



Tamara B. Starks
Director

OPA@ChicagoParkDistrict.com (Email)

312-742-5672 (Hotline)

2 N. Lasalle Suite M550

Chicago IL 60602

CHICAGO PARK DISTRICT

OFFICE OF PREVENTION AND ACCOUNTABILITY

Annual / Fourth Quarter 2024 Report

To General Superintendent Rosa Escareño, President Marlon Everett and the Chicago Park District Board of Commissioners,

Attached please find the Annual/Fourth Quarter 2024 Report from the Office of Prevention and Accountability (OPA). This report summarizes the steps OPA has taken toward fulfilling the essential mission set forth in Chapter 4 of the Chicago Park District Code.

As detailed in this report, OPA in 2024 continued working to ensure that the Chicago Park District remains an equitable, inclusive, safe, and respectful recreation and work environment. As this marks the second annual report issued by this Office, OPA has included an overview of the progress made toward the goal of keeping the Park District free from discrimination, harassment, sexual harassment, sexual misconduct, workplace violence, abuse and neglect of children and vulnerable adults, and retaliation.

OPA has made good progress and will continue these vital efforts. The OPA team looks forward to continuing to serve this vital role at the Chicago Park District going forward.

Sincerely,

Tamara B. Starks

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Director
Office of Prevention and Accountability

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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

Throughout 2024, OPA remained staffed as follows: a Director, a Senior Investigator, three Investigators and a Case Intake Specialist. With those personnel, OPA was 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 Training as a Prevention Tool

The Fourth Quarter saw the completion of OPA's 2024 push to ensure the Park District remains in compliance with the state of Illinois and City of Chicago requirements for Harassment Prevention and Bystander training. Under those requirements, all Park District personnel were assigned one hour of Harassment Prevention and one hour of Bystander training. Anyone in a managerial or supervisory position was also required to complete a second hour of Harassment Prevention training. These trainings also included instruction on how employees can seek assistance if they experience harassment or discrimination by reporting such misconduct to OPA.

By the end of 2024, more than 2,700 year-round employees had completed both the Harassment Prevention and Bystander trainings. Additionally, roughly 2,800 seasonal employees receiving both Harassment Prevention and Bystander trainings in 2024.

With the Harassment Prevention and Bystander trainings wrapped up, OPA turned its attention to another important training – "Keeping Children Safe," which was created by the Chicago Children's Advocacy Center (CCAC). OPA has established a vital partnership with the CCAC, which houses a multi-disciplinary team tasked with ensuring the safety and well-being of children who have been reported as victims of sexual and physical abuse.

The Keeping Children Safe training was rolled out on November 8, 2024, to the roughly 1,900 Park District employees who work directly with children. The training was designed to assist employees in recognizing child abuse, as well as signs of grooming. The Park District achieved substantial compliance with this training by its December 31, 2024, deadline largely through the work of Workforce Development, as well as leaders in Community Recreation.

In addition to the online trainings year-round staff completed via the Park District's Success Center, OPA presented informational trainings for staff in Community Recreation at three Regional Information Sessions from October 22-24, 2024, and attended a Park Supervisor Conference on October 29, 2024. OPA also did a brief training for foremen in the Department of Cultural and Natural Resources to provide guidance

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related to the duties of supervisors when it comes to complaints under the Human Rights Ordinance.

Throughout the Fourth Quarter, OPA also collaborated with Workforce Development on the 2025 plan for trainings – including training necessary for compliance with the state of Illinois’ Mandated Reporter requirement and updated Harassment Prevention and Bystander trainings. That planning is part of a bigger collaboration between OPA, Workforce Development and the Policy Director to create a clearly communicated training schedule for Park District staff.

Two Years of Accomplishments

In issuing this Fourth Quarter / 2024 Annual Report, OPA is marking two years of work at the Chicago Park District. Since the Office became fully operational in February 2023, OPA worked with its colleagues throughout the Park District to make significant improvements in the areas of training, policies and accountability.

OPA’s work in the area of training has focused on ensuring that the Park District is in compliance with legally required trainings in the areas of Mandated Reporter, Harassment Prevention and Bystander. The most recent efforts are detailed in the Fourth Quarter report above and will continue throughout 2025.

OPA’s policy work began with an update in June 2023 of four core policies related to Chapter 4 of the Park District’s Code:

- **Sexual Harassment Prevention Policy,**
- **Equal Employment Opportunity Policy,**
- **Violence in the Workplace Policy, and**
- **Child Abuse and Neglect Reporting Policy.**

All four documents¹ 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. A further update was made to the Child Abuse and Neglect Reporting

¹ All policy documents are linked at the top of OPA’s website: www.ChicagoParkDistrict.com/OPA .

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Policy in December 2024 to ensure that this policy remains consistent with recent updates to the Illinois Abused and Neglected Child Reporting Act.

Additionally, working in conjunction with the Park District's Policy Director and Law Department, OPA established the new **Adult Protective Services Policy** in January 2024. The APS Policy grew out of OPA's work with the managers and staff in the Park District's Special Recreation Department. It includes guidance on how to identify concerns related to vulnerable adults, including physical abuse, neglect and financial exploitation. The policy also provides Park District staff with information regarding the procedures for reporting such concerns to the state of Illinois' Adult Protective Services Hotline (866-800-1409). OPA hosted a Lunch & Learn training in April 2024 to discuss the APS Policy with staff and provide an opportunity for discussion. That training was in addition to several meetings with the Park District's Special Recreation team to gather feedback and answer questions.

Then in June 2024, OPA worked to support the Policy Director's successful efforts to create and roll out the **Gender Diversity Policy**, which reinforces the protections already provided under the Human Rights Ordinance for members of the Park District community who are transgender, gender non-conforming or non-binary. In addition to protections for employees, the Gender Diversity Policy also provides guidance to assist staff in providing a welcoming and inclusive space for patrons and participants in Park District programming. 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 and took steps to update its internal procedures to handle any inquiries/complaints related to the new policy.

In addition to these policies, OPA has worked with the Policy Director to create guidance documents to formalize best practices and assist staff in handling concerns. Those documents include the "Guidelines for Protecting Minors & Vulnerable Adults" and "Guidelines for Cooperating with DCFS Investigations" – both of which were released to staff along with supplemental trainings.

It should be noted that OPA's work with the Policy Director and Law Department is part of an ongoing collaboration to locate, review and update all essential Park District policies to ensure legal compliance and adherence to best practices.

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In the area of accountability, OPA began its work in 2023 with a marketing campaign to counteract feedback from staff – many of whom stated that they were unsure how best to report concerns related to the Human Rights Ordinance. The first step of this campaign was the creation of the OPA website, which was designed to provide details on Park District policies and information about how to report any violations of those policies. This was followed by the creation of updated signage posted in all Park District facilities that includes OPA’s contact information with a QR Code that takes users directly to OPA’s website for additional details, as well as an online complaint form.

OPA’s efforts to encourage the reporting of concerns resulted in an outpouring from Park District staff, patrons and community members. From the time OPA became operational in February 2023 through the end of 2024, OPA received almost 700 complaints and inquiries from individuals seeking assistance with a wide range of issues.

Roughly 40 percent of those contacts received involved matters not under OPA’s jurisdiction, but this Office worked diligently to triage those and refer them to be addressed elsewhere. This also highlighted the need for additional training, so OPA partnered with the Chicago Park District’s Office of the Inspector General (OIG), Risk Management (Risk), and Human Resources (HR) to hold a “Reporting Workplace Concerns” training in September 2024. This training provided staff with guidance on the jurisdictions of each office so employees would be better informed about how to obtain assistance. Additionally, OPA created a “Reporting Workplace Concerns” flyer that was distributed District-wide that includes contact information for OPA, OIG, Risk and HR, along with a list showing which concerns are handled by each office. These educational efforts appear to be having an impact as OPA has begun to see fewer misdirected complaints and inquiries.

The bulk of the almost 700 complaints and inquiries received were, however, regarding the Park District’s Human Rights Ordinance and related policies, including allegations of discrimination (11%), concerns about conduct involving minors (11%), and complaints of harassment (9%), sexual harassment/misconduct (8%), and workplace violence (7%). The remaining complaints and inquiries fell into less common categories, such as issues related to failure to report and retaliation. OPA worked to address the complaints submitted, often by providing guidance to resolve the concerns or by opening investigations into the allegations raised.

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OPA's commitment to fostering accountability and transparency at the Park District is documented in its quarterly and annual reports, which are posted on the OPA website and include statistics related to the complaints submitted to the Office, as well as anonymized summaries of its investigative reports and recommendations.

As part of further efforts to ensure accountability, OPA also partnered with the Park District's Law Department and OIG to initiate a collaboration with Chicago Public Schools (CPS) to increase information sharing. The resulting Inter-Governmental Agreement, approved in 2024, provides a pathway for OPA and CPS to share investigatory reports regarding employment candidates and/or employees who work for both agencies. This provides an added layer of protection when someone with dual employment is terminated for serious instances of physical abuse or sexual misconduct.

Q4 Complaints, Reports and Investigations

In the Fourth Quarter 2024, OPA received 77 complaints/inquiries.² In the Fourth Quarter, OPA opened 16 investigations and closed 47 cases. At the conclusion of the Fourth Quarter, OPA had a total of 120 open investigations.

Of the complaints/inquiries received in the Fourth Quarter 2024, the most common complaints/inquiries received were: discrimination (9); sexual harassment/misconduct (8); harassment (8), concerning conduct by or involving minors (7), and workplace violence (6). The remaining complaints/inquiries were in less common categories, were determined to not fall under OPA's jurisdiction, or remain under investigation.

Of the 77 complaints/inquiries received in the Fourth Quarter, OPA determined that 28 did not fall under OPA's jurisdiction or require investigation; they included: complaints about cleanliness and trash in parks; concerns about chemicals used at a park pool; questions about a Park Advisory Council's finances; graffiti on Park District property; defacement of political signs; and rudeness/unprofessional conduct by Park District patrons and staff. While these complaints were not determined to require investigation

² The Q4 2024 total compares to: 87 received in Q1 2024, 98 received in Q2 2024, and 127 received in Q3 2024 (17 received in Q1 2023, 41 in Q2 2023, 121 in Q3 2023, and 81 in Q4 2023).

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by OPA, many of the inquiries raised serious issues. OPA, therefore, worked to ensure that those issues were properly referred to Human Resources, the OIG, Community Recreation, Security/Chicago Police, or other appropriate Park District managers/partners. In 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 several cases, OPA's initial review of the complaints determined that an investigation was not feasible or required; those matters were administratively closed.

In the Fourth Quarter 2024, 10 cases were closed after the completion of formal investigations and/or the issuance of an OPA Summary Report. Below are summaries of those matters:

23-0185

OPA received a complaint alleging that a Park District Lifeguard (Subject) violated District policy by creating a toxic work environment and by harassing fellow employees. OPA interviewed Subject's co-workers, who described Subject as "socially awkward," "odd" and "doesn't know personal space."

One co-worker stated that the park was no longer an enjoyable place to work since Subject joined the staff. Another stated that the issue is not that Subject is violent, hostile or disrespectful; rather, it is more that Subject is not open to direction, becomes defensive, and is prone to conflict.

Based on the interviews conducted, OPA closed this matter as unsubstantiated because the allegations presented in the complaint were not sufficient to find that Subject violated Chapter 4 of the Park District Code or any related Park District policies.

23-0196 / 23-0241

OPA received complaints related to conflicts between two Chicago Park District employees. Complainant 1 contacted OPA alleging they were being harassed by false

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complaints, slander and defamation of character made by Complainant 2. Complainant 2 contacted OPA alleging retaliation by Complainant 1 and a manager.

OPA interviewed both Complainant 1 and Complainant 2 to elicit more information about the allegations being made.

Complainant 2 was not very familiar with OPA but went on the OPA website and filled out a form to file a complaint. After Complainant 2 received an explanation of the types of allegations OPA investigates, Complainant 2 stated that they were uncertain their complaints would fall under OPA's jurisdiction. Complainant 2 was unhappy that their work location was changed and that their concerns about that and other administrative issues were dismissed. Complainant 2 also described asking questions and receiving responses from managers that were not helpful.

Complainant 1 stated that supervisors relayed complaints that Complainant 1 knew were being initiated by Complainant 2. Complainant 1 viewed those complaints as a form of harassment and stated that the situation created a hostile workplace. Complainant 1 was adamant that the allegations made were all false and that the complaints were slander and defamation.

While there is a definite personality conflict between these employees, OPA's preliminary investigation found insufficient evidence to merit a full investigation into the allegations made by Complainant 1 and Complainant 2. Because the complainants failed to articulate allegations that would fall under Chapter 4, OPA closed this matter.

23-0231

An OPA investigation found insufficient evidence to support allegations that two supervisory employees (Subject 1 and Subject 2) engaged in discriminatory and harassing acts against employees based on race, color, ancestry, and/or sex.

COMPLAINT

OPA received a complaint from a laborer (Complainant 1) who alleged that Subject 1 and Subject 2 were hostile and intimidating to the point of harassment. Complainant 1

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believed the harassment was due to her identity as a Hispanic woman. Complainant 1 also alleged that Subject 1 continued to speak to her in a dismissive and condescending way, was engaging in acts of favoritism, and blocked Complainant 1's applications for Park District postings in different departments.

OPA received an additional complainant from a second laborer (Complainant 2). Complainant 2 alleged that Subject 1 discriminated against Black female and Hispanic female employees. Complainant 2 alleged that Subject 1 discriminated against her by preventing her location transfer in favor of white, non-Hispanic female employees and Hispanic male employees. Complainant 2 also alleged the same against Subject 1 and Subject 2 regarding the incident involving Complainant 1.

INVESTIGATION

During its investigation, OPA reviewed relevant employee personnel and disciplinary records, conducted numerous employee interviews, and reviewed employee transfer requests as well as other relevant records.

Through OPA's investigation, legitimate concerns were raised about whether Subject 1 and Subject 2 have been utilizing employee transfers for punitive purposes and whether their handling of employee discipline and manner of communication with employees creates a hostile or intimidating work environment.

FINDINGS AND RECOMMENDATIONS

While the evidence was insufficient to find that Subject 1 or Subject 2 violated Park District policy regarding discrimination, OPA noted that a multitude of employees expressed extreme unease regarding both Subject 1 and Subject 2's conduct, especially as it pertains to the transfer of employees, their management style, and the way they speak to employees. In the interest of maintaining a welcoming and inclusive environment, OPA recommended that the Park District provide Subject 1 and Subject 2 with communication and supervisory skills coaching and/or training to abate any behaviors, inadvertent or otherwise, that might be causing such unease.

Additionally, OPA urged the Park District to review Subject 1 and Subject 2's handling of the discipline of employees and determine whether Subject 1 and Subject 2 had utilized employee transfers or the threat of transfers for punitive purposes. Finally, OPA suggests

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that the Park District determine whether Subject 1 and Subject 2 address employees in a professional and respectful manner, particularly those employees whose first language is not English.

RESPONSE TO RECOMMENDATIONS

In response to the concerns raised by OPA, leadership in the Department of Cultural and Natural Resources (DCNR) did an internal review of employee transfers and submitted a written response to OPA and HR detailing the steps taken, including training and/or counseling for the employees involved.

24-0064

OPA received a complaint referral from the OIG. The anonymous Complainant alleged an individual in Community Recreation (Subject) had impregnated an underage Seasonal Recreation Leader at some point in the past when Subject was working as a Playground Supervisor. The Complainant also alleged multiple supervisory staff turned a blind eye to the situation.

The anonymous Complainant failed to provide any identifying information regarding the name of the alleged victim, year, work site location, or the staff who were aware of the situation.

Upon receipt of the complaint, OPA submitted a Child Abuse and Neglect form to the Department of Children and Family Services (DCFS). In response to the submission, DCFS indicated their investigation of the report had been completed and it was determined the report to be “unfounded.” The response further stated its finding does not necessarily mean an incident did not occur but that the evidence did not rise to the level required to indicate for abuse or neglect as dictated by state law and DCFS Administrative Rule.

OPA received and reviewed documentation related to the allegations. OPA also conducted an interview with a potential witness identified by reviewing documentation. The witness, however, did not provide any additional details or information useful to

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OPA's investigation. OPA has been unable to find any information or locate any witnesses to corroborate the allegations.

Conclusion

OPA closed this case as not substantiated. If OPA receives any additional information to further its investigation or any information to corroborate the allegations, it will reopen the investigation.

24-0085

An OPA investigation found insufficient evidence to support an allegation that a manager in Community Recreation (Subject) discriminated against another manager in Community Recreation (Complainant) based on her sex, female.

Complainant stated she was being discriminated against based on her sex, female. Complainant related there were issues when employees who worked under Subject's supervision were required to submit their budgets. The employees were upset, and it was causing "tension, confusion, and stress." If anyone did not cooperate with Subject, his tone and behavior changed.

During Complainant's interview, OPA found that she failed to articulate how any of Subject's actions violated policy or were discriminatory and related to her sex. The concerns raised by Complainant appeared to be supervisory direction related to operations and finance. Complainant failed to identify any discriminatory incidents. In fact, she related that all employees under Subject's leadership were upset with the way the situation was handled. That group included both male and female employees, indicating that Subject's actions were not done on a discriminatory basis.

OPA found no substantial, credible, and corroborated testimonial or documented evidence to show that Subject engaged in any discriminatory behavior based on Complainant's sex, female, or any other protected category, in violation of any Chicago Park District policies.

For these reasons, OPA closed this case as unsubstantiated.

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24-0134

An OPA investigation found insufficient evidence to support an allegation that a Park Supervisor of Recreation (Complainant) was outed to another employee by a supervisor (Subject) or that Subject engaged in sexual harassment or discrimination.

The investigation found no evidence to corroborate Complainant's assertion that Subject revealed Complainant's sexual orientation to a former employee on that employee's last day with the Park District (Witness). When contacted by OPA, the Witness denied that Subject outed Complainant; Witness recalled Subject pointing to Complainant as a possible mentor, but did not recall Subject saying or implying anything about Complainant's sexual orientation.

Additionally, Complainant also reported that Subject was sexist because he said Park District policy states women are not allowed to open or close parks by themselves. Subject, however, provided a credible explanation of his actions in assisting a new female employee who expressed being anxious about leaving work alone at night.

For these reasons, OPA closed this case as not substantiated.

24-0260

OPA received a complaint from a Laborer-Maintenance (Complainant) who alleged they were subjected to unequal terms and conditions of employment by a Labor Foreman and a Park Operations Supervisor. The Complainant further alleged being harassed and bullied because they previously complained of discrimination by those supervisors.

OPA made several attempts via email and telephone to schedule an interview with Complainant to obtain information about the allegations. After numerous unsuccessful attempts at contact, a letter was mailed to Complainant's home address on October 31, 2024, instructing Complainant to contact OPA no later than close of business on November 13, 2024, or the case would be closed. Complainant failed to respond by the deadline provided.

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As Complainant failed to provide sufficient information for OPA to conduct an investigation, this case could not be substantiated and was administratively closed.

24-0318

OPA received a referral from the OIG of a complaint submitted by an Area Manager, regarding allegations of inappropriate conduct by an Attendant (Subject) while on duty at a Park District fieldhouse. The complaint alleged that Subject was found in the park's kitchen, with his pants down around his ankles, exposing his buttocks. The complaint alleged that Subject was possibly touching himself sexually while looking at his cell phone. The Area Manager also indicated that Subject had been a difficult employee to manage because he often struggled with basic tasks.

OPA opened an investigation into the September 5, 2024, incident in which Subject was found with his pants around his ankles exposing his naked buttocks, while possibly touching himself sexually, and other identified instances of possible inappropriate conduct.

BACKGROUND

The OIG's referral to OPA included statements from the Area Manager, the Park Supervisor, and the Physical Instructor who witnessed the incident (Witness) involving Subject. The referral also included the Park Supervisor's statement that Subject's deficiencies had been mentioned to Human Resources prior to the incident and there had been a lack of guidance from that department.

INVESTIGATION

Subject had been with the Park District since 2022, when he began his employment as a Pool Attendant. Subject was subsequently hired as an Attendant (Hourly) in November 2022.

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OPA interviewed the Park Supervisor, who recounted the following, in part:

- The Park Supervisor was not an eyewitness to the incident involving Subject; the only information he had was secondhand. At the time of the incident, he was on vacation. After learning of the incident, he contacted his Area Manager and related the information to him.
- He said he never felt confident in Subject's ability to work alone and that he has never worked alone. He was not confident in Subject opening or closing the building and said Subject was almost "childlike" and could not work independently.
- He reported to Human Resources that Subject was "incapable of safely doing the job" as far back as 2022, to no avail. He related he was told by HR that Subject excelled during his job interview, receiving scores of 5 on his interview evaluation.
- Some of Subject's coworkers found him "off putting." The Park Supervisor said he never felt Subject was a danger but that he would talk to himself or snap at someone if they told him to do something. He related that Subject also got frustrated if he could not do something.
- Subject had to be told not to stand by the restroom door and not to go into the bathroom when people were in the restroom.
- In Park Supervisor's opinion, the job of Attendant is not appropriate for Subject; he should not be in a position where he has to interact with the public or give park program information.
- Subject never presented as an individual with any special needs or appeared to require any accommodation.

OPA interviewed Witness, who recounted the following, in part:

- On September 5, 2024, she was running programs with approximately nine children and brought them a pack of mini bottles of water.
- When it was close to 5:30 p.m., she allowed the children to take a break, and she instructed the girls to line up so she could get them the water.
- The door to the kitchen was closed but not locked as she was about to enter. When she walked into the kitchen, Subject's back was towards her and his pants were completely below his ankles, on the floor, and his bare buttocks were exposed. She saw his right hand holding his cellular phone but she could not see Subject's other

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hand because it was placed in front of his body. Witness stated that he may have been scratching himself or touching himself sexually. Although she could not be certain, she believed it to be the latter.

- Witness called his name and told him to pick up his pants. He said "OK, I'm sorry." She told him to keep the door open and not to close it.
- She did not want to address Subject too loudly because the children would have come into the kitchen to see what was going on because they were right outside of the door.
- On the same day, after the incident, she saw Subject a couple more times in passing but he did not say anything to her and she did not say anything to him.
- Prior to the incident, there were other occasions where Subject would bend over and the crack of his buttocks and sometimes his buttock cheeks would show. She would constantly have to remind him to pick up his pants or lower his shirt to cover his bare buttocks.
- Other employees have also had to tell Subject about his pants being down or remind him to pull them up on a daily basis.
- She told Subject to wait outside the women's restroom and ask someone to check to make sure no one was inside before entering. She said Subject used to just go into the restroom when people were inside.
- At one point, Subject went into the restroom to grab trash and there were female patrons inside. One of the women reported there was a man in the restroom and asked her if he had to be in the restroom, or if she could get him out. When Witness saw it was Subject, she told him to get out of the restroom.
- She said she is primarily concerned for the minors who patronize the Park District.

OPA interviewed the Area Manager, who recounted the following, in part:

- On the night of September 5, 2024, he received a call from the Park Supervisor, who was on vacation and out of state. The Park Supervisor reported the information he received related to the incident involving Subject, and the Area Manager contacted OIG.
- When it was first recommended that Subject be assigned to the park, he received a call from Human Resources asking if he would accept a transfer. He raised

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reservations about the transfer and was told Subject was seasonal and had high ratings on his evaluation.

- After he began working at Gage Park, Subject was very unkempt and it was clear he did not have good knowledge of personal cleanliness. Subject was somewhat “docile” and was very limited in his ability to communicate.
- The Area Manager never saw Subject as being a threat but was more concerned about his well-being. It was obvious Subject “had some challenges.” The Area Manager said Subject could not be trusted with keys to lock up at night and he was essentially being “baby sat,” all while he was supposed to have been working.
- Subject was never presented as someone who had developmental issues.
- After he made the report, he received a letter from Human Resources on Friday September 6, 2024, to provide to Subject related to his emergency suspension. He had a member of Park District Security present to be a witness when he served Subject with the suspension document. When he presented Subject with the letter, Subject asked what he had done wrong. The Area Manager told him he was on immediate suspension and instructed him to turn in any keys he had in his possession.

OPA interviewed Subject’s Former Supervisor, who recounted the following, in part:

- The Former Supervisor stated that, when Subject worked for her as a Pool Attendant (seasonal), his duties included cleaning the pool, shower areas, and the parking lot around the pool. If it rained, Subject would come inside the park facility to clean instead of going home.
- As an employee, Subject was a loner, quiet, not a lot of conversation, but he did his job and she did not have any major complaints. If she gave him a directive, he followed it.
- The Former Supervisor said the only issue regarding Subject that came to mind was that once a staff member took a picture of him when he fell asleep on the job. But, outside of that, he did not give her any problems.
- She does not recall receiving any complaints about Subject from employees or patrons.
- Subject was never presented to her as having a disability, but she could “see in his conversation, and his responsiveness, that there was something.”

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- She felt that if he was hired through Human Resources and made it that far, he must have been OK.

OPA interviewed Subject, who recounted the following, in part:

- Subject began his employment in July 2022, as a Pool Attendant. He learned of an available position for an Attendant (Hourly), applied and was hired for the position in 2022.
- His job duties in his position of Attendant (Hourly) consisted of him cleaning and stocking bathrooms, sweeping and mopping floors, providing directions and assistance. He also picked up trash on the premises, wipes down windows, and locked up rooms at the end of the day.
- On September 5, 2024, he was in the kitchen charging his cellular phone and watching videos on YouTube. He closed the door to the kitchen so that the noise from his phone would not “spill into the hallway.” His back was toward the door, and he was leaning on the counter when Witness walked in.
- When Witness came into the kitchen to get the children water, he paused the video.
- He did not recall his pants being around his ankles while he was in the kitchen. He said Witness did call his name and told him she was there to get the kids some water.
- He stated: “She did not catch me doing anything lewd, because I was not doing anything lewd.”
- He did recall Witness telling him to keep the kitchen door open as she was leaving.
- If he has something in his pants, they will sag and he has been told to pull them up. Ever since he was told to pull up his pants, he has been mindful to keep his pants up over his stomach.
- He was told if he was going into the women’s restroom, he should announce himself; if he did not receive a response, he could go in.
- He said there was one time last year when a special needs child was in the restroom and another attendant instructed him to come out of the restroom. He listened to that instruction and came out without questioning.

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- A couple times he asked Witness to go into the women's restroom to check to make sure "the coast is clear." A security guard also once told him to make sure the restroom was clear before he went in. He did not ask the security guard any questions and believes the security guard wanted to ensure he would not be accused of doing anything improper.
- On September 6, he went to work for his regular shift and the Area Manager informed him he was being suspended due to a pending investigation. The Area Manager asked for the keys to the building, and Subject asked the Area Manager what he had done wrong. The Area Manager told him he could not elaborate and referred him to the information on the written notice provided to him.
- At the conclusion of the interview Subject asked, "What if the investigation is based off a misunderstanding?" He also asked what if Witness just thought his pants were down. He stated he was not accusing Witness of lying but asked what if she did not see what she thought she saw.

FINDINGS AND RECOMMENDATION

OPA found sufficient, substantial and credible evidence to establish that Subject engaged in behavior that violated the Chicago Park District's Code of Conduct and the Sexual Harassment Prevention Policy (Policy).

Subject created an offensive work environment by having his naked buttocks exposed in a common area and engaging in what his co-worker believed to have been a sexual act. The Policy specifically prohibits "physical gestures that imply a sexual act or sexual anatomy, touching oneself in a sexual manner."

During OPA's investigation, Subject acknowledged he was in the kitchen with the door closed and watching videos on his cell phone. Subject denied his pants were around his ankles and suggested that Witness may not have seen what she thought she had seen or may not have remembered correctly. OPA, however, did not find those assertions to be credible. In contrast, OPA's investigation found Witness's account of the September 5, 2024, incident to be consistent and credible.

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Subject's deliberate and careless actions put staff in an uncomfortable position and offensive environment. Further, his conduct in a Park District facility in close proximity to children could have potentially placed minors at risk of sexual exposure, absent the quick thinking of Witness.

Based on this substantiated violation, OPA recommended that Human Resources evaluate these findings and discipline Subject as appropriate given the serious nature of his misconduct.

Additionally, OPA's investigation raised several concerns about Subject's ability to perform the duties of his position. While none of the individuals interviewed had specific knowledge of whether Subject has any developmental or intellectual disabilities, he was repeatedly described as someone who frequently needed direction on appropriate conduct and who was unable to perform more independent or complex tasks, such as opening or closing a Park District building. Those interviewed by OPA indicated that these concerns were previously raised to Human Resources, but no guidance was provided. OPA, therefore, recommends that Human Resources revisit how it responds to such concerns and what resources can be provided to Park District departments when employees exhibit such behavior and may need additional supports.

In response to OPA's recommendations, HR terminated Subject effective January 23, 2025.

24-0367

An OPA investigation established that a Physical Instructor (Subject) violated Chapter 4, Section A(4) of the Park District Code by engaging in inappropriate conversations about gender identity, sexual orientation, and sexual activity with a minor Park District participant (Minor Participant). Subject's actions also violated the Park District's Gender Diversity Policy.

RECOMMENDATIONS

OPA recommended termination of Subject's Park District employment.

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OPA also recommended that Park District's Community Recreation Department consider alternatives for dividing up participant groups for programming in ways that are not based on gender.

INVESTIGATION

On October 11, 2024, OPA received a complaint that Subject had made multiple inappropriate comments to the Minor Participant regarding gender identity and sexual orientation.

A. REVIEW OF PERSONNEL RECORDS

During the course of its investigation, OPA reviewed Subject's personnel and disciplinary files. Subject's files did not indicate any prior disciplinary issues.

According to Park District records, Subject's employment with the Park District began in July 2021 as a seasonal recreation leader. Subject was hired as a year-round employee in May 2022.

OPA also reviewed Subject's Park District training records. According to the records, Subject did not complete the Park District's 2024 Gender Diversity training. He completed the Park District's 2024 Preventing Workplace Harassment training and Bystander training on April 26, 2024, and also completed the 2023 Preventing Workplace Harassment training and Bystander training on August 10, 2023.

B. ILLINOIS DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Chicago Public Schools (CPS) contacted the Illinois Department of Children and Family Services (DCFS) to report the allegations involving Subject. The report was logged as informational, and DCFS declined to open an investigation.

C. EMERGENCY SUSPENSION

On October 21, 2024, at the recommendation of OPA, Subject was placed on an emergency suspension.

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D. INTERVIEW OF SCHOOL ADMINISTRATION

During the course of the investigation, OPA spoke with the Principal, Assistant Principal, and a School Counselor at the Minor Participant's school.

On October 25, 2024, OPA spoke with the Principal. During the interview, the Principal explained that Subject worked in the Park Kids aftercare program this school year and last school year. The Principal described him as "immature" but stated that he was not aware of any other concerns regarding Subject's conduct.

On October 28, 2024, OPA met with the Principal, Assistant Principal and School Counselor. During the meeting, the School Counselor stated that as a counselor, he was very disturbed by the incidents that Minor Participant disclosed to him. Additionally, the Principal and Assistant Principal stated that they did not feel comfortable with Subject resuming any responsibilities in Park District programming with their students moving forward.

E. INTERVIEW OF MINOR PARTICIPANT

On October 28, 2024, with consent from Minor Participant's parents, OPA interviewed Minor Participant. During the interview, Minor Participant informed OPA that Subject oversaw the aftercare program at their school and they attend the program most days. Minor Participant is 11 years old and their pronouns are "they/ them," which Subject was aware of.

On or about October 8, 2024, Subject approached Minor Participant and asked what their name used to be last year. Minor Participant felt very uncomfortable that they were asked about their deadname and did not know how to respond.

On the same date, Minor Participant was working on homework and expressed that they were upset that the word "invalid" was used in a school assignment. Subject informed Minor Participant that this word is not a slur. Minor Participant told Subject that they believed invalid is similar to "the C word." Subject asked Minor Participant to disclose what the "C word" was multiple times even after Minor Participant said they did not feel comfortable doing so. Eventually, Minor Participant said they were referring to "cripple" and felt very upset that they were pressured to say cripple out loud. During the conversation Subject told Minor Participant that "weak people get offended by slurs" and

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stated that queer people are sensitive and “out of pocket.” Minor Participant informed Subject that “queer people are not dangerous.”

On another day during the same week, Subject initiated another conversation with Minor Participant related to gender identity and sexual orientation. The comments made Minor Participant feel very uncomfortable and they felt that they needed to educate Subject since he was being “offensive.” During the conversation, Subject “out of the blue” asked Minor Participant “Would you like it if a gay man wearing a thong came up to try to shake your hand at a pride parade?” Subject also informed Minor Participant that “he hated trans people” until he saw an episode of One Piece anime. Additionally, Subject told Minor Participant that transgender people are “angry” and told Minor Participant, “You are chill and not like other trans people.”

Subject informed Minor Participant that if he had a son he would not want him to be gay. He said “the stuff that gay men do behind closed doors is freaky” and also stated that in prison black men who are dominant prey on weaker men “for sex.”

The following week, Minor Participant told School Counselor what happened because they did not want this to happen to anyone else. Minor Participant felt targeted and that the reason Subject initiated the conversation with them is because of their gender identity and Subject wanted to “debate” his opinions with them because they identify as a member of the queer community. Minor Participant informed OPA that they just want to be able to “exist.” They also stated, “I just want to eat my snack and be a kid. [Subject] can debate with Google.”

F. INTERVIEW OF SUBJECT

On December 17, 2024, OPA conducted an administratively compelled interview of Subject with Subject’s union representative present. During the interview, Subject admitted to asking Minor Participant what their name used to be prior to them transitioning because he was curious and wanted to know. Subject stated that he did not know it was an inappropriate question to ask until Minor Participant told him that it was. Subject was aware of the term “deadname” and stated that the Park District had a new Gender Diversity Policy, which he believed went into effect in the summer of 2024.

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Subject admitted to informing Minor Participant that if he had a son he would want him to be “masculine.” He denied saying that he would not want his son to be gay. He did not know why he made the comment. Additionally, Subject admitted that he told Minor Participant he “hated trans people,” but an episode of the anime One Piece changed his mind. Subject then said that he did not think he used the word “hated.” Subject denied discussing “prison rape.” He said he told Minor Participant that there is a “big gay and trans population” in jail. He did not know why he made the comment.

Subject denied that he said “the stuff that gay men do behind closed doors is freaky.” Subject admitted that he said transgender people are “angry” and that he “complimented” Minor Participant by telling them that they are “different” and “chill.” Subject informed OPA that, during his conversation with Minor Participant, he said that queer people can be “outlandish” and “go overboard.” Subject then stated that he did not believe he said “outlandish.”

Subject admitted to repeatedly asking Minor Participant to state what the “C word” was even after they expressed feeling uncomfortable and initially refused to do so. Subject explained to OPA that he did this because he thought they meant “cunt” and wanted to see if he needed to “punish” the student for saying the word. Subject had no indication that the student used any inappropriate language and was aware that they were complaining about offensive language in their homework assignment.

During Subject’s interview he informed OPA that in the summer, his duties and responsibilities include overseeing the male group of day campers who are approximately eight to 12 years old. As a physical instructor, he is “not supposed to” supervise day campers, but due to the way the groups are divided, a male staff member is needed to supervise the male group of campers. Subject explained that the day camp groups at his park are broken up into three groups: a group of mixed gender four to seven-year-olds, a female group of eight to 12-year-olds, and a male group of eight to 12-year-olds. When asked why the groups are divided by gender, Subject said that each park supervisor has discretion and his Park Supervisor prefers to divide the groups this way.

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ANALYSIS

Subject admitted to asking a minor Park District participant their deadname, pressuring Minor Participant to use language that they felt was inappropriate, and initiating and engaging in conversations on more than one occasion regarding gender identity and sexual orientation. Minor Participant expressed that Subject's conduct as an adult staff member that they "should be able to trust" made them feel very uncomfortable and "targeted" because of their gender identity.

Throughout his interview with OPA, Subject made multiple inconsistent and unclear statements. While he denied some of the terminology that Minor Participant alleged, Subject generally admitted to making comments about each of the topics that Minor Participant reported.

Despite acknowledging that Minor Participant's pronouns are "they/them," and even after OPA reminded Subject of Minor Participant's pronouns and requested that Subject use the individual's correct pronouns during the interview, Subject consistently and unapologetically misgendered Minor Participant using "she/her" pronouns throughout his entire interview with OPA.

Park District records indicate that Subject has not completed Gender Diversity training; however, during his interview with OPA, Subject stated that he was aware the Park District had a Gender Diversity Policy that went into effect in the summer of 2024. Subject stated that he has "not really" reviewed the policy and was unsure whether he completed the training. Regardless, Subject admitted to knowledge of the policy and acknowledged that as a Park District employee he is expected to follow policies as soon as they are implemented. The Park District's Gender Diversity Policy, supplemental training materials, Sexual Harassment Prevent Policy and Human Rights Ordinance are available electronically on the Park District's Policy Resource Page.

Subject completed the Park District's annual mandatory Sexual Harassment and Bystander Intervention trainings in 2023 and 2024. These trainings define protected categories, including gender identity and sexual orientation. Additionally, the trainings address sexual harassment, discrimination, deadnaming, and allyship.

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Subject not only displayed poor judgement by initiating and engaging in these conversations with Minor Participant, but he also failed to grasp why these conversations are inappropriate to have with a minor and particularly inappropriate to have with an individual based on their gender identity. During Subject's interview with OPA, while explaining why he does not believe some of the comments were inappropriate, Subject focused on how the conversations benefited him and changed his perspective. He demonstrated a total lack of understanding that the potential risk of harm to others from these actions is substantial.

CONCLUSION

Based on the evidence detailed above, OPA determined that the allegation that Subject violated the Park District's Human Rights Ordinance and Gender Diversity Policy was substantiated. OPA recommended termination of Subject's Park District employment.

Additionally, in order to foster a welcoming and inclusive environment in alignment with the Park District's Strategic Plan, OPA suggests that the Community Recreation Department consider implementing a gender-neutral way to divide groups for programming.

In response, HR advised OPA that the Subject employee was terminated, effective January 29, 2025, and an Ineligible for Rehire designation placed on his file.

Additionally, Community Recreation has developed a brief guidance document, "Procedure For Grouping Participants in Programming" to instruct employees handling Park District programming on best practices for grouping participants using gender-neutral distinctions.