



BOARD OF ETHICS

CITY OF CHICAGO

FINAL DETERMINATION OF LOBBYING VIOLATIONS CASE NO. 17011.08.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 April 28, 2015, but failed to register as a lobbyist. The subject was notified of that determination. On May 1, 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 May 31, 2017.

At its meeting of June 13, 2017, the Board, having fully considered all of the information presented by the subject, VOTED 5-0 (William F. Conlon, recusing and Mary T. Carr, 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. Further, pursuant to §2-156-465(b)(3), the Board hereby names the lobbyist as James Abrams. The Board recites the following:

1. The evidence before the Board is that Mr. Abrams emailed the Mayor on April 28, 2015 as follows, forwarding an email he had received earlier that day:

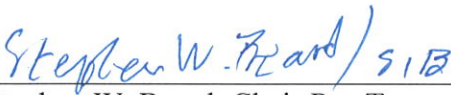
To the Mayor: "Note below is from one of my dearest friends in the world ... He ... has a manufacturing business on [location]. Whatever you decide, you decide but I'd appreciate very much if you would hear him out (or Forrest)."

To Mr. Abrams: "We have been working diligently with our Alderman (James Cappleman - 46th Ward) in trying to gain a small manufacturer's exemption to the new Chicago minimum wage ordinance and/or seeking a determination from the BACP (Business Affairs and Consumer Protection) Commissioner that "compensation" as defined in the Ordinance includes health insurance, pension ... we simply cannot pass on our cost increases to our customers ... puts [our company] and other small manufactures [sic] at a competitive disadvantage. However, things are moving slowly and I was hoping to personally meet with Mayor Emmanuel [sic] or his new Chief of Staff, Forrest Claypool. I want to do everything I can to ensure that we stay in the City. So – and thanks for listening – can you facilitate a meeting with the Mayor or Chief of Staff so that we can make our case?"

2. While the Board recognizes that the subject did not attempt to summarize or argue on behalf of the individual who sent him the email, it has concluded that, by forwarding the email stream as a whole in this manner, including the wording of the forwarded email, which contained a position and an argument, the subject attempted to influence "administrative action" as that term is defined in §2-156-010(a) of the Ordinance.

3. 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.

4. Accordingly, the Board will meet at or before its regularly scheduled July 2017 meeting (currently scheduled for July 19, 2017, at 3 p.m.) to consider and impose an appropriate penalty, pursuant to §2-156-465(b)(3) of the Ordinance.

Handwritten signature of Stephen W. Beard in blue ink, with the initials "SIB" written to the right of the signature.

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