



July 26, 1989

**C O N F I D E N T I A L**

City of Chicago  
Richard M. Daley, Mayor

Board of Ethics  
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Executive Director

Sol Brandzel  
Chair

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Marlene O. Rankin

Suite 530  
205 West Randolph Street  
Chicago, Illinois 60606  
(312) 744-9660

[REDACTED]



RE: [REDACTED] Case No. 89113.A

Dear [REDACTED]

You submitted a request to the Board of Ethics for an advisory opinion whether your attendance at a reception of a PAC, a political action committee, would be "political activity" within the meaning of Section 26.2-1(s) of the Governmental Ethics Ordinance. The Board considered your request at its meeting on July 21 and determined that your attendance at the reception in the circumstances outlined below would not be "political activity" under 26.2-1(s).

**FACTS:** You are an employee of the Commission on Human Relations ("the Commission").<sup>1</sup> As the coordinator for *a certain set of* issues at the Commission, you act as a liaison between *a special interest group* and city government. In this capacity you are responsible for establishing and maintaining contacts with organizations and

<sup>1</sup> "The Commission on Human Relations is responsible for identifying and correcting instances and conditions of prejudice and discrimination against individuals or groups because of race and, color, sex, creed, national origin or ancestry. The Commission investigates bias crimes and assists victims and communities in responding to them, assists agencies and community groups in developing effective fair housing and human relations programs, coordinates the city's response to Immigration Reform and Control Act of 1986 and assists refugees and immigrants, Asian-Americans, veterans, and lesbians and gay men regarding their special issues and needs." (Brochure provided by the Commission on Human Relations, June 1989)



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groups interested in *these special interest* issues. To accomplish this, you often attend meetings of these organizations and groups. You are also the staff person assigned to the advisory committee to the mayor, the Committee on *these special Interests*. (A major project of *this committee* in 1988 and 1989 was advocacy of the Human Rights Ordinance.)

You were invited to a reception sponsored by a PAC, a registered political action committee. The PAC described its purpose in February 1989:

"*Our* PAC was created to further the agenda of *our* community, to elect *our people* to political office, to support our friends in government, and to promote the participation and empowerment of *our people* in the political arena. To these ends *our* PAC works to translate our energy, commitment and resources into a currency that is universally understood in politics: money and votes."

You said that *this* PAC would support candidates without regard for political party if they advance the political empowerment of *their people*.

The purpose of the reception was to introduce *this* PAC's new executive director. The reception was to be held in a private home. Attendance was by invitation. The reception was not a fundraiser (although you said that contributions would undoubtedly be accepted in the course of the evening). You said that you would be a guest, i.e., you would not have to buy a ticket or make a contribution. You said you had informed *this* PAC that you were not permitted to contribute to political committees because of the newly amended Municipal Code. You would not be a speaker at the reception, merely a guest in attendance. You expected the evening to be primarily a social event at which you would have the opportunity to meet the executive director of *this active* PAC organization and maintain contacts with other members of the community.

**ISSUE:** Would your attendance at *this* PAC reception be "political activity" as defined in Section 26.2-1(s) of the Governmental Ethics Ordinance?

**DISCUSSION:** Section 26.2-1(s) of the Governmental Ethics Ordinance is a lengthy provision defining political activities which are prohibited for employees of, among other City agencies, the Commission on Human Relations. For the sake of brevity and clarity, a summary of the prohibited activities is attached to this letter.

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Assuming for the sake of this discussion that *this PAC* is a political committee or organization for purposes of this definition, your activity with respect to the political committee or organization---attendance at a primarily social function to introduce the executive director of the committee---is not a prohibited activity.

Based on the facts provided, you are not organizing, reorganizing, serving as a member or officer or candidate for office of *this PAC*. You are not handling, disbursing or accounting for funds of *this PAC*. You are not soliciting, receiving, collecting or making contributions. The reception is not a fundraising activity, nor is it an event linked to any particular political campaign or candidate. By attending the reception, you would not endorse or oppose any candidate. The reception is not a convention, caucus, rally or similar gathering in support of or in opposition to a candidate for public or political party office; even if it were, you would not be addressing the gathering.

**OPINION:** Your attendance at *this PAC* reception in the circumstances described above is not prohibited political activity within the meaning of Section 26.2-1(s) of the Governmental Ethics Ordinance.

The Board of Ethics hopes that this opinion adequately answers your question. If you have any further questions, please do not hesitate to call the Board at 744-9660.

Sincerely,

  
S. Brandzel  
Chair

ATTACHMENT

JBD/3/a:\89113L

Amendment of Governmental Ethics Ordinance - May 10, 1989

Prohibited Political Activities for Employees/Members of the Department of Purchases, the Department of Revenue, the Building Board of Appeals, the Commission on Human Relations, the Board and the Office of Municipal Investigations, and the Board of Ethics

**You may not be:**

26.2-1(s)(1) <b>Officer of or Candidate for Office of</b>	Political Party	26.2-1(s)(1)
	Political Club	26.2-1(s)(1)
	Organization relating to a campaign for elected office ("organization")	26.2-1(s)(1)
	Committee of a political party, club or organization	26.2-1(s)(1)
<b>Member of</b>	National committee of a political party, club or organization	26.2-1(s)(1)
	State committee of a political party, club or organization	26.2-1(s)(1)
	Local committee of a political party, club or organization	26.2-1(s)(1)
	Committee of a political party, club or organization	26.2-1(s)(1)
<b>Candidate for</b>	Elective public office	26.2-1(s)(6)
<b>Recorder, Watcher, Challenger or Similar Officer at</b>	<u>Polls on behalf of a political party or a candidate in an election</u>	26.2-1(s)(8)
<b>Delegate, Alternate or Proxy at</b>	Political party convention	26.2-1(s)(11)

Page 2 - Prohibited Political Activities, continued

**You may not:**

**Organize or reorganize**

Political party, club or organization relating to a campaign for elected office 26.2-1(s)(2) ("organization")  
26.2-1(s)(1)

**Handle, disburse, account for**

Assessments, contributions or other funds for 26.2-1(s)(3)

- a. Political party
- b. Political fund
- c. Candidate for elected office
- d. Candidate for political party office
- e. Any committee of (a) through (d)
- f. Any committee which contributes to (a) through (e)

**Solicit, receive, collect**

26.2-1(s)(4)  
Political contributions, assessments, contributions or other funds for 26.2-1(s)(3)

- a. Political party
- b. Political fund
- c. Candidate for elected office
- d. Candidate for political party office
- e. Any committee of (a) through (d)
- f. Any committee which contributes to (a) through (e)

**Pay or make**

Political contribution (Defined 26.2-1(t))  
or  
Contribution for 26.2-1(s)(15)

- a. Political party
- b. Political fund
- c. Candidate for elected office
- d. Candidate for political party office
- e. Any committee of (a) through (d)
- f. Any committee which contributes to (a) through (e)

**Organize, sell tickets to, promote, participate actively in**

A fundraising activity of

- a. Public office holder
- b. Candidate in an election
- c. Political party
- d. Political club
- e. Organization (defined term)  
26.2-1(s)(4)

26.2-1(s)(4)

**Participate  
actively in**

26.2-1(s)(15)

**Management of**

- a. Political campaign of candidate for public office in an election
- b. Political campaign of a candidate for political party office

**Solicit votes  
for or against**

26.2-1(s)(17)

A candidate for public office  
in an election

or

A candidate for political party office

**Endorse or  
oppose**

26.2-1(s)(10)

A candidate for public office  
in an election

or

A candidate for political party office

by

- a. Political advertisement
- b. Broadcast
- c. Campaign literature
- d. Material similar to (a)-(c)

**Address**

26.2-1(s)(12)

Convention, caucus, rally or similar gathering in support of or in opposition to candidate for public or political party office

**Distribute**

26.2-1(s)(10)

Campaign literature, advertisements or similar material endorsing or opposing candidate for public office or political party office

**Transport**

26.2-1(s)(9)

Voters to the polls on behalf of a political party or a candidate in an election

**Initiate or  
circulate**

26.2-1(s)(13)

**Campaign for**

26.2-1(s)(6)

Nominating petition for elective office

An elective public office in an election