



CITY OF CHICAGO



BOARD OF ETHICS

FINDING OF A MINOR VIOLATION

CONFIDENTIAL
VIA CERTIFIED MAIL and EMAIL

June 15, 2023

Chicago, IL 606

Re: Case No. 23020.C.6/Unauthorized use of City property; Prohibited political activities

Dear :

In connection with the above-referenced case, we are sending you this letter of admonition. As stated in its 10-Day Notice of Potential Probable Cause Determination sent to you on February 22, 2023, the Board of Ethics (“Board”) had reason to believe that you may have violated Chicago’s Governmental Ethics Ordinance (“Ordinance”). Specifically, on February 4, 2023, the Board received a citizen complaint that included a link to your then-current “political” Facebook page. On that page, your photo was featured prominently as a “profile” picture, together with two colleagues, , and about one dozen Senior [City] employees in their full dress uniforms, with their insignia, shoulder patches, and logos clearly visible. The photo appeared to have been taken in City Hall.

In response to the Board’s February 22 Notice, you sent our Executive Director an email on March 2 indicating that you removed the photo in question from your Facebook page on February 9, before having received the 10-Day Notice. At its meeting on June 12th, the Board reviewed all of the information before it, including your March 2 email, and concluded, consistent with prior Board caselaw, that the use of identifiable City equipment or property on your “political” Facebook page constitutes a minor violation¹ of §2-156-060² and §2-156-135(b)³ of the Ordinance. This conclusion

¹ **Board Rule 3-11. Advisory opinions regarding past conduct.** ...If the conclusion of the staff is that there has been such a violation, then the staff shall report the matter to the Board at the next possible Board meeting and recommend to the Board as to whether that violation is minor in nature. The Board shall then determine whether the violation was minor. In determining whether any particular violation is minor in nature, the Board shall consider, but not be limited to, the following criteria: (i) whether the Board would still be upholding the spirit of the Ordinance; (ii) whether a reasonable person familiar with all the facts would consider the violation technical and not substantive in nature and extent; and (iii) whether the violation is part of a pattern with respect to the person whose conduct is described in the request. **(1) If the Board determines that a minor violation occurred, the Board shall issue a letter of warning or admonition for the first such violation to the person whose conduct is described in the request, either as part of or separate from any issued advisory opinion to the requestor. Such letter shall be private and subject to the Board’s rules on confidentiality...**

remains confidential. Therefore, the Board directed staff to issue this confidential admonition to you. Please note, however, that any further violations of this nature will not be considered minor.

We appreciate your cooperation. If you have any questions about this or any other matter, please contact us at (312) 744-9660.

Sincerely,

Steven I. Berlin
Executive Director

² **§2-156-060. Unauthorized use of City property.** No official, employee, or candidate for City office shall engage in or permit the unauthorized use of any City property...

³ **§2-256-135(b). Prohibited political activities.** No official, employee, or candidate for City office shall intentionally use any City property or resources of the City in connection with any prohibited political activity...