiated	2
Pending	2
Referred to DHR Commissioner	0
Closed with Investigation	0
Closed without Investigation <sup>33</sup>	0

### OIG Compliance Case No. C2024-000000111 – Department of Human Resources/Department of Transportation Escalation

On September 12, 2023, the Compliance section of OIG was notified of an escalation from a DHR testing administrator which arose from the test administration of the CDOT foreman of lineman (Req. No. 376848) hiring sequence. The escalation stated that the testing administration violated the City of Chicago Personnel Rules (Personnel Rules) because an applicant was observed cheating during the test. OIG found that the testing administrator failed to exclude the applicant from the examination or remove the applicant's name from all employment lists after it was observed that the applicant was copying from another applicant's examination.

In response to the incident, DHR stated that to remedy further disruptions in testing administrations, it would schedule future tests in different DHR conference rooms to eliminate opportunities for applicants to cheat. Additionally, DHR stated that testing administrators will be required to remove candidates who are disruptive to the testing administration.

## c | Processing of Complaints

OIG receives complaints regarding the City's hiring and employment processes, including allegations of unlawful political discrimination and retaliation and other improper considerations in connection with City employment. These complaints may be resolved in several ways, depending on the nature of the complaint. If there is an allegation of an Employment Plan violation or breach of a policy or procedure related to hiring, OIG may open an inquiry into the matter to determine whether such a violation or breach occurred. If a violation or breach is sustained, OIG may make corrective recommendations to the appropriate department or may undertake further investigation. If, after sufficient inquiry, no violation or breach is found, OIG will close the case as Not Sustained.

<sup>33</sup> 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.

If, during an inquiry, OIG identifies a process or program that could benefit from a more comprehensive audit, OIG may consider a formal audit or program review.

**OIG Compliance Case No. C2024-000000410 – Chicago Department of Aviation Violation**

On November 9, 2023, the Compliance section of OIG conducted a review of the hiring sequence for the position of “operating engineer group A” with CDA. During its review, OIG learned that some bidders who did not meet the minimum qualifications for the position were improperly referred by DHR to CDA for interviews.

OIG learned of this issue after the hiring sequence had been completed. OIG’s Compliance section performed a review of a subsequent hiring sequence but no additional violations were identified. Considering this, OIG had no recommendations as to this hiring sequence. When notified of the violation, DHR replied that the terms of the applicable Collective Bargaining Agreement (CBA) occasionally create confusion scenarios where bidders receive a referral although they did not meet the minimum qualifications. The business agent also clarified the interpretation of the clause may sometimes cause an external candidate to receive an offer for the position over a current bidder if the current bidder does not have 12 months in their current title.

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

**Table 14: Hiring and Employment-Related Complaints Received in Q2 2024**

<b>Complaint Status</b>	<b>Number of Complaints</b>
Newly Initiated	36
Pending	25
Closed <sup>34</sup>	11
Declined	0

<sup>34</sup> Complaints categorized as Closed are considered Closed after OIG reviews the complaint and issues a finding with or without recommendations to the respective department.



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](https://igchicago.org).

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