

# CITY OF CHICAGO BOARD OF ETHICS



## A GUIDE FOR THE PUBLIC

**City of Chicago**  
**Brandon Johnson, Mayor**  
**William F. Conlon, Chair**

**Steven I. Berlin, Executive Director**

[www.chicago.gov/ethics](http://www.chicago.gov/ethics)

### **MISSION**

Chicago's Governmental Ethics Ordinance, first enacted in 1987, establishes standards of ethical conduct for all persons involved in and with City government. These standards guide City employees, appointed and elected officials, and persons or businesses who represent, have, or are seeking City business or who wish to contribute to candidates for elected City office or elected officials, in maintaining integrity in City government operations.

The Board of Ethics was established in 1987 to: (i) interpret the Ordinance; (ii) educate City governmental personnel and the public about the Ordinance; (iii) confidentially advise persons subject to the Ordinance on complying with its letter and spirit; (iv) promote transparency by making public information about lobbyists and their

activities, recusal notices, annual conflicts of interest disclosures, and ethics pledges filed by City officials; and (v) accurately, and consistent with due process, adjudicate completed ethics investigations, commence enforcement actions where no investigation is required, determine whether violations occurred and assess appropriate penalties, and make such information public.

Our main goal is to help people recognize potential conflicts of interest and handle them professionally and responsibly.

*The Board has four major work areas:*

(1) **advising:** about 4,000 times per year, the Board renders confidential ethics advice to City governmental personnel and others to help them comply with the letter and spirit of the City's ethics laws and avoid the appearance of impropriety;

(2) **educating:** the Board designs and conducts annual ethics training, as the Ordinance requires City personnel to complete ethics training each year; anyone can schedule a speaker from our agency at community or ward meetings;

(3) **enforcing:** the Board administers meetings and "trials," determines whether the Ordinance has been violated, settles cases, or imposes fines; and

(4) **regulating:** to further transparency in government, the Board collects and makes public disclosures from lobbyists, City employees and City officials. As Louis Brandeis remarked: "sunshine is said to be the best of disinfectants." These include lobbyists' registration and activity reports, City Council members' recusals, disclosures filed by City personnel of their business-related travel paid by third parties, and of gifts accepted on behalf of the City.

To view these disclosures, see:  
<https://www.chicago.gov/city/en/depts/ethics/provdrrs/reg.html>



## **INVESTIGATIONS AND ENFORCEMENT**

A robust enforcement program is critical to any government ethics regime, in Chicago and elsewhere.

Where public or other records made available to the Board warrant a finding that there is probable cause to conclude that the Ordinance was violated and no further factual investigation is necessary, the Board will commence an enforcement action and afford the subject ample opportunity to rebut the Board's finding, consistent with due process of law.

Where the Board deems that a full factual investigation is necessary in order for it to determine probable cause, it refers complaints alleging Ordinance violations to the City's Inspector General ("IG") for investigation. After the IG completes ethics investigations (including investigations the IG itself generates), it submits the completed matter to the Board. The Board may: (i) dismiss the matter, or (ii) determine there is probable cause to conclude the law was violated, then settle the matter or administer a confidential evidentiary hearing or "trial" (conducted by the City's Department of Administrative Hearings) to determine whether the Ordinance was violated.

All ethics complaints, probable cause findings, investigations, investigator's recommendations, and hearings are confidential. However, the Board makes public all settlement agreements, final determinations of violations, and penalties

assessed. For most violations that occurred on or after October 1, 2022, the Board can assess penalties between \$500 and \$20,000 per violation; the Board may also issue a fine in the amount of any financial gains realized from a violation. See

[https://www.chicago.gov/city/en/depts/ethics/supp\\_info/AO-I-EM.html](https://www.chicago.gov/city/en/depts/ethics/supp_info/AO-I-EM.html)

**NOTE:** the Ordinance is not a criminal law. Apparent criminal conduct is referred to federal or state prosecutors.

## **WHISTLEBLOWER PROTECTION**

Persons who experience retaliatory action for reporting Ordinance violations or providing information in an investigation may recover damages, be reinstated with double back pay, or have regulatory or financial denials reconsidered.

## **ADVISORY OPINIONS**

The Board may provide advisory opinions only to persons subject to the Ordinance, or to any person who is directly involved in the circumstances they ask about. Opinions are confidential. They are binding: persons who receive them may rely on them in a future investigation. Formal advisory opinions are posted on the Board's website with a searchable index and case summaries, but all identifying information is removed, as required by law. See

[https://www.chicago.gov/city/en/depts/ethics/auto\\_generated/reg\\_archives.html](https://www.chicago.gov/city/en/depts/ethics/auto_generated/reg_archives.html)

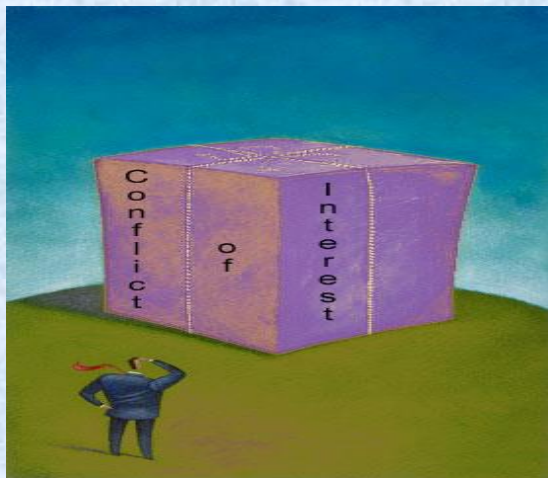
**NOTE:** The Board may render opinions only as to future conduct. Those who disclose apparent past violations that are not minor may be referred to the IG.

## **BOARD MEMBERS AND STAFF**

The Ordinance provides for seven Board members, appointed for staggered four-year terms by the Mayor and confirmed by City Council. They are uncompensated and may be removed by the Mayor, but only for cause, with written consent of remaining Board members. Members may not hold any

elected or other appointed public or political office, engage in any political or campaign activity, or have a financial interest in any work or business of the City or other governmental agencies in Cook County. Board members make probable cause and final determinations as to whether the Ordinance was violated, impose appropriate fines, and approve formal advisory opinions.

The Board's 8-person staff carries out all Board functions, and is headed by the Executive Director, who is also appointed by the Mayor and confirmed by the City Council. Our 2023 budget is \$916,559.



### **CODE OF CONDUCT**

The Ordinance aims to prevent and correct conflicts of interest in City government. Its complete text is on our website. It covers, among other things:

- Conflicts of Interest
- Gift/Travel Limitations
- (Mis)use of City-Owned Property
- Representation of Third Parties
- Post-Employment/Revolving Door Restrictions
- Contracting with the City
- Nepotism
- Political Contributions and Activity
- Sexual harassment
- Loans from City contractors or lobbyists

### **POLITICAL CONTRIBUTION LIMITS**

The Ordinance limits campaign or political contributions to elected City officials and candidates for elected City office.

- Anonymous contributions, or those made other than in the name of the true donor, are prohibited.
- Contributions based on an understanding that a candidate's votes or official actions would be influenced thereby are prohibited.
- Cash contributions exceeding \$250 are prohibited (personal checks are not cash).



Contributions are limited to \$1,500 per recipient per calendar year from:

- Lobbyists registered with the City;
- Persons seeking to do business with, or who, within the preceding four years, have done business with, the City, CTA, Board of Education, Park District, City Colleges, or Metropolitan Pier and Exposition Authority (and, beginning October 1, 2022, with the Chicago Housing Authority or Public Building Commission).

The \$1,500 limit applies to contributions to:

- Each candidate for City office during a single candidacy; or
- Each City elected official per calendar year or any City employee or official seeking election to any non-City office.

Persons who violate these limits and the political committees to which they contribute are subject to fines up to \$5,000 or 3x the excessive contribution(s).

State law (the Illinois Election Code) also limits contributions to candidates for elected City office. Please contact the Illinois State Board of Elections for more information.  
<https://www.elections.il.gov/>

***NOTE: By Mayoral Executive Order, City employees, appointed officials, lobbyists, and City contractors and subcontractors and their owners, spouses or domestic partners, are prohibited from contributing at all to the Mayor's political committees.***

## **ETHICS EDUCATION**

Lobbyists, elected officials, appointed officials and City employees must complete annual ethics training programs designed by the Board. Alderpersons, City Council employees and Senior Executive employees must also attend face-to-face ethics training every four years. New employees must complete ethics training. All classes include training on sexual harassment: its avoidance and how to report it.



## **DUTY TO REPORT CORRUPT OR UNLAWFUL ACTIVITY**

City employees, officials and contractors must report conduct that they know or should know involves corrupt or other unlawful activity concerning the City to the IG.

## **FINANCIAL DISCLOSURE**

The Ordinance requires the following persons to file annual Statement of Financial Interests:

→ All appointed officials, except members of

boards that are solely advisory in nature;

→ All elected City officials and candidates for elected City office;

→ City employees at the managerial level

Filers disclose, among other things:

→ Outside, non-City compensation, certain gifts received, and outside boards on which they serve;

→ Sources of realized capital gains;

→ Ownership of businesses located in the City; and

→ Investment or income-generating real estate owned and located in the City.

All Statements are available for public examination for seven (7) years after filing and are posted on the Board's website. To search filed forms, see:

<https://webapps.cityofchicago.org/efis/index.html>



## **LOBBYIST REGULATION**

Chicago's lobbyist law requires that every person who lobbies City government on behalf of another person (those lobbying on behalf of non-profits need register only if they are compensated) must register with the Board and pay a \$350 annual registration fee and a \$75 fee for each client after the first (fees are waived for lobbyists from most non-profits). Registrations must be filed annually by January 20 or within five (5) business days of first lobbying, and/or amended to reflect material changes within 14 days of the change.

Lobbyists' filings are available for examination through the Board's website. See <https://webapps1.chicago.gov/elf/index.html>

## PENALTIES

The Board has the sole authority to determine whether someone has violated the ethics law and may impose fines or recommend penalties such as employment sanctions, removal from office, censure, or invalidation of contracts. Penalties for most violations of the Ordinance range from \$1,000 - \$5,000 per violation; beginning October 1, 2022, the maximum penalty will be \$20,000, plus a fine equal to any “ill-gotten gains” realized through a violation..

Summaries of adjudicated cases (including settlements) are made public, in accordance with the Ordinance's confidentiality requirements. For an ongoing summary of all Board adjudications since January 1, 2012, see:

<http://www.cityofchicago.org/city/en/depts/ethics/provdrs/reg/svcs/ongoing-summary-of-enforcement-matters.html>

For a summary of all ongoing Board enforcement actions and concluded investigations (the Board did conduct ethics investigations from 1987 through June 2013), see <https://www.cityofchicago.org/content/dam/city/depts/ethics/general/EnforcementMatters/Invest-Index.doc>



The Chicago Board of Ethics is a member of the Council on Governmental Ethics Laws (COGEL), an international membership organization of government ethics, lobbying, campaign financing and transparency commissions at the state, provincial, local, and federal levels in the U.S. and Canada, as well as private practitioners and academics. See <https://cogel.site-ym.com/default.aspx>

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**FOR MORE INFORMATION**  
**[www.chicago.gov/ethics](http://www.chicago.gov/ethics)**

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