



BOARD OF ETHICS

CITY OF CHICAGO

FINAL DETERMINATION OF LOBBYING VIOLATION CASE NO. 17011.01.LOB

This matter involves further action following the Board's determination, made at its meeting of April 19, 2017, that there is probable cause for the Board to conclude that: (i) an individual violated §2-156-245 of the Governmental Ethics Ordinance (the "Ordinance") by engaging in lobbying (as defined in §2-156-010(p) of the Ordinance) on behalf of an employer, prior to November 1, 2012, but failed to register as a lobbyist. The subject was notified of that determination. On May 8, 2017, the Board received a written response from the subject. The Board then afforded the subject the opportunity to meet to present any supplemental information or arguments, and that meeting was held on June 8, 2017.

At its meeting of July 19, 2017, the Board, having fully considered all of the information presented by the subject, VOTED 4-0 (William F. Conlon and Zaid Abdul-Aleem, recusing, and Nancy C. Andrade, absent) to determine that the subject violated §2-156-245 of the Ordinance by failing to register as a lobbyist within five (5) days of engaging in lobbying activity in 2011, and pursuant to §§2-156-230 and -245 of the Ordinance in effect at the time of the subject's email, the Board has imposed a fine of \$1,000.

Further, pursuant to the confidentiality requirements of Ordinance in effect through October 31, 2012, in §2-156-400, the Board is not authorized to make the name of the subject public, but may, without identifying the subject, comment publicly on the disposition of its recommendations and requests, and public summary opinions to inform City personnel and the public about the interpretation of the provisions of the Ordinance.

The Board, having considered all of the arguments and facts raised by the subject, recites the following:

1. The email, sent to the Mayor, requested the Mayor's assistance, as the Mayor, with an issue pending before another government body. The Board has previously determined, in Case No. 89124.A – and reiterates here – that attempting to influence the Mayor or other City officials or employees to take a position regarding an issue pending in Washington, D.C. or Springfield (or, by extension, other governmental bodies) *is* considered an attempt to influence "administrative action" under the lobbying provisions of the Ordinance, and thus constitutes "lobbying" as defined, *unless* the City has independently come to the same position. The Board's records show that the subject of this matter never registered as a lobbyist.

2. The Board makes clear that its determination is not intended to question the subject's integrity, character or motivations. It represents, rather, the Board's careful examination of all the facts and arguments presented to it, and the Board's conclusion that those facts show that the subject engaged in "lobbying" as defined in the Ordinance, but did not register as a lobbyist as required by the Ordinance.



Stephen W. Beard, Chair Pro-Tem

Steven I. Berlin, Executive Director

William F. Conlon, Chair
Zaid Abdul-Aleem
Nancy C. Andrade
Mary Trout Carr
Frances Grossman
Dr. Daisy S. Lezama