



Joseph M. Ferguson
Inspector General
City of Chicago Office of Inspector General
740 N. Sedgwick, Ste. 200
Chicago, Illinois 60654

July 3, 2018

Inspector General Ferguson,

Grave concerns have come to the attention of the National Police Association, herein (“NPA”), concerning the Complaint filed in the United States District Court for the Northern District of Illinois, Eastern Division, herein (“Federal Court”)¹, by the State of Illinois, through Ms. Lisa Madigan, Attorney General of the State of Illinois, herein (“Plaintiff”), against the City of Chicago, herein (“Defendant”) and the looming Consent Decree, whereby Mayor Rahm Emanuel, herein (“Mayor Emanuel”), has already violated, or inevitably will be in violation of his fiduciary obligations owed to the City of Chicago².

The purpose of this letter is to plead for your independent investigation and analysis of this apparent conflict of interest that rests with Mayor Emanuel in his official capacity as Mayor of the City of Chicago while making dangerous, but, presumptively politically positive concessions in the terms of the forthcoming Consent Decree.

Setting aside the State of Illinois’ curious, if not completely skewed notion and application of the doctrine of *parens patriae* asserted in Plaintiff’s Complaint, what troubles NPA further is Mayor Emanuel’s complicities in connection with the gross allegations made chiefly

¹ Cause No.: 17-cv-6260

² Mayor Emanuel, as mayor, is the chief executive for the City of Chicago. Amongst other responsibilities, Mayor Emanuel’s chief responsibilities include the management and administration of various city agencies, including the Chicago Police Department, herein (“CPD”).

against the “unnamed” defendant – the Chicago Police Department. Further troubling to the NPA and quite likely the good citizens of Chicago, Illinois, is Mayor Emanuel’s agreement to violate his duties of loyalty, good faith, fair-dealing and other ethical obligations, which uniformly have as their mandate for Mayor Emanuel to operate in the best interests of all citizens, resources and property of Chicago, not for the special interests of a few or for those that may prove beneficial during an election year, such as the present year.³

As early as March of 2018, based upon reporting by the Chicago Tribune, Mayor Emanuel has agreed to permit special interest groups, such as the American Civil Liberties Union, herein (“ACLU”) and Black Lives Matter, herein (“BLM”), to engage in activities of policy making and executive implementation of such policies through the Consent Decree all aimed at CPD, which is operated under the executive province of Mayor Emanuel.⁴

This decision by Mayor Emanuel as part of a “resolution” to the Federal Complaint flies in the face of two principal ethical and legal duties owed by Mayor Emanuel to the City of Chicago. First, is Mayor Emanuel’s duty of loyalty, which encompasses Mayor Emanuel’s duty to avoid conflicts of interests or at a minimum any appearances of impropriety. Both of which are sitting center stage in this matter. Second, is Mayor Emanuel’s legal duty to exercise care and to act with reasonable skill and safety. This duty is jeopardized, if not destroyed by appointing special interest groups, such as the ACLU and BLM, as quasi-policy makers for police practice and oversight. The significant concern here should be apparent, but if not, the concern is best raised by the question of whether either ACLU or BLM, as special interest groups have the qualifications, skills or training necessary to instruct, oversee, or otherwise determine appropriate police policy and activities?

³ See City of Chicago, Governmental Ordinance, Art. I, 2-156-005(a) (as amended) (“The code of conduct set forth in this section shall be aspirational and shall guide the conduct of every official and employee of the city. All officials and employees of the city shall: (1) remember that they are public servants who must place loyalty to the federal and Illinois constitution, laws, and ethical principles above their private gain or interest. (5) act impartially in the performance of their duties, so that no private organization or individual is given preferential treatment. (6) refrain from making any unauthorized promises purporting to bind the city.”).

⁴ Dan Hinkle, Chicago’s Deal with ACLU, Black Lives Matter Changes Political Calculus for Police Reform, *Chicago Tribune*, March 28, 2018.

In light of Mayor Emanuel's decision to approve this proposal and "settle" this Federal Complaint through the Consent Decree, the following issues must be investigated:

1. Whether Mayor Emanuel has taken any political contributions from either the ACLU or BLM, or whether any individuals associated with Mayor Emanuel's political campaign have taken any political contributions from either the ACLU or BLM;
2. Whether Mayor Emanuel has abdicated and / or violated any of his fiduciary obligations owed to the City of Chicago and the City of Chicago's various agencies, including CPD; and
3. Whether Mayor Emanuel has otherwise violated any other policy or procedure in connection with the Federal Complaint or the proposed Consent Decree.

In conclusion, while these questions remain open and subject to further review and analysis, the City of Chicago stands in peril without further understanding as to why those special interests are being unduly represented by the chief executive of the city. Law enforcement is tasked with a narrow, but otherwise critical objective – to serve the citizens of its jurisdiction by appropriately enforcing the laws of the State of Illinois, thereby protecting all individuals, regardless of any protected class, culture or special interests. The National Police Association simply asks that Mayor Emanuel be made ever-cognizant that his political ambitions and aspirations must yield to his oath and obligations to the City of Chicago.

Respectfully Submitted,

Ed Hutchison

President

National Police Association