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CHICAGO PARK DISTRICT OFFICE OF PREVENTION AND ACCOUNTABILITY

Revised Third Quarter 2023 Report¹

To General Superintendent Rosa Escareño, President Myetie Hamilton and the Chicago Park District Board of Commissioners,

Attached please find the Third Quarter Report from the Office of Prevention and Accountability (OPA). This report summarizes the work OPA has done and the progress made toward fulfilling the vital mission set forth in Chapter 4 of the Chicago Park District Code.

As detailed in the Third Quarter Report, OPA is taking steps to ensure that the Chicago Park District provides all employees, patrons and visitors with a safe and respectful recreation and work environment. In the coming months, OPA intends to build on this progress by continuing to address violations of the Human Rights Ordinance and by serving as a resource for Park District staff.

Sincerely,

Tamara B. Starks

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Director
Office of Prevention and Accountability

cc: Joan Coogan
Katie Ellis

¹ The summary of Case 23-0095 initially included in OPA's Third Quarter Report was revised on November 20, 2023, to correct an editing error that caused a sentence of information from Case 23-0084 to inadvertently be included in the summary of Case 23-0095.

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Mission

The Office of Prevention and Accountability (OPA) was established to ensure that the Chicago Park District actively works to provide 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
- In writing: Chicago Park District
Office of Prevention and Accountability
2 North LaSalle St., Suite M-550
Chicago, IL 60602

Personnel

In Third Quarter 2023, OPA was staffed as follows: a Director, a Senior Investigator, an Investigator and a Case Intake Specialist. OPA is in the process of hiring an Investigator to replace an employee who resigned in July.

As part of its mission, OPA remains committed to conducting thorough, fair, impartial and independent investigations regarding any alleged violations of the Human Rights Ordinance. In order to ensure that OPA's investigations are consistent with best practices, the OPA team participates in trainings and continuing education designed to further hone their skills.

Specifically, during the Third Quarter, OPA's Investigator completed the AIG Certified Inspector General Investigator Institute training session held by the Association of Inspectors General. OPA's Investigator and Case Intake Specialist also attended a training hosted by the Civilian Office of Police Accountability on Forensic Experiential Trauma Interviews to provide them with additional tools for handling investigatory interviews of individuals who have experienced trauma. OPA's Case Intake Specialist

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also attended the annual Cook County Human Trafficking Conference, which was facilitated by the Cook County Human Trafficking Taskforce in partnership with the Salvation Army STOP-IT Program. Local and national experts in the field of anti-trafficking provided two full days of presentations focused on equitable considerations for combatting human trafficking.

Continued Emphasis on Outreach and Awareness

In the Second Quarter 2023, OPA worked to promulgate updates to the four policies related to the office's work as detailed in Chapter 4 of the Park District's Code: the Sexual Harassment Prevention Policy, the Equal Employment Opportunity Policy, the Violence in the Workplace Policy and the Child Abuse and Neglect Reporting Policy. As of June 1, 2023, all four documents were revised to ensure that they complied with State, federal and local laws and that they accurately reflect the procedures for reporting complaints directly to OPA.

In the Third Quarter 2023, OPA continued to build on that work by taking steps to communicate the updated policies to Park District staff. As an initial matter, all four policies are posted on OPA's website and were provided to Human Resources and other Park District departments to share with staff and to use for updates to procedural manuals. OPA also continues to participate in an internal Park District committee that is working to update and centralize all Park District policies to ensure that those policies remain current and easily accessible to staff.

Additionally, OPA held several training sessions with staff in the Third Quarter to education employees about the requirements under the new policies and the changes made to the Park District's reporting procedures for complaints. These sessions included:

- A meeting with South Region Area Managers to discuss the updated policies and OPA's mission within the Park District.
- Two in-person training sessions with Community Recreation Instructors in both the North Region and Central Region to discuss the Child Abuse and Neglect Reporting Policy and related procedures.
- A training with the staff from both Human Resources and Workforce Development at Park District Headquarters to discuss the updated policies. This session was especially important due to the critical leadership role those employees play in communicating policies and expectations to Park District staff.

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- A meeting with staff from Special Recreation to discuss the Child Abuse and Neglect Reporting Policy and the role of Mandated Reporters at the Park District; and
- A meeting with Human Resources staff to discuss OPA's mission and complaint procedures process and to discuss outstanding questions about how HR and OPA can work together to address any concerns raised during OPA's investigations.

OPA continues to work with HR and other Park District departments to provide staff with training on these new policies and to act as a resource to staff who have questions about the OPA reporting requirements. In the future, OPA plans to work with HR and Workforce Development to create a recorded training on the policies that can be used at new employee orientations and can be available to any employees who require a refresher on the Park District's expectations.

As it has throughout 2023, OPA continues to work to raise awareness among Park District employees of the expectations and procedures that have been put in place to improve the workplace culture, with an emphasis on fostering respect and professional development. These outreach efforts have resulted in dozens of instances where staff and management have reached out to OPA for guidance on how to apply Park District policy and ways to proactively address problems before those concerns grow into more serious issues. OPA continues to remain available to attend staff meetings and workshops to answer questions and provide guidance based on needs identified by Park District managers and supervisors.

OPA also continued its outreach and engagement with partners, sister agencies and stakeholders. This includes developing connections with state agencies – including the Illinois Department of Children and Family Services and the Illinois Department on Aging's Adult Protective Services program, as well as ongoing collaborations with the Chicago Children's Advocacy Center and Chicago Public Schools.

Districtwide Training Success

In the Second Quarter 2023, OPA led the rollout of the Sexual Harassment Prevention and Bystander training that is required annually by the State of Illinois and the City of Chicago. Specifically, all Park District employees are required to complete one hour of Sexual Harassment Prevention training and one hour of Bystander training. Any

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employees who have managerial or supervisory duties also are required to complete an additional hour of Sexual Harassment Prevention training – for a total of two hours.

The online training launched on June 30, 2023, for year-round employees.¹ By the end of the Third Quarter, more than 2,100 Park District employees (almost 80 percent) had completed both trainings.² OPA, Workforce Development and other Park District departments will continue to work on increasing that number in the Fourth Quarter with a goal of full compliance. Those efforts include providing supervisors with lists of the employees who have failed to complete the trainings. Ultimately, those employees who fail to complete the trainings despite ample notice and ability to do so will face disciplinary action.

In addition to the mandatory trainings, OPA continues to work on several supplementary trainings that will be rolled out later this year particularly for those employees working directly with children. Notably, those include a collaboration with the Chicago Children's Advocacy Center on the Keeping Children Safe training, which has been done at the Park District in the past. Additionally, OPA is working with Workforce Development to finalize a training specifically on the Child Abuse and Neglect Reporting Policy and best practices for interactions with the Illinois Department of Children and Family Services.

Additionally, OPA established a working group with Workforce Development and the Park District's Policy Director to plan strategies for future trainings, including scheduling for 2024, and to identify any related needs to update or create related policies and guidance documents. This collaboration is a key part of the larger efforts to ensure improve the Park District's workplace culture and provide its staff with the tools needed to be successful.

¹ As referenced in OPA's Second Quarter 2023 report, OPA held a dozen in-person training sessions for seasonal employees and created a recorded training that was used to train seasonal workers, who do not currently have access to the Park District's online training system.

² Some employees are on leave (FMLA, medical, parental) and unable to complete the trainings. The Park District also is working to address some technology issues that limited employees' access to the computers needed to complete the trainings.

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Q3 Complaints, Reports and Investigations

In the Third Quarter 2023, OPA received 121 complaints/inquiries, compared to 17 received in the First Quarter and 41 received in the Second Quarter. In the Third Quarter, OPA opened 56 investigations and closed 14 cases. At the conclusion of the Third Quarter, OPA had 68 open investigations.

Included in the 121 complaints/inquiries OPA received were four reports made to the Illinois Department of Children and Family Services or Adult Protective Services; all four reports involved concerns of suspected abuse (not by Park District employees). In those instances, OPA provided staff with guidance regarding reporting requirements and follow-up with the agencies, as needed.

Of the 121 complaints/inquiries received in the Third Quarter, OPA determined that 57 did not fall directly under OPA's jurisdiction – including issues related to residency; job assignments and transfers governed by the Park District's collective bargaining agreements; complaints regarding maintenance of Park District facilities; rudeness by Park patrons; and unprofessional conduct by Park staff. While these complaints were not appropriately handled by OPA, many of the inquiries involved serious issues that needed to be addressed. OPA worked to ensure that those issues were properly referred to Human Resources, Community Recreation, Risk Management, the Office of the Inspector General, or other appropriate managers. In several instances, OPA conducted intake interviews with the complainants to determine if their concerns should be addressed by OPA or should more properly be referred elsewhere.

Four of the 14 cases closed in the Third 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.

Below is a summary of the resolution of those four complaints/inquiries:

23-0085: On July 20, 2023, OPA received a complaint that a thirteen-year-old Junior Camp Counselor made sexually threatening remarks to a summer day-camp participant. On the same date, the Junior Camp Counselor was removed from his position and a safety plan was put into place. OPA provided education to park

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staff regarding proper reporting. Additionally, OPA flagged the absence of a tracking system or other written documentation capturing when volunteers, vendors, and those participating in the junior counselor program were determined to have engaged in misconduct. This information is important for a multitude of reasons, including if an individual with a concerning history applies for future employment with the Park District.

23-0095: On July 25, 2023, OPA received a complaint that a probationary Seasonal Camp Counselor initiated a conversation about romantic relationships with a co-worker and then informed the co-worker that he had previously been “cancelled” because he had sex with a 16-year-old when he was 22. Additionally, staff also reported that the Seasonal Camp Counselor was observed hanging back on a hike and isolating one camper for inappropriate discussions about childhood abuse.

The Seasonal Camp Counselor was scheduled to chaperone an overnight trip with minor program participants ages 9 to 13 years old on July 26, 2023. Due to safety concerns, OPA recommended that he be prohibited from attending the over-night trip.

Because of the nature of these concerns and the access to children inherent in his position, OPA recommended that the Seasonal Camp Counselor be dismissed effective immediately. The termination was effective July 27, 2023.

Immediately after receiving the complaint, OPA contacted the Illinois Department of Children and Family Services (DCFS). DCFS and the Chicago Police Department Special Investigations Unit both opened cases related to this matter. Both cases were ultimately suspended due to the victim being unknown.

Human Resources informed OPA that the employee was fingerprinted in 2022. On Human Resources’ internal spreadsheet, the employee was marked as having “no record,” although documentation later provided to OPA showed that the employee’s background check included multiple arrests and convictions. While the criminal history included in the background check report would not have ultimately precluded the employee from employment with the Park District, the

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inaccuracies with the information saved on the internal spreadsheet as well as the inability to easily access a copy of the official document are of notable concern.³

23-0107: On July 28, 2023, OPA received a complaint that a Chicago Park District employee repeatedly asked an employee of a vendor about her relationship status, causing the vendor's employee to be uncomfortable and no longer want to work at that Park District location. The vendor employee, however, did not want to file a formal complaint and declined to identify the Park District employee involved. Due to OPA being unable to identify the subject of the complaint, OPA Director Tamara Starks conducted an on-site visit and provided an in-person sexual harassment training for all staff at that Park District facility on August 15, 2023. This was in addition to ensuring that staff at that location completed the online Preventing Workplace Harassment and Bystander trainings required for all Park District employees.

23-0157: On August 30, 2023, OPA received a complaint that a youth football coach kicked a minor player during practice on Park District property, knocking the youth off balance. The complaint included a video recording of the incident that clearly showed the coach's actions.

As a result of the complaint, DCFS opened an investigation and on September 1, 2023, OPA sent the football program a letter to inform the organizer that the program's partnership with the Park District was being suspended and the coach barred from using Park District property. In an effort to preserve the players' ability to continue to participate in the program, the letter informed organizers that the team would be able to resume its partnership with the Park District if it replaced the coach being investigated. OPA also drafted letters containing general information for Park District staff to provide to any community members who inquired about the matter. The coach involved ultimately resigned, and the football program continued under new leadership after signing an updated partnership agreement with the Park District.

³ OPA issued a Summary Report and Recommendation in an unrelated matter, Case 23-0084, which is referenced below and summarizes additional concerns and recommendations related to the Park District's background check process.

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Ten of the 14 cases closed in the Third Quarter 2023 did result in full, formal investigations and the issuance of an OPA summary Report and Recommendation. Below are summaries of those 10 cases:

23-0004: Unsubstantiated Complaint Identifies Need for Additional Trainings

On September 22, 2023, OPA issued a Summary Report pertaining to a complaint from a Park Advisory Council (PAC) member who alleged that the Chicago Park District was not following best practices related to the covering of windows in Park District facilities and requested an investigation into whether a Park District supervisor presented a danger to park patrons.

After receiving the initial complaint, OPA recommended that a portion of the windows in question be uncovered, and that recommendation was implemented by managers in Community Recreation. Specifically, OPA recommended that staff at the Park District fieldhouse remove participant art work obscuring the upper portion of a window in the door to an interior program area. This solution was designed to enhance visibility into the youth programming area, consistent with best practice, while also addressing staff concerns regarding youth participants becoming easily distracted by looking through the interior window.

After the concern regarding the windows was addressed, OPA investigated the initial complaint and additional concerns raised by the PAC member. OPA's investigation found no evidence to support the PAC member's allegation that Park District employees acted with intent to endanger participants. It should be noted that the PAC member ultimately acknowledged that he had no knowledge that any Park District employee engaged in sexual misconduct or any other violation of the Human Rights Ordinance.

OPA closed its investigation into that allegation as unsubstantiated. OPA did, however, make policy and training recommendations geared toward avoiding future conflicts and ensuring the safety of youth participants.

OPA's recommendations included:

- All area managers should ensure that each park and program area follow best practices regarding unobstructed sight-lines and visibility to the extent possible.

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- In addition to the Park Advisory Council Code of Conduct, which sets expectations for appropriate behavior for all PAC members, the Park District should consider creating a written procedure or guidance document to govern inter-personal conflicts between PAC members and District employees and to specify how PAC members can file related complaints.
- The PAC member who initiated this complaint should be reminded that Ch. IV of the Park District Code states that it is a violation of the Human Rights Ordinance for “any Covered Individual to knowingly report false allegations and/or knowingly provide false information during the course of an investigation.”
- While the evidence was insufficient to find that employees violated District policy, OPA recommended that Park District staff involved would benefit from coaching on methods of avoiding conflict. Additionally, the involved Park District supervisors and managers should review the Human Rights Ordinance to ensure they are aware of their duty to report any concern as soon as possible, but no later than five days after receiving a complaint.

23-0011: Anonymous Complaint Closed; Rec Leader Previously Terminated

OPA was forwarded a response submitted to an annual Chicago Park District survey by the parent of a child who attended a specific Park District summer camp in 2022. In the survey, which was submitted anonymously, the parent stated that their child was supervised by a teen-age boy who was a “predator.” The anonymous survey response did not provide the teen’s name, the child’s name, the parent’s name or any specifics regarding the allegation.

OPA’s investigation found that, during the summer of 2022, a teen-age Recreational Leader at the park named in the survey response had been terminated immediately after Park District management became aware that he had sent a text message of a sexual nature to a camper. OPA made repeated efforts to investigate further by contacting the parent of the 13-year-old camper who reported receiving that text.

The parent did not respond to OPA’s efforts to obtain additional information by phone, email and U.S. Mail regarding the incident. Because of that, OPA closed the case as unsubstantiated.

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23-0015: No Evidence of Racial Profiling Found

A manager in the Park District's Aquatics department forwarded to OPA an email from a beach patron (Complainant) who alleged that he was racially profiled at Ohio Street Beach in June 2022. The manager received the email on March 7, 2023, and it was forwarded to OPA on March 9, 2023.

The Complainant told OPA that he went to Ohio Street Beach on June 14, 2022, and struck up a brief conversation with three women he saw in the water. A few minutes later, the Complainant said he observed one of the women talking to a lifeguard. The Complainant did not know the lifeguard's name but described him as a tall, Black man. The lifeguard approached the Complainant and asked if he was taking pictures of women in the water, which Complainant denied.

The Complainant stated he felt he was being singled out and racially profiled because he is an African-American man. When he saw a uniformed Chicago Police officer walking toward him, he assumed someone had called the police to report him. He then ran from the beach in fear of being "illegally detained or arrested."

OPA's investigation found that the records kept by lifeguards showed no police calls were logged for that location on the day in question. OPA interviewed the only lifeguard on duty on June 14, 2022, who matched Complainant's description. That lifeguard told OPA that he was called to Ohio Street beach at 4:15 p.m. due to a citizen reported fight. As he arrived, he observed numerous police officers on the beach and it appeared the situation was under control. As he was making his rounds, he observed a Black male beachgoer taking pictures of women on the beach and one of those women later complained that the man was making the women uncomfortable. The lifeguard approached the Complainant to discuss the situation but was distracted for a few seconds by some nearby activity and turned away. He then saw a uniformed Chicago Police officer walking in their direction. When he turned back, the Complainant was running away.

The lifeguard told OPA that the uniformed officer was on the beach in response to the unrelated fight. He stated that he did not call police to the scene that day nor did any of his co-workers. Based on its investigation, OPA closed the case as unsubstantiated as there was no evidence of racial profiling.

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23-0018: Allegation Against Pool Attendant Unsubstantiated

A patron at a Park District pool reported feeling intimidated and threatened during a disagreement over the pool's closing time. The patron submitted an email to OPA stating that she was at the pool on March 17, 2023, with her 3-year-old son. The disagreement occurred when she was informed at 7:45 p.m. that the pool was closing but she believed incorrectly that the pool was open until 8:00 p.m. When an Attendant arrived to clean the pool area, he held the locker room door open for the pool patron and her child, who was in a stroller. The pool patron reported that this made her uncomfortable and she feared she would be sexually assaulted if the Attendant continued to stand in the doorway. The pool patron said the Attendant walked away when she objected and continued to clean the pool area.

OPA's investigation found that other witnesses saw no inappropriate conduct on the part of the Attendant. The pool patron told OPA that the Attendant did not touch her and did not make any inappropriate comments or gestures. She also stated that she was never alone with the Attendant.

Based on its investigation, OPA closed the case as unsubstantiated.

23-0020: No Evidence of Inappropriate Conduct in Program for Disabled Adults

A member of the public submitted a complaint alleging that a female employee was demanding "backrubs" from participants in a Park District program that serves developmentally disabled adults.

OPA's investigation identified the female employee as the program's former coordinator, who resigned earlier this year to take another job. OPA found no record of any other such complaints related to the program. The coordinator's former supervisor told OPA that he had never heard of or witnessed anyone giving or receiving backrubs in the program for disabled adults or at any other program offered at the Park District facility. He stated he had never received any complaints about the former coordinator while he was the supervisor at that location.

OPA also interviewed two Special Recreation Instructors who worked closely with the former coordinator; they also never saw or heard of anyone giving backrubs. In an interview with OPA, the former coordinator denied anyone was ever forced to give

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backrubs. She did state that one program participant would occasionally squeeze the shoulders of the instructors upon arrival as simply a non-verbal form of greeting. OPA also contacted parents of two program participants who both stated they had not observed or heard of any participants giving backrubs to employees.

Based on its investigation, OPA closed the case as unsubstantiated.

23-0045: Recommendation to Terminate Attendant Accused of Punching Patron

OPA investigated a complaint that an Hourly Attendant had slapped a woman visiting a Park District fieldhouse on the buttocks and punched her in the face after she pushed him away. Due to the serious nature of the allegations, OPA recommended that the Hourly Attendant be immediately placed on Emergency Suspension, pending an investigation.

OPA's investigation found substantial evidence that the Hourly Attendant violated both the Park District's Sexual Harassment Prevention Policy and the Park District's Violence in the Workplace Policy. The Complainant suffered facial swelling, bruising and a bloody nose. While Park District staff did not witness the incident, they immediately acted to assist the Complainant with her injuries and called both 911 and Park District Security in the aftermath of the attack. A report also was filed with the Chicago Police Department.

Based on its investigation, OPA recommended that the Hourly Attendant's employment with the Park District be terminated. Before that termination was completed, the Hourly Attendant resigned on August 21, 2023.

23-0059: Insufficient Evidence to Support Allegation of Sexual Harassment

A Special Recreation Coordinator (Complainant) alleged that she was sexually harassed by a Program and Event Coordinator (Subject) based on the Complainant's assertion that the Subject touched her leg during a car ride home from an out-of-state conference and an incident where the Subject flipped the hood of Complainant's hoodie up onto her head while they were at work. Complainant did not complain of any additional incidents involving the Subject.

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OPA's investigation found insufficient evidence to support the Complaint's allegation that she was sexually harassed, that the conduct alleged was harassment or that the conduct alleged resulted in a hostile work environment. OPA closed the case as unsubstantiated.

While the investigation found no basis for a recommendation of disciplinary action, OPA did recommend that Human Resources work with managers to provide the Subject with counseling regarding professionalism and maintaining boundaries in the workplace. Additionally, OPA recommended that Human Resources provide the Complaint with information about the Park District's Employee Assistance Program.

23-0068: Seasonal Laborer Terminated for Threatening Co-Worker

OPA received a Complaint alleging that a Seasonal Laborer threatened a Junior Seasonal Laborer, who is a minor, in violation of the Park District's Violence in the Workplace Policy. The Seasonal Laborer was placed on Emergency Suspension upon OPA's receipt of the complaint and while the investigation was pending.

The incident occurred on July 7, 2023, when the Junior Laborer was waiting in a vehicle for another Park District employee. The Seasonal Laborer asked the Junior Laborer about the whereabouts of another employee and became angry when the Junior Laborer asked why the Seasonal Laborer wanted to know that information. According to numerous witnesses, the Seasonal Laborer became angry, started to scream and threatened the Junior Laborer. Witnesses also say the Seasonal Laborer stated that the Junior Laborer was lucky that one of the Seasonal Laborer's family members was not present because that individual carries a gun.

OPA's investigation found substantial evidence to support the allegation, and OPA recommended that the Park District terminate the Seasonal Laborer's employment. Human Resources terminated the Seasonal Laborer on September 7, 2023.

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23-0084: Recreation Leader Terminated for Sexual Misconduct

An OPA investigation established credible evidence that a Recreation Leader violated Chapter 4, Section A(4)(a) of the Chicago Park District Code by engaging in sexual misconduct with a minor District employee (Minor Employee). The Recreation Leader was arrested and charged with Misdemeanor Battery on August 8, 2023, as a result of a Riverdale Police Department investigation.

OPA learned of this matter on July 19, 2023, when a Park District Area Manager informed OPA that a relative of the Minor Employee told a Park Supervisor that the Recreation Leader had spent time with the Minor Employee after work and that “there were some inappropriate and unwanted touching done during these times.” At OPA’s recommendation, the Recreation Leader was placed on Emergency Suspension on July 19, 2023.

As part of its investigation, OPA interviewed Park District staff, contacted detectives from Riverdale Police Department, and contacted the Illinois Department of Children and Family Services (DCFS). OPA also reviewed the Recreation Leader’s personnel file and the Riverdale Police Department file and reports related to this matter.

According to a supplementary police report summarizing the forensic interview of the Minor Employee, the Minor Employee met the Recreation Leader in a Cook County Forest Preserve and went back to his home in Riverdale, Ill., where she stayed overnight. She described being subjected to unwanted touching outside her clothes. She ultimately told the Recreation Leader to stop, which he did before ordering an Uber to take her home.

During its investigation, OPA learned that the Recreation Leader has been residing in Riverdale, Ill., for most, if not all of his tenure with the District and that he provided the District’s Human Resources Department with an expired Illinois State Identification Card at the time of his hire. OPA referred the residency matter to the District’s Office of Inspector General on August 18, 2023.

The case raised significant concerns about the District’s background-check process, including whether the District is receiving consistent and timely updates when existing employees have new information in their records and about the inconsistent retention and difficulty of accessing crucial records.

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As a result of its investigation, OPA issued a Summary Report on September 29, 2023, and recommended termination of the Recreation Leader's Park District employment and placement of a "Do Not Hire" designation in that employee's personnel file.

Additionally, OPA urged the District to prioritize entering into a valid contract with a third-party background check company that includes a process for receiving continuous alerts in a reliable and timely manner.⁴ The District should also maintain, with ease of accessibility, the official records provided by the background check vendor for each District employee.

Furthermore, Human Resources should require that all prospective District employees provide a valid form of identification during the onboarding process. Expired identification should not be accepted for any position.

In response to OPA's recommendation, the Recreation Leader's employment was terminated on October 13, 2023. Human Resources has informed OPA that it is taking steps to enter into a new contract with the third-party background check company and address the concerns raised by OPA's Summary Report.

23-0114: OPA Recommends Policy for Protection of Vulnerable Adult Patrons

On July 31, 2023, OPA received an email from a Special Recreation employee who indicated that the employee had filed an anonymous report with the Illinois Department of Children and Family Services (DCFS) after a Participant reported that she was touched inappropriately by a family member. The employee did not provide any additional details about the allegation. When OPA contacted the employee by phone, the employee explained that the Participant was 29 years old, had Cerebral Palsy and had limited verbal communication. Because of the Participant's age and disability, OPA explained that it was not appropriate to report the concern to DCFS and that a report should instead be filed with Adult Protective Services (APS).

⁴ The District's contract with Accurate Biometrics Inc. was executed on February 12, 2012, and expired after exhausting all possible extensions on February 12, 2016. Although the District has been without an active contract for fingerprinting and background check services for more than eight years, background checks of new employees and volunteers have continued with the same vendor.

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OPA also discovered that the employee's initial report to DCFS was submitted electronically using the DCFS online reporting system. Even if the Participant had been a child, the allegations at hand would have been required to be reported by phone to the DCFS Hotline, rather than the DCFS Online Reporting System.

The District's Child Abuse and Neglect Reporting Policy specifically requires employees to call the DCFS Hotline if they believe that the abuse they are reporting requires immediate action, "including if the involved adult has or will have access to a child within the next 24 hours."⁵ Further, the DCFS Online Reporting System includes a warning "The Online Reporting System is to be used for non-life threatening and non-emergency incidents of abuse or neglect of a child. If you believe the abuse or neglect you are reporting requires immediate action, you MUST call the Child Abuse and Neglect Hotline at 800-25-ABUSE (800-252-2873) to make your report." The Online Reporting System also explicitly lists "[s]exual abuse where the involved adult has or will have access to a child within the next 24 hours" as a situation requiring a call to the Hotline rather than using the Online Reporting System.⁶

While an electronic submission to the DCFS Online Reporting System should not have happened in this situation, based on the Participant's age as well as the nature of the allegation, the employee's attempt to submit a report using the online form identified an additional concern. The form asks if the user is a Mandated Reporter. If the user selects "Yes" the form requires contact information to be entered before the individual is able to submit the report. In this case, the Park District employee purposely selected "no" to falsely indicate that the employee was not a Mandated Reporter to avoid sharing any personal information. Additionally, the employee explained that Park District managers had stated in the past that employees were allowed to report anonymously.

Having no contact information may cause delay or otherwise impede an agency's ability to investigate effectively. In this situation, incorrectly submitting the anonymous report to DCFS caused significant delay. OPA worked with the employee and other members of the staff to ensure that the concern was correctly reported to APS, and the Participant was ultimately taken by ambulance from the Park District to a local hospital at the direction of an APS case worker the next day.

⁵ Chicago Park District Child Abuse and Neglect Reporting Policy (Revised June 1, 2023)

⁶ <https://dcfsonlinereporting.dcf.illinois.gov/>

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While the Park District staff clearly acted with the intent to assist the Participant, the failure to follow District policy and Illinois state statute⁷ instead resulted in a situation that jeopardized the Participant's well-being and caused significant delay in the appropriate investigative entity being notified. Additionally, OPA has identified a lack of policy, procedure or guidance for the District's Special Recreation staff related to handling medical and safety emergencies and reporting to APS.

As a result of its review of this situation, OPA has recommended that Special Recreation review its existing procedures to determine what additional policies and guidance documents are needed regarding the handling of safety or medical emergencies.

OPA also recommended that specific staff be retrained on Mandated Reporter responsibilities and the need to immediately report all matters related to APS and DCFS to OPA.

Finally, OPA recommended that the Park District create a policy outlining APS reporting protocol for suspected abuse, neglect, or financial exploitation of adults age 60 or older and individuals with disabilities ages 18-59. The Park District's Policy Director Pamela Witmer has already completed a draft of this policy, and it is in the process of being reviewed with implementation expected in the Fourth Quarter.

⁷ (325 ILCS 5/) Abused and Neglected Child Reporting Act.