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**MAYOR EMANUEL INTRODUCES SECOND ROUND OF SWEEPING ETHICS REFORMS TO  
OVERHAUL ENFORCEMENT AND INVESTIGATIONS**

*Amended Ordinance to Adopt Recommendations Proposed in Part II of the Ethics Task Force's Report*

Mayor Rahm Emanuel today introduced an ordinance to adopt Part II of the Ethic's Task Force recommendations to overhaul ethics enforcement and investigations, and strengthen lobbyist regulations. The additional recommendations focus on a structure for the investigation and enforcement of ethics violations that define roles, provide clarity to City employees and officials, and enhance the enforcement powers of Chicago's ethics institutions.

"Since my first hour in office, I have taken action to enhance the City's ethics rules and ensure that government employees act in the best interest of taxpayers, not for their own personal gain," said Mayor Emanuel. "I thank the Task Force for all of their recommendations and look forward to working with the City Council to turn this second round of ethics reforms into law."

In December 2011, Mayor Emanuel established an Ethics Reform Task Force chaired by Cynthia Canary and including Sergio Acosta, Alderman Will Burns, and Dawn Clark Netsch. Mayor Emanuel charged the members of the Ethics Reform Task Force to review the City's ethics ordinance, study best practices nationally, engage local experts, and recommend reforms to ensure that City officials and employees are held to the highest ethical standards and increase accountability, oversight and transparency throughout City government.

On April 30, 2012, the Task Force submitted Part I of its report, addressing prevention and education, as well as the substantive regulations that are included in the ethics ordinance and relate to gifts, conflicts of interest, financial interest statements, and campaign finance. The Mayor introduced the first part of the Task Force's recommendations as an ordinance that passed City Council on July 25, 2012 and took effect on November 1, 2012.

Since then, the Task Force has conducted additional interviews, and further researched the complex area of investigations and enforcement.

“The Task Force believes that Chicago has both the ability and the desire to become a leader in municipal ethics,” said Cynthia Canary, Chair, Ethics Reform Task Force. “The ordinance being introduced today puts forward a structure for the investigation and enforcement of ethics violations that delineates roles, provides clarity to City employees and officials, and enhances the enforcement powers of Chicago’s ethics institutions.”

“This ordinance and the ethics reform ordinance passed in July should be viewed holistically,” said Alderman Will Burns. “Taken together we believe they will allow Chicago to improve an ethical culture that permeates every level of, and strengthens public faith and confidence in, City government.”

Highlights from the ethics recommendations being proposed to City Council today are below. All recommendations to amend the ethics ordinance require City Council approval.

1. **Clarifying the roles of the three ethics bodies, and eliminating the possibility of duplicative investigations.** The IG or the LIG investigates, the Law Department prosecutes matters when a hearing officer determines to pursue an action for a fine, and the Board, based on a hearing officer’s recommendation, imposes fines or recommends discipline.
  - Currently: There is substantial overlap between the functions of the three entities, particularly with respect to investigations of executive branch employees, which may be conducted by both the IG and the Board, and may result in separate reports and recommendations.
2. **Enabling the IG and LIG to settle cases, with Board approval and department heads when necessary, to resolve investigations quickly, encourage employees or officials to make amends for errors, and save City resources.**
  - Currently: There is no opportunity for the IG or LIG to negotiate a proposed settlement of a complaint. Therefore there is no way to avoid a hearing even if the subject is willing to admit wrongdoing and reach a settlement.
3. **Revising the complaint procedure for claims involving aldermen and their staff to allow written, anonymous complaints and written complaints initiated by the LIG.**
  - Currently: All complaints must be signed and sworn, and the LIG cannot initiate his own complaints (unlike the IG).
4. **Instituting a two-year statute of limitations and two-year time limit on investigations to ensure that no investigation is initiated more than two years after a violation and that investigations are speedily resolved.**
  - Current State: The IG has neither a statute of limitations nor a time limit on investigations, whereas the LIG has a two-year statute of limitations and one-year time limit on investigations.

5. **Implementing, to the extent allowable under the law, the same political office and activity restrictions for the IG and the LIG, and requiring that they pledge not to seek political office for 2 years after leaving office.**
  - Current State: The LIG and IG cannot engage in political activity while in office, and the LIG (but not the IG) is prohibited from becoming a candidate until a year after leaving office.
6. **Providing notice to all subjects of investigations at least 30 days prior to a request for a probable cause finding.**
  - Current State: There is no single notification standard for all employees and officials; the LIG is required to give notice to the subject of a complaint seven days after an investigation begins, the Board gives notice sometime before an investigation concludes (2-156-390(a)), and the IG is not required to give any notice.
7. **Instituting a zero-tolerance policy for those who knowingly submit false complaints or information to the LIG, and allowing all employees (not just alderman) to petition for reimbursement of legal fees spent charges brought in bad faith.**
  - Current State: Only alderman can petition for reimbursement of legal fees. In addition, those who submit false complaints can only be punished if their “intent to mislead” can be proven. Changing the threshold to “knowingly” submitting false complaints will make it easier to prosecute complainants.
8. **Clarifying that no employees or officials of the IG, LIG, or Board may communicate confidential information that they learn in the course of their work.**
  - Currently: The Code does not clearly require employees and officials of the IG, LIG, and the Board to keep confidential all non-public information regarding an investigation or proceeding, including the identity of the subject.
9. **Modifying the process for selecting the IG to include the use of a Blue Ribbon Panel to propose candidates to the Mayor. Similarly, permitting the Board to propose candidates to the Mayor for its Executive Director. The Mayor will retain the authority to appoint and remove both positions.**
  - Currently: Members of the Board, the Board’s Executive Director, and the IG are appointed by the Mayor with the approval of City Council.
10. **Creating an employee bill of rights so that all employees know and understand their rights under the law.**
  - Currently: There is no single, easily accessible list of rights for employees or officials who submit a complaint or who find themselves to be the subject of an investigation.
11. **Amending the definition of “lobbyist” to include persons retained to lobby for not-for-profit organizations.**

- Current State: Employees of not-for-profits who seeks to influence legislative or administrative action are not required to register as lobbyists.

**12. Extending the post-employment two-year lobbying ban to aldermen and staff.**

- Currently: Only non-clerical employees of the Mayor's Office and department heads are subject to post-employment lobbying prohibitions, meaning that former alderman and their employees can lobby the Council immediately after they leave their jobs.

**13. Permitting the Board to grant written waivers of limited portions of the ethics ordinance, as well as issue advisory opinions.**

- Currently: The Board does not have the discretion to grant prospective waivers, which are necessary to its ability to issue advisory opinions and develop a body of "case law" and precedent.

