

Gifts/prize

November 16, 2000

CONFIDENTIAL

Ms. [Mary Smith]
[Title]
[Department X]
[Address Line 1]
[Address Line 2]
Chicago, IL 606[xx]

**Re: Case No. 00022.Q
Gifts**

Dear [Mary],

By telephone on October 6, 2000, you asked the Board of Ethics how the Governmental Ethics Ordinance applies to your acceptance of a prize you won in a recent drawing at [Alpha's] [annual industry party]. On October 10, Board Staff advised you by telephone that the Ordinance does not prohibit you from accepting the prize; this letter is provided pursuant to your request on October 20 for a written statement in that regard.

In your capacity as [a manager] in [the department], you promote [certain] events to the local media. In September 2000 you received an invitation to attend [Alpha's] [annual industry party], an event sponsored by [Beta]. You stated that you believe that the event, held on October 5, was, among other things, intended to promote [Alpha] and other [Beta subsidiaries] to professionals in the travel and tourism industry, who reserve or recommend locations for private events in the City. As part of the event, a raffle was held for three prizes; you won the grand prize, an \$800 gift certificate for travel booked through [Gamma], a local travel agency.

Three facts are of central importance in this case. First, you did not accept the item from an anonymous donor, which would have violated Section 2-156-040(a) of the Ordinance; rather, the prize was publicly sponsored and donated by [Alpha] and [Beta]. Second, you were chosen at random as the grand prize winner from among the fifty or sixty (by your count) persons in attendance, all of whom were eligible for each prize. The random nature of the selection probably rules out intent to specifically influence your actions as a City employee. Third, you said that to the best of your own and your supervisor's knowledge, none of the businesses involved in the grand prize drawing - [

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Alpha [], [Beta], [Gamma], or [Delta] (the business through which you would redeem the prize) – have or are seeking any contracts with [your department], and thus have no “economic interest in a specific City business, service or regulatory transaction” as provided in Section 2-156-040(c) of the Ordinance.

Based on previous Board opinions (*See* Case Nos. 95015.Q and 90022.A) and the facts you have presented, it is the Board Staff’s opinion that the Ordinance does not prohibit you from accepting the prize you won in the raffle.

Staff’s opinion does not necessarily dispose of all issues relevant to this situation, but is based solely on the application of the City’s Governmental Ethics Ordinance to the facts stated in this letter. If the facts stated are incorrect or incomplete, please notify us immediately, as any change may alter our opinion. Furthermore, we remind you that City departments have the authority to adopt and enforce rules of conduct that may be more restrictive than the limitations imposed by the Ethics Ordinance.

We appreciate your inquiry and your concern to abide by the standards embodied in the Governmental Ethics Ordinance. We enclose a copy of the Ordinance for your reference. Please contact us if you have further questions.

Very truly yours,

[Signature]

Steven I. Berlin
Deputy Director

Approved by:

[Signature]

Dorothy J. Eng
Executive Director

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