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CHICAGO PARK DISTRICT

OFFICE OF PREVENTION AND ACCOUNTABILITY

Second Quarter 2024 Report

To General Superintendent Rosa Escareño, Vice President Modesto Valle and the Chicago Park District Board of Commissioners,

The Office of Prevention and Accountability (OPA) continues to focus on its core mission of ensuring that the Park District is a welcoming, safe and inclusive place for all Chicagoans, including employees and patrons.

Building on the progress already made, OPA has continued to emphasize both aspects of its goal – prevention and accountability. OPA's work on prevention has included efforts related to training and policies, while the Office continues to take steps to increase accountability through its investigatory work.

Attached please find the Second Quarter 2024 Report, which summarizes the most recent steps OPA has taken toward fulfilling the objective set forth in Chapter 4 of the Chicago Park District Code. OPA will continue to build on this work throughout the remainder of 2024.

Sincerely,

Tamara B. Starks

Tamara B. Starks
Director
Office of Prevention and Accountability

cc: Joan Coogan
Katie Ellis

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Mission

The Office of Prevention and Accountability (OPA) works to ensure that the Chicago Park District provides all employees, patrons and visitors with a recreation and work environment that is free from discrimination, harassment, sexual misconduct, workplace violence, abuse and neglect of children and vulnerable adults, and retaliation.

Information regarding OPA's mission and operations is available to Park District staff and patrons online at <https://ChicagoParkDistrict.com/OPA>. Complaints related to the concerns enumerated above can be submitted to OPA in the following ways:

- By phone: 312-742-5OPA (312-742-5672)
- By email: OPA@ChicagoParkDistrict.com
- Online: Via a form linked on www.ChicagoParkDistrict.com/OPA
- In writing: Chicago Park District
Office of Prevention and Accountability
4830 S. Western Avenue
Chicago, IL 60609

Personnel

At the conclusion of the Second Quarter 2024, OPA remains staffed as follows: a Director, a Senior Investigator, three Investigators and a Case Intake Specialist. With those personnel, OPA is fully staffed in accordance with the Chicago Park District's 2024 Budget for this Office.

OPA is committed to conducting thorough, fair, impartial and independent investigations regarding any alleged violations of the Human Rights Ordinance. To accomplish that, OPA has assembled a team of individuals with experience in investigations, law, Title IX, Title VII, child protection and human rights issues. The OPA team works to ensure that its investigations are consistent with best practices and takes steps to refine and improve its procedures for handling complaints, inquiries and investigations.

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Focus on Prevention

Training remains a strong focus for OPA, and this Office spent significant resources during the Second Quarter on efforts to ensure that the Park District is in compliance with the state of Illinois and City of Chicago requirements for Harassment Prevention and Bystander training. Per those requirements, the Park District must provide one hour of Harassment Prevention and one hour of Bystander training to all employees. Anyone in a managerial or supervisory position is also required to complete a second hour of Harassment Prevention training.

The trainings were released in the First Quarter 2024, with a completion deadline of April 30, 2024. The 2024 deadline was set earlier in the year than in 2023 to give staff time to focus on the important information in the trainings before the Park District's busy summer season.

By the end of the Second Quarter, more than 2,700 year-round employees had completed both the Harassment Prevention and Bystander trainings. The majority of the year-round staff completed the trainings online via the Success Center, the Park District's online learning management system.¹

As soon as the Park District began onboarding seasonal staff, OPA worked to prioritize the vital task of training summer seasonal employees. Those efforts resulted in the training of roughly 2,750 seasonal employees by the end of the Second Quarter. To accomplish this, OPA completed 15 in-person trainings at Park District locations throughout the City; those sessions reached more than 1,250 seasonal employees in the Department of Cultural and Natural Resources, Aquatics, Gymnastics, Special Rec, Wellness and Outdoor and Environmental Education. Additionally, OPA produced recorded versions of both trainings, which were played for more than 1,450 seasonal employees during their orientation sessions at Park District locations throughout the City.

¹ Two in-person trainings were provided to roughly 300 year-round employees in the Department of Cultural and Natural Resources on February 27-28, 2024, to make the training more accessible for laborers and other staff who do not traditionally have regular access to computers.

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The Bystander training OPA presented to seasonal employees was supplemented to provide seasonal employees with information about the Park District's new Gender Diversity Policy, which went into effect on June 12, 2024. By including this information, seasonal employees were brought up to speed on the Park District's ongoing efforts to create a safe, supportive and inclusive environment for all Chicagoans, including members of the transgender, nonbinary and gender-nonconforming community.²

During the Second Quarter, OPA deliberately focused on the Harassment Prevention and Bystander trainings because of the role those educational efforts play in improving the workplace culture at the Park District. The Harassment training teaches staff how to recognize sexual harassment, as well as harassment and discrimination based on all protected categories. It includes a focus on making sure all Park District employees are aware of how to seek assistance if they experience harassment and how to properly report such misconduct to OPA. The Bystander training teaches employees how to move from being a bystander to being an upstander/ally by providing staff with tools designed to make them more comfortable with intervening when they witness wrongdoing to support co-workers or others who may be experiencing harassment or other misconduct.

Additionally, throughout the Second Quarter, OPA continued to work with Workforce Development on plans for additional trainings to keep staff updated on the Park District's Human Rights Ordinance-related policies. Those efforts will continue in the Third and Fourth Quarters.

Policy Updates

OPA has worked to support the Policy Director's successful efforts to create the Gender Diversity Policy, which provides much-needed guidance on how to best support our diverse youth, patrons and employees. Upon implementation of this policy, OPA updated its website to include the Gender Diversity Policy in the list of policies that fall under this Office's jurisdiction as the policy is an outgrowth of the protections already enshrined in the Human Rights Ordinance. OPA also took steps to update its internal procedures to handle any inquiries/complaints related to the new policy.

² Year-round Park District staff are receiving this training in separate sessions being coordinated by the Policy Director and Workforce Development, in collaboration with a trainer from the Centers on Halsted.

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Additionally, OPA continues to work with the Policy Director and Law Department on efforts to consolidate, update and supplement Park District policies to better reflect best practices, ensure that staff has the most updated information, and clarify expectations for all Park District employees. Those efforts will also continue in the Third and Fourth Quarters.

Collaboration Efforts

In the Second Quarter, the Park District's efforts to increase collaboration with Chicago Public Schools (CPS) culminated in an Intergovernmental Agreement with the Chicago Board of Education.³ OPA, the Law Department and the Office of the Inspector General (OIG) worked to finalize an agreement to enable OPA and CPS to share investigation information regarding allegations of serious misconduct. The agreement, which covers employment candidates and/or individuals with dual Park District/CPS employment, allows for the sharing of information related to allegations of and substantiated findings involving sexual misconduct, sexual harassment, and physical abuse. Having this agreement in place provides OPA with another tool to facilitate its efforts to investigate such misconduct and to prevent the continued misconduct of bad actors. Work on this agreement was part of OPA's larger goal of increasing partnerships with other agencies throughout the City and beyond to encourage the collaboration that is vital to OPA's mission.

In addition to efforts related to the CPS agreement, OPA and OIG continued to work together in the Second Quarter to ensure clear lines of communication on matters that may involve issues of shared jurisdiction or referred matters. These professional consultations between two offices tasked with oversight of different aspects of the Park District are vital to ensure that complaints and other issues within the Park District are addressed directly and promptly.

OPA's collaboration efforts also include other work within the Chicago Park District. For example, in the Second Quarter, OPA met at Northerly Island with members of the Park District's Security Department to build on the work OPA and Security have already been doing. The meeting focused on OPA's reporting processes and the policies that fall under

³ The IGA was approved at the June 12, 2024, meeting of the Chicago Park District Board.

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OPA's jurisdiction. The discussion has already resulted in increased communications between OPA and Security, and both departments intend to continue to build on that relationship.

Complaints, Reports and Investigations

In the Second Quarter 2024, OPA received 98 complaints/inquiries.⁴ In the Second Quarter, OPA opened 24 investigations and closed 17 cases. At the conclusion of the Second Quarter, OPA had a total of 82 open investigations.

Of the complaints/inquiries received in the Second Quarter 2024, the most common complaints/inquiries received were: discrimination (12), workplace violence (7), harassment (5), conduct involving minors (6), and sexual harassment/misconduct (4). The remaining complaints/inquiries were determined to not fall under OPA's jurisdiction, were in less common categories, or are still being investigated.

Included in the 98 complaints/inquiries OPA received in the Second Quarter were five reports made to the Illinois Department of Children and Family Services or Adult Protective Services; all involved concerns of suspected abuse or neglect. In those instances, OPA provided staff with guidance regarding reporting requirements and follow-up with the agencies and investigated, as needed.

Of the 98 complaints/inquiries received in the Second Quarter, OPA determined that 39 did not fall under OPA's jurisdiction; they included: concerns regarding trash in the parks, cars on the lakefront trails, unhoused residents, restroom maintenance and the need for new bike racks. Other matters reported to OPA involved concerns related to employees, including reports of rudeness, questions about transfer procedures and performance/disciplinary issues. While these complaints were not determined to require investigation by OPA, many of the inquiries raised serious issues. OPA, therefore, worked to ensure that those issues were properly referred to Human Resources, the Office of the Inspector General, Community Recreation, Risk Management, Security/Chicago Police, or other appropriate Park District managers/partners. In

⁴ The Q2 2024 total compares to: 87 received in Q1 2024 (17 received in Q1 2023, 41 in Q2 2023, 121 in Q3 2023, and 81 in Q4 2023).

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several instances, OPA conducted intake interviews with the complainants to determine how their concerns should most appropriately be addressed and shared that information as part of OPA's referral process. In five additional cases, OPA's initial review of the complaints determined that an investigation was not feasible or required; those matters were administratively closed.

Many of the cases closed in the Second Quarter were complaints received by OPA that did not result in full, formal investigations and the issuance of an OPA Summary Report and Recommendation. OPA did, however, work with Park District personnel to identify specific actions needed to ensure that the concerns were promptly addressed.

In the Second Quarter 2024, seven cases were closed after the completion of formal investigations and the issuance of an OPA Summary Report and Recommendation. Below are summaries of those seven cases:⁵

24-0055

An OPA investigation found insufficient evidence to support an allegation that a Physical Instructor (Subject) violated Chapter 4, Section A(4)(a) of the Park District Code by committing sexual misconduct and sexual assault. The case was closed as unsubstantiated.

OPA's investigation, however, established substantial, credible evidence that the Complainant in this case, a Recreation Leader, violated Chapter 4, Section A(4)(g-h) of the Park District Code by obstructing an OPA investigation, failing to cooperate and failing to provide truthful information to OPA. Complainant resigned from the Park District during the course of the OPA investigation and after receiving a Notice to Appear from OPA seeking an interview to further discuss the allegations made.

⁵ Also included at the end of this report is a summary of OPA Case 23-0026. The report in this matter was issued in November 2023, but the summary was inadvertently left out of the Fourth Quarter/2023 Annual Report.

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BACKGROUND AND INVESTIGATION

On February 21, 2024, Complainant contacted OPA and filed a complaint alleging that Subject sexually assaulted her when she was 17 years old and Subject was 21. Complainant stated she worried that the Subject would retaliate against her because she told his mother and his brother about the assault and planned to report it to the police.

Complainant alleged that the first incident occurred in October 2021 when she was invited to the Subject's house for his mother's birthday. Complainant stated that the Subject's family knew her well and she looked up to the Subject like a brother.

Complainant told OPA that, after everyone else went to sleep that night, the Subject started fondling her, expressed that he wanted to be sexually active and forcing her to perform oral sex. Complainant stated that she said no multiple times. Complainant stated that Subject eventually seemed to become aware that she was upset and stopped.

Complainant reported she and the Subject spoke about the assault two days later and he asked her to stay quiet about what happened. Complainant also reported that, starting in December 2021, the Subject began sexually assaulting her in a Park District fieldhouse when she was alone volunteering. Complainant characterized each instance as "forced consent" or "forced compliance." Complainant stated that Subject eventually transferred to work at another park and she no longer encountered him.

Following the intake interview, Complainant forwarded to OPA copies of text messages and sexually explicit photos that she stated were examples of inappropriate communications she received from the Subject.

After several attempts to follow-up with Complainant, OPA spoke with Complainant again on March 14, 2024. Complainant had stated that she planned to file a police report and OPA offered to connect her with victim assistance agencies to support her during that process. After that discussion, OPA made numerous further attempts to contact Complainant but she did not respond.

Based on the detailed information gathered during the intake interview and the supporting documentation Complainant provided, OPA interviewed the Subject, who

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confirmed that he had known Complainant for years. He stated that he believes he was 21 and Complainant was 18 when they started dating.⁶

When asked if the sexual encounters were consensual, Subject responded that he believed they were. He said Complainant was the one who would initiate the encounters. He said she would text him saying she was drunk and on her way to his home because she wanted sex. He denied that they ever had sex in the Park District fieldhouse.

The Subject admitted to sending Complainant the sexually explicit photos. He insisted that she asked for the photos and that she also sent him photos of her just wearing underwear. He added that Complainant was at least 18 at this time. He went on to say that Complainant repeatedly sent him texts asking for sex and would get angry if he ignored her. Subject added that they were in a relationship at that time, so he did not think there was anything wrong with them exchanging those type of photos.

The Subject stated that Complainant eventually started using drugs, becoming manipulative and making threats – including saying that she could get him fired.

The Subject stated that he believed she no longer worked for the Park District. He said he ended things toward the end of 2022 and had no more communication with her.

At the conclusion of the interview, the Subject agreed to look through his phone for texts from Complainant and forward them to OPA. Immediately after his interview with OPA, the Subject provided OPA with copies of text messages he received from Complainant in or around November 2022. The text messages showed numerous instances of the Complainant reaching out to the Subject and initiating sexual contact.

After the Subject's interview, OPA emailed Complainant a Notice to Appear letter for an interview. Complainant called OPA on the morning of the scheduled interview and stated that she was not given enough time to obtain a union representative to accompany her to the interview. The interview was rescheduled for a week later. This was confirmed by both Complainant and a representative from the Service Employees International Union (SEIU). Complainant did not appear for the interview on the rescheduled date, nor did she contact OPA or SEIU. OPA later learned that Complainant submitted a Letter of

⁶ Based on the birthdates listed in Park District records, in Summer 2021, Subject would have been 21 and Complainant 17.

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Immediate Resignation the day after the initial interview was scheduled, in which she stated she was leaving the Park District for “a better opportunity.”

At the time of her initial intake interview, Complainant’s allegations appeared credible, and she provided sufficient detail, including text messages with photos of the Subject’s genitals, to support her allegations. OPA’s interactions with Complainant after that point, however, raised serious questions about the veracity of her original complaint. She repeatedly failed to respond to efforts by phone and email to obtain additional information and provide her with the resources she originally had requested. OPA initially viewed this behavior as consistent with the reaction of someone who had experienced trauma and ultimately moved forward with the Subject’s interview based on the information Complainant provided during her intake interview.

During the Subject’s interview, however, serious questions and inconsistencies were raised related to the information put forth by Complainant. The Subject was able to provide an explanation and strong supporting documentation that led OPA to determine that Complainant’s allegations of sexual assault were ultimately not credible.

While the information provided by the Subject showed that he was mistaken and the Complainant was 17, not 18, when they began dating in 2021, she was over the age of consent in Illinois. Subject was not employed in a position of authority over her at any time, and there was no evidence of sexual conduct occurring during work hours or on Park District property. The Subject also was able to provide information showing that Complainant repeatedly initiated sexual contact with him by sending text messages. For these reasons, OPA found insufficient evidence to support the complaint against the Subject and closed the case as unsubstantiated.

Complainant’s failure to appear for a scheduled follow-up interview with OPA on two occasions and her abrupt resignation from the Park District on the day after she failed to appear for the second interview, resulted in a finding that she obstructed the investigation. OPA’s investigation also determined that the information she provided in her complaint to OPA contained misleading, incomplete and/or incorrect information. Because Complainant resigned amid serious questions about the allegations she made against the Subject, OPA recommended she be flagged as ineligible for rehire because she

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failed to cooperate, provided misleading information to OPA and resigned during a pending investigation.

24-0116

An OPA investigation established that an Hourly Attendant (Subject) violated Chapter 4, Section A(4)(a) of the Park District Code by engaging in a violent act against a minor child when he punched the child while working at a Park District facility.

On April 22, 2024, OPA recommended that Subject be placed on emergency suspension. He remained on suspension until he resigned on May 10, 2024, during the course of OPA's investigation. Based on the findings of its investigation, OPA recommended placement of a "Do Not Hire designation" in Subject's personnel records.

On April 22, 2024, OPA received an email from a Park District Region Security Manager regarding the arrest of Subject on the same date. According to the email, Subject was arrested by Chicago Police for committing an act of battery against a minor child. The minor child was a student at a neighboring school.

During an interview with OPA, the Regional Manager who oversees the park where this incident occurred related the following, in summary:

When the Regional Manager arrived at the park, police officers were already on the scene. When the Regional Manager asked the Subject what happened, the Subject calmly told her that he was outside cleaning up the perimeter. A group of students who were outside yelled racial slurs at the Subject. Then a male student threw a plastic bottle at the Subject, hitting him in the head. The Subject said he jumped the fence but the students ran off, so he returned to his duties.

The same students then threw a second bottle and hit the Subject in the face. The Subject told the Regional Manager that he then jumped the fence, grabbed the child victim "like this" and proceeded to demonstrate for the Regional Manager how he grabbed and then punched the child victim. The Regional Manager observed the Subject raise his arm, make a closed fist, and punch downward one time. While he was demonstrating, the Subject told the Regional Manager that he "punched" the child victim in the "chest."

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The Regional Manager also learned that, following the incident with the Subject, the child victim had blood on his shirt and was treated at a hospital for a split lip.

According to the CPD Arrest Report (Report), the Subject made an admission to responding police officers - stating that he chased the child victim and attempted to hit the child victim on the body but the child victim moved his head and the Subject struck the child victim in the face. According to the Report, the child victim is a nine-year-old boy and he was treated at a nearby hospital. The nature of the child victim's injuries was not reported.

OPA determined that there was substantial and corroborated evidence that Subject violated the Park District's Violence in the Workplace Policy and engaged in inappropriate conduct with a minor child when he punched the child.

OPA's investigation found sufficient evidence to support a recommendation that the Subject's Park District employment be terminated, although that recommendation was unnecessary given the Subject's resignation. Based on the facts of the investigation, including the Subject's own admissions, OPA recommended that a "Do Not Hire designation" be placed in the Subject's personnel record and that he be barred from working or volunteering with the Park District in the future.

24-0121

OPA received a complaint from a former Park District Recreation Leader (Complainant), in which she alleged that she was bullied, harassed and ultimately terminated by a Park Supervisor (Subject), in violation of Chapter 4, Section A(4)(a) of the Park District Code.

Complainant started working for the District in March 2024. On April 24, 2024, Subject called Complainant into her office and presented her with a letter terminating her employment. Subject listed several reasons/examples of why Complainant was being terminated which included, being on her phone, eating in the gym, being late and calling off work. Subject asked Complainant to sign for the letter, but Complainant refused and left the park.

Complainant explained that she contacted OPA because she felt she was treated "differently" by Subject. When asked for specific examples of this treatment, Complainant stated that others are able to eat during work and use their phone.

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Complainant explained she needs to look at her phone to get messages from her other job and to check in with her family. Complainant stated she thinks she filled out a form about her other job, she doesn't recall the name of the form.

Before Complainant started her position, she had a conversation with Subject and was told she would get a shirt on her first day of work. When she arrived her first day and asked for the shirt, Subject told her there were not any available. She feels this was intentional. When asked why she felt this way, Complainant said because everyone else had a shirt.

When Subject explained to Complainant that she would be splitting her work time between two parks, Subject said the parks were about 5 minutes apart. Complainant explained she does not have a car and had to take an Uber or bus between the parks, which took much longer than 5 minutes. Complainant stated she didn't like the distance she had to travel.

Complainant felt that Subject was overly critical of her and that she feels her skin color might have played a part in this because she is African-American and Subject is white. Any little petty thing Complainant did, Subject would comment on. Subject even made a list of rules that only applied to Complainant, which included that she could not have her phone out and could only eat before or after her shift.

In an interview with OPA, Subject explained that she made it very clear to Complainant before she was hired that the job included moving between two parks. Subject explained that this is a very unique situation and she wanted to be sure any employee was aware before accepting the position.

Subject stated that Complainant arrived late to work on her first day, a Thursday, and then stated that she did not have a car to travel between the locations. It took Complainant more than an hour to get to her second location; when she arrived, she seemed upset. Subject let her go home early, thinking she just needed to adjust to the position.

The following day, a Friday, Complainant called off work. Then on Monday she arrived an hour late. Subject asked Complainant if there was an issue with getting to the parks, Complainant said she thought that she would be provided transportation. Subject

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informed her that it is not the Park District's responsibility to transport her and this was a part of the duties for which she was hired.

Subject stated that Complainant was frequently on her phone, at times having her phone plugged in the wall with the cord running across the floor creating a hazard.

Complainant had requested a shirt size that was not available. Subject had even gone to other parks to look for one, only finding a larger size and several used shirts. When she offered the larger size to Complainant, she seemed offended. Subject let her know that she would continue to look for the requested size.

On one of the days she arrived late, Complainant had a fresh drink from Dunkin Donuts. Subject was irritated that Complainant would stop off for something when she was running late for work. Then, Complainant proceeded to sit on a mat in the gym and look at her phone. Subject told her she needed to get off her phone and get on her feet, in order to engage with the children in the program.

On another occasion, Complainant couldn't be found when she should have been with the children outside playing flag football. She ultimately was found inside at a table eating food she had ordered from Uber Eats.

During "homework time" Complainant should be assisting kids with homework. Subject observed her sitting alone reading a book to herself that belonged to one of the kids. Subject stated that she had received complaints from parents saying Complainant was not paying attention to their children.

Subject informed Human Resources (HR) of her concerns about Complainant and communicated with her Area Manager. The decision to terminate Complainant was eventually made by HR.

Complainant stated that she was bullied, harassed and ultimately terminated by Subject based on her race. However, she failed to provide any evidence to support that allegation other than a conclusionary statement that race "may" have been a factor because she and Subject have different racial backgrounds.

Subject, by contrast, provided substantial testimony regarding Complainant's repeated failure to adequately complete several key requirements of her position as a Recreational

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Leader – including being attentive to minor patrons and being on time to her work assignments. Subject also described her efforts to outline the job expectations and counsel Complainant regarding what was required on multiple occasions.

Subject's well-documented concerns about Complainant's performance were reported to HR⁷, which ultimately made the decision to terminate Complainant's probationary employment.

Based on its investigation, including the information provided by Complainant, OPA found insufficient evidence to support the allegation that Complainant was bullied and harassed because of her race during her employment and when she was terminated. OPA, therefore, closed the case as not substantiated.

23-0156

OPA received a complaint from a Park District Attendant (Complainant) who alleged that another employee who was acting up in a supervisory role (Subject) in Fall 2023 harassed her based on her sexual orientation. Complainant alleged that Subject spoke to her aggressively and that Complainant also was sent home early at Subject's direction.

OPA reviewed the information and documentation provided by Complainant and conducted an intake interview. During the interview, Complainant failed to articulate any information that would support the allegation that Subject's actions violated policy, were discriminatory or were related to her sexual orientation. OPA found the concerns raised by Complainant appeared to be performance issues and operational or communication concerns that should be addressed by Human Resources and departmental management.

OPA found no substantial, credible, or corroborated testimony or evidence to show that Subject engaged in any discriminatory behavior based on sexual orientation in violation of any Chicago Park District policies. OPA forwarded information and documentation regarding Complainant's operational concerns to Human Resources for follow-up as those issues do not fall under OPA's purview.

⁷ Subject documented Complainant's performance issues in a string of emails to HR and Subject's Area Manager, beginning shortly after Complaint was hired.

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24-0018

OPA received a complaint from an Attendant (Complainant) who alleged that a Labor Foreman (Subject) was racist and sexist. In the January 2024 complaint, Complainant alleged the Subject showed favoritism and would discriminate in violation of the Park District's Human Rights Ordinance and policies.

During an interview with OPA, Complainant was asked to provide additional details. When asked to describe situations, she could not cite anything specific and could not articulate any support for her allegations. Much of the information Complainant provided to OPA was based on rumors of which Complainant had no firsthand knowledge.

OPA found there to be no substantial, credible, or documented evidence to show that the Subject engaged in any behavior that violated Park District policy.

Because there is insufficient information to move forward with a full investigation, OPA closed this case as unsubstantiated.

24-0111

In April 2024, OPA received a complaint from an Ironworker Foreman (Complainant) related to racist text messages he received from an unknown telephone number.

Complainant provided OPA with copies of the text messages, which included the use of the "N" word along with other racist content and photographs.

Complainant informed OPA that the messages were sent to his Chicago Park District work cell phone number. He stated that he did not know who the texts were from and he did not have any suspicions regarding who the sender may have been. He further related he filed the complaint to have the incident on record and to make OPA aware.

OPA's efforts to identify the sender of the text messages were unsuccessful. Because there is insufficient information to move forward with additional investigating, OPA closed this matter.

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23-0253

An OPA investigation established that a Monthly Natatorium Instructor (SUBJECT 1) and an Hourly Natatorium Instructor (SUBJECT 2) violated the Park District's Sexual Harassment Policy and Chapter 4 of the Park District Code (Code) by engaging in sexual harassment as well as putting minor employees at a substantial risk of harm.⁸

Further, both Subjects were in supervisory positions at the time they were alleged to have witnessed other incidents of sexual misconduct and harassment committed by Park District staff against Park District staff, including minors. Substantial evidence, including a confession by SUBJECT 2 to OPA investigators, indicates that both Subjects failed to report sexual harassment in accordance with Park District policy.

OPA also determined that SUBJECT 1 violated Chapter 4, Section A(4)(h) of the Code by failing to provide truthful information during a compelled administrative interview with OPA.

As a result of its investigation, OPA recommended termination of both SUBJECT 1 and SUBJECT 2, as well as placement of "Do Not Hire" designations in both individuals' personnel files.

BACKGROUND

On December 20, 2023, the Park District's Law Department informed OPA that a complaint filed against the Park District by a former Park District employee (VICTIM), included sexual harassment allegations against SUBJECT 1, as well as allegations against former Park District employees. On December 21, 2023, SUBJECT 1 was placed on an emergency suspension at OPA's recommendation due to concern that SUBJECT 1 posed a risk of harm to other staff and patrons, particularly minors.

At the request of the Law Department, the Office of the Inspector General (OIG) reviewed its files regarding investigations OIG completed before OPA assumed responsibility for

⁸ OPA's investigation of this matter uncovered several instances of concerning conduct in addition to the core allegations of sexual harassment and abuse, including drug and alcohol use on and off Park District property. Taken alone, those allegations would fall outside of OPA's jurisdiction, but because they are so closely related to OPA's core investigation in this matter, OPA included them in its report.

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harassment investigations in February 2023. As a result, the OIG determined that the prior evidence should be referred to OPA.

In April 2021, VICTIM called the Park District OIG hotline to report sexual misconduct and harassment that she had witnessed and experienced. VICTIM named SUBJECT 1 as one of the offenders who “behaved inappropriate with her.” VICTIM informed the OIG that she was 17 at the time the conduct started and that SUBJECT 1 was approximately 31 years old. VICTIM described SUBJECT 1 as “constantly inappropriate” making sexually explicit remarks and providing alcohol and drugs to minors.

VICTIM reported that once VICTIM turned 18 SUBJECT 1 would tell her “Now you’re not jailbait, now we can go out.” VICTIM further alleged that SUBJECT 1 was sleeping with individuals that he supervised and had a sexual relationship with a 16 year old. VICTIM described SUBJECT 1 as “[e]specially touchy feely” when drinking and stated that she had witnessed him act this way with “a number of women.”

VICTIM expressed concern to the OIG about the “pervasive and accepted culture of sexual harassment” within the Park District and explained that incidents go unreported because the perpetrators are supervisors, including SUBJECT 1.

During the interview, VICTIM reported allegations against SUBJECT 2 and indicated that he was a current year-round supervisor. VICTIM explained that SUBJECT 2 had a reputation for being “creepy” around people and described him as “aggressively flirtatious.” In her initial interview with OIG and in a second interview also in April 2021, VICTIM provided additional details alleging misconduct by SUBJECT 1 and SUBJECT 2, as well as another lifeguard (SUBJECT 3).⁹ During the second interview, VICTIM answered additional questions about documentation related to the investigation.

The OIG opened an investigation with SUBJECT 1 as the sole subject in November 2021. On December 16, 2021, the OIG issued a memo to the Park District Board, as well as the Interim Park District CEO, Interim Chief of Staff, and Acting General Counsel summarizing three “not substantiated or unfounded” cases, including the case involving SUBJECT 1.

⁹ According to Park District Records, Subject 3 was terminated in September 2018 for violating the sexual harassment policy in an unrelated matter.

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According to the memo, the OIG deemed the matter unfounded because the VICTIM stated she did not want to cooperate further; she was advised to contact the OIG if she decided to pursue the matter. A review of records found no indication that the allegations reported against SUBJECT 2 were investigated.

OPA'S INVESTIGATION

OPA's investigation included multiple witness interviews with current and former Park District employees, an examination of personnel files and the review of more than 7,000 emails produced by the Park District IT Department in response to OPA's discovery requests.

In March 2024, after receiving the referral and relevant files from the OIG and obtaining consent from VICTIM's counsel, OPA interviewed VICTIM. During her interview with OPA, VICTIM confirmed the information she had initially reported to OIG and provided additional details.

VICTIM described SUBJECT 1 as "very predatory." She related that SUBJECT 1 was "especially touchy feely" during a volleyball game where drinking occurred. SUBJECT 1 had approached VICTIM to kiss and touch her. According to VICTIM, SUBJECT 1 frequently made sexual comments in front of her when she was 17.

VICTIM informed OPA that SUBJECT 1 offered alcohol to everyone including minors under the age of 18 after work and he often pressured them to drink.

Regarding SUBJECT 2, VICTIM stated that she was 17 or 18 when she saw SUBJECT 2 at a beach volleyball tournament. He was in his 20s at the time. SUBJECT 2 provided alcohol at the event, which VICTIM consumed. SUBJECT 2 let VICTIM into the beach house to use the bathroom because he had a key. When VICTIM exited the bathroom SUBJECT 2 physically blocked her from leaving the beach house. He was flirting with VICTIM and trying to kiss her. VICTIM backed away and he finally let her leave when other lifeguards started "banging" on the door and asking what was going on.

OPA used information provided by VICTIM, as well as staff rosters and other internal Park District documentation to identify and interview numerous witnesses – both current

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and former Park District employees – about the allegations against SUBJECT 1 and SUBJECT 2.

Witnesses corroborated information provided by VICTIM, including one former employee who was present at the beach during the volleyball tournament described by VICTIM and recalled a “predatory culture” at that time. Some witnesses provided additional details and described situations involving inappropriate sexual conduct and comments, as well as instances where SUBJECT 1 and SUBJECT 2, while holding supervisory positions, either provided alcohol to Park District staff or were aware of underage drinking and staff use of alcohol on Park District property.

When OPA interviewed SUBJECT 2, he admitted to being under the influence of drugs that he consumed with SUBJECT 1 on at least one occasion in approximately 2017 or 2018. At that time SUBJECT 2 and SUBJECT 1 were both hourly natatorium instructors, they went to a bar and SUBJECT 1 provided SUBJECT 2 with cocaine. SUBJECT 2 said he believed SUBJECT 1 last offered him cocaine in 2017 or 2018 while on Park District property.

When asked if SUBJECT 2 was aware of SUBJECT 1 offering or selling drugs to anyone else, SUBJECT 2 said yes. On one occasion, SUBJECT 2 witnessed SUBJECT 1 offer marijuana “resin” to another employee. SUBJECT 1 and the employee then walked to a parking lot on Park District property to smoke it while on the clock.

SUBJECT 2 believed that he last saw SUBJECT 1 at the Lincoln Park Zoo parking lot on July 4, 2023. At that time, SUBJECT 2 witnessed SUBJECT 1 drinking beer.

SUBJECT 2 acknowledged that, while he was in a supervisory position: he was aware of drinking on Park District property; he himself consumed alcohol on Park District property and at times during work hours; and he was aware of individuals under the age of 21, including minors under the age of 18, consuming alcohol and drugs. SUBJECT 2 admitted this same set of circumstances occurred on more than one occasion. SUBJECT 2 did not report or attempt to stop these incidents.

SUBJECT 2 specifically admitted drinking on Park District property with VICTIM during a beach volleyball tournament and that VICTIM was approximately 16 years old at the time. SUBJECT 2 stated that SUBJECT 1 was present at the tournament and was aware

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that drinking was occurring. SUBJECT 2 informed SUBJECT 1 that VICTIM appeared intoxicated and asked SUBJECT 1 to make sure she got home safely. SUBJECT 1 assured SUBJECT 2 that he would take care of her. SUBJECT 2 said SUBJECT 1 knew VICTIM was a minor because she reported directly to him.

SUBJECT 2 explained that when SUBJECT 1 drank alcohol something “flipped” and he became “heavy handed” and overly aggressive with females. On more than one occasion, SUBJECT 2 and other staff members have told SUBJECT 1 to back off or go home because SUBJECT 1 was drunk and clearly making a female feel uncomfortable.

SUBJECT 2 stated that he has attended multiple end-of-year banquets with SUBJECT 1 during their employment at the Park District and that employee drinking frequently occurred at those banquets. SUBJECT 2 informed OPA that, as recently as 2022, SUBJECT 2 saw a video on Snapchat of SUBJECT 1 attending a year-end banquet.

SUBJECT 2 admitted that he was aware of his beach hosting an end-of-year banquet last year in 2023. He said he was warned that such banquets should no longer occur but did not notify management or otherwise attempt to discipline staff for organizing and attending the banquet.

SUBJECT 2 also said he personally heard SUBJECT 1 make sexual comments and comment on females’ physical appearance to and in front of other females, some of whom SUBJECT 2 believed may have been under the age of 18 at the time. SUBJECT 2 admitted he himself commented on the physical appearance of female patrons and participated in jokes of a sexual nature. SUBJECT 2 also admitted that, while holding a supervisory position, he heard staff make sexual or otherwise inappropriate comments including more than one Park District employee making jokes about sexual conduct with underage children or teenagers.

During OPA’s interview with SUBJECT 1, SUBJECT 1 denied all allegations made against him.

SUBJECT 1 denied ever physically touching, or attempting to physically touch, a staff member in any way. SUBJECT 1 denied ever making a sexual or otherwise inappropriate comment to anyone, including VICTIM. SUBJECT 1 further denied ever hearing any other staff member making a sexual or otherwise inappropriate comment.

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SUBJECT 1 denied ever purchasing or providing alcohol to Park District employees. He specifically denied ever purchasing or providing alcohol to any individual under the age of 21.

When asked if SUBJECT 1 ever consumed alcohol on Park District property, he said no. Additionally, SUBJECT 1 said he was not aware of any employee consuming alcohol on Park District property at any point in time. When asked if he was aware of Park District employees drinking in the Lincoln Park Zoo parking lot, SUBJECT 1 initially said no. SUBJECT 1 then said that he had heard rumors “through the grapevine” that there was a problem with drinking in the past. SUBJECT 1 said he was never aware of any specific individuals who were drinking in the zoo parking lot.

When asked if his supervisor ever spoke with him about the consumption of alcohol in the zoo parking lot, SUBJECT 1 said no. When informed that his supervisor had described to OPA speaking with SUBJECT 1 in 2022 to make him aware of his staff drinking in the zoo parking lot, SUBJECT 1 said “I don’t recall.”

FINDINGS REGARDING SUBJECT 1 AND SUBJECT 2

OPA’s investigation found VICTIM to be credible and consistent with the information they provided both to OIG in 2021 and to OPA in the current matter. Multiple witnesses unrelated to VICTIM corroborated the details provided by VICTIM. Due to inconsistencies in SUBJECT 1’s statements, as well as the testimony from aquatics management and multiple witnesses, OPA found SUBJECT 1’s attempts to deny all allegations against him not credible. OPA considered SUBJECT 2’s testimony to be credible and especially significant considering the information he provided not only corroborated details central to OPA’s investigation, but his statements were also directly opposed to his own interest as a subject in this matter.

Based on the entirety of the circumstances, OPA found that the sexual harassment allegations against both SUBJECT 1 and SUBJECT 2 were substantiated.

SUBJECT 1 also violated Chapter 4, Section A(4)(h) of the Park District Code by failing to provide truthful information during SUBJECT 1’s compelled administrative interview with OPA. OPA also found that both SUBJECT 1 and SUBJECT 2 were independently

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aware of multiple instances of sexual harassment, misconduct, or otherwise inappropriate and at times illegal conduct occurring. As supervisors, SUBJECT 1 and SUBJECT 2 should have acted on this knowledge rather than further perpetuating it.

Shortly after receiving OPA's recommendations, the Park District's Human Resources Department terminated the employment of both SUBJECT 1 and SUBJECT 2.

ADDITIONAL CONSIDERATIONS

Throughout this investigation, OPA worked closely with OIG on the transfer of all available information regarding this matter and any related prior investigations conducted by the OIG. This cooperation between the offices and anticipated future collaboration is vital to ensuring that the Park District continues to build on the work already done to ensure the safety of its employees and patrons.

The review of OIG's prior work, which OPA conducted as a necessary part of completing this investigation and addressing the troubling conduct of two current employees, raised several concerns, many of which the Park District's current OIG was already working to address internally and by referring matters to OPA for additional review.

OPA recognizes that the office had received a high influx of reports regarding sexual harassment and abuse at the time VICTIM filed her complaint with the OIG in 2021. Those reports resulted in OIG investigations, findings and recommendations for the discipline of numerous employees prior to OPA's existence.

In VICTIM's case, as detailed in the Background section above, OIG closed the matter as unfounded in 2021 but did not interview either of the named subjects or current staff and former employees who worked with those subjects regarding VICTIM's allegations. Using the information VICTIM provided in her two interviews with the OIG in 2021 and in her interview with OPA this year, OPA completed a thorough investigation of the allegations, which included interviews with the named subjects and both former and current Park District staff who were identified as having information related to the allegations. In addition to the recommendations issued here, that work has identified further concerns that are the subject of ongoing OPA investigations.

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As part of its work with OIG to ensure that any outstanding concerns raised prior to OPA's launch in February 2023 are fully addressed, OPA asked the OIG to continue its ongoing review of prior complaints and investigations regarding sexual misconduct and refer any cases warranting additional steps to OPA. It should be noted that OPA has had numerous recent productive and collaborative meetings with the OIG and is engaged in ongoing dialogue. The Park District has recently enhanced its information sharing abilities, when appropriate, with external investigative agencies.¹⁰ Similarly, the Park District should also formalize an agreement allowing for relevant information sharing between the Park District OIG and OPA in matters involving serious misconduct allegations or allegations which could pose a substantial risk to the safety or well-being of Park District staff, participants, or patrons. OPA and the OIG are working to draft such an agreement.

23-0026

OPA received a complaint from a Chicago Park District Laborer (Maintenance), who alleged that she had been subjected to harassment and unequal terms and conditions of employment by a Labor Foreman (Subject).

Specifically, Complainant alleged that Subject hid keys from her, took her locker away, was not friendly with her, failed to assign her a partner, and asked her if she were sleeping with a male coworker. In her complaint, Complainant also alleged that Subject had shown preferential treatment toward male employees at the service yard where they worked.

OPA's investigation found insufficient evidence to support Complainant's allegation that the Subject engaged in harassment or discriminatory practices, based on gender.

Specifically, the investigation found insufficient evidence to support Complainant's allegation that the Subject showed preferential treatment toward male employees in recommending individuals to work in the position of Seasonal Labor Foreman during the 2023 summer season. Additionally, the investigation found insufficient evidence to support Complainant's allegation that Subject's conduct was harassment based on a

¹⁰ See information above regarding the IGA between the Park District and Chicago Public Schools.

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protected category, although there was some evidence of rudeness and personality conflicts.

The case was closed in November 2023 as unsubstantiated. OPA recommended no disciplinary action for the Subject. OPA did, however, recommend that the Subject be counseled or trained on methods of professional communication to avoid further allegations regarding rudeness and additional conflicts in the workplace.