



**BOARD OF ETHICS
CITY OF CHICAGO**

To: The Honorable Carrie M. Austin
Chairman, Committee on the Budget and Government Operations

From: Steve I. Berlin
Executive Director
Ethics

CC: Farzin Parang
Mayor's Office of Legislative Counsel and Government Affairs

Date: October 30, 2014

Re: Request for Information from Annual Appropriation Committee Hearing

The information provided below is in response to questions posed at our department's hearing on October 30, 2014, to discuss the proposed 2015 budget.

Alderman John Arena asked me to provide the dispositions of the 18 completed investigations and investigative reports that the Office of the Legislative Inspector General (LIG) has submitted to the Board of Ethics since the LIG's inception in November 2011. Those dispositions are as follows:

- In one case, the Board determined, after a hearing with the subject, a City Council employee violated the Ethics Ordinance for misusing his City title. Upon the Board's recommendation, the employee was subsequently suspended for 15 days without pay.
- In one case, the Board referred to the LIG a campaign financing investigation, which the LIG then referred back to the Board of Ethics. The Board issued an advisory opinion, correcting the LIG's erroneous conclusions and brought the contributors into compliance with the Ordinance.
- In five cases, the LIG concluded in its own closing report that available facts did not demonstrate a violation of the Ordinance, and the Board of Ethics subsequently dismissed these matters.
- In four cases, the LIG concluded that the Ordinance had been violated, but the Board of Ethics, after extensive deliberation, dismissed them upon concluding that there was insufficient evidence to support a finding that the Ordinance had been violated, and thus no probable cause. "Probable cause" means a reasonable ground for the Board to believe

that the evidence that an investigating authority presents in an investigative report would constitute a violation of the Ethics Ordinance, if not overcome by any materials or evidence submitted by the subject.

- In four cases, the Board made preliminary findings of probable cause, and will hold the required meetings with the subjects (and their attorneys or representatives) at the Board's upcoming meetings in order to make a final determination of probable cause (or dismiss the matters).
- In one case, the Board made a preliminary finding of probable cause, but dismissed the case after its meeting with the subject and his attorneys, the subject having overcome the Board's preliminary finding.
- In two cases, the LIG has petitioned the Board for a finding of "probable cause." The Board began its deliberations in these matters at its October Board meeting, and will determine whether there is probable cause at the November meeting.

As always, please let me know if you have any further questions.