

TONI PRECKWINKLE  
PRESIDENT, COOK COUNTY  
BOARD OF COMMISSIONERS

RANJIT HAKIM  
EXECUTIVE DIRECTOR

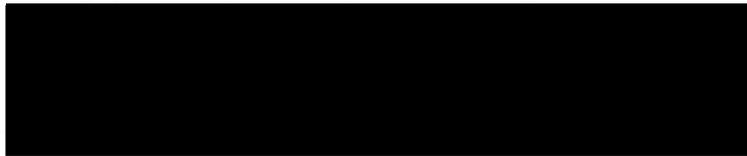


BOARD OF ETHICS MEMBERS  
ROSEANN OLIVER, CHAIR  
JUAN CALIXTO  
PASTOR SAMUEL E. HINKLE III  
ANNE I. SHAW  
MARIBETH VANDER WEELE

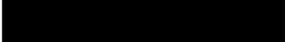
**COOK COUNTY BOARD OF ETHICS**

69 W. WASHINGTON STREET, SUITE 3040  
CHICAGO, ILLINOIS 60602  
312/603-4304 OFFICE  
312/603-9988 FAX

October 21, 2013



Re: 13 A 0007  
Allocating County Funds for Pens/Pencils, Magnets, or other similar items, with a Cook  
County Commissioner's Name Printed on Each Item;  
Allocating County Funds for Youth Stipends

Dear 

This letter is in response to your email request dated September 13, 2013 for an advisory opinion. Your request asks whether County funds can be allocated for two projects without violating the Cook County Ethics Ordinance ("Ethics Ordinance"). The first is a project to print  name and telephone number on pens/pencils and magnets. The second is a project to provide stipends to young volunteers who are assisting with several neighborhood festivals.

Based on the facts and circumstances set out below, it is the opinion of the Board of Ethics ("Board") that the Ethics Ordinance specifically prohibits the use of County funds to print a commissioner's name on pens, pencils, magnets and similar promotional materials. As for the allocation of County funds to provide stipends for up-and-coming community activists, the Board recommends that the Commissioner not provide any stipends funded by public monies to volunteers who have already been selected to participate in the identified community events. Although the Commissioner's intentions are admirable, the proposal is ethically risky in light of the County's ongoing efforts to achieve *Shakman* compliance. To avoid this situation in the future, the Board recommends consulting the Compliance Officer for Cook County before selecting volunteers that will receive a publicly-funded stipend.

**I. BACKGROUND**

Staff for Commissioner  would like to allocate County funds to obtain and print the Commissioner's name and telephone number on various pens, pencils and magnets.



that they are similar enough to promotional items such as magnets and buttons to fall under the same prohibition.

Therefore, it is the recommendation of the Board that [REDACTED] refrain from using County resources or County funds to purchase, print or distribute pens, pencils, magnets or any similar items with the Commissioner's name printed on them.

This advisory opinion, however, should not be interpreted to prohibit any County official from creating, printing, purchasing or distributing promotional materials using campaign funds or his or her own personal funds. In order to avoid even the appearance of impropriety, the Board suggests that these items include some type of disclaimer and be clearly marked with, for example: "no taxpayer funds were used in the creation and distribution of this item," or "this item was paid for by the campaign committee for elected official Doe."

#### B. Providing Stipends to Youth Participating in Community Events

In 1969, Cook County (among other defendants) was the subject of a federal lawsuit, *Shakman, et al. v. Democratic Organization of Cook County, et al.*, No. 69 C 2145 (N.D. Ill.). In 1972 and again in 1994, the County entered into a series of consent decrees that govern and provide for monitoring of the County's hiring practices.

The County's effort to comply with these consent decrees, including the creation of a sophisticated Employment Plan, has cost County taxpayers millions of dollars. The Ethics Ordinance states that all County "[o]fficials and employees . . . at all times in the performance of their public duties owe a fiduciary duty to the County." County Code, § 2-571. As such, the Board takes the position that any action by a County official or employee that jeopardizes the County's ability to achieve *Shakman* compliance is a violation of the Ethics Ordinance.

Although motivating youth to provide and participate in healthy, safe and fun community activities is unquestionably laudable, to the extent that [REDACTED] is coordinating or directing the young volunteers' activities (and certainly to the extent that the County is paying them), they are effectively interns and the manner in which they are selected is carefully regulated by the Employment Plan for *Shakman* compliance. The Employment Plan requires that interns are selected either through the County's highly-regulated, general hiring process or placed by a non-political organization that can certify to the County that no political consideration was involved in their selection.

Again, there are no allegations that the youth who participated in the September community event or will participate in the October community event have any political connection to the Commissioner or anyone else. The difficulty is that *Shakman* compliance often requires more than the absence of evidence of wrongdoing; it requires clear documentation of affirmative compliance. The Board cannot determine at this time whether such affirmative documentation exists. Therefore, the Board strongly recommends against the allocation of County funds for stipends for any youth community activists or volunteers without obtaining pre-clearance from the Compliance Officer for Cook County, Ms. Letitia Dominici. Officer Dominici can be contacted directly at (312) 603-3300 or [letitia.dominici@cookcountyil.gov](mailto:letitia.dominici@cookcountyil.gov).

\*\*\*

Please note the Board's determination herein is based solely on the application of the Ethics Ordinance to the general question posed by the Requestor. Other laws, rules or policies may also govern the two issues in this opinion; the Board's determination here is not binding with respect to their application.

We trust this advisory opinion addresses your concerns. We thank you for your inquiry and commend you for seeking to uphold the guiding principles of the Cook County Ethics Ordinance. Under the rules and regulations of the Cook County Board of Ethics, all requests for reconsideration of an advisory opinion must be filed within twenty days of the date of this opinion. Please do not hesitate to contact our office if you have questions or require additional information.

Sincerely,

THE COOK COUNTY BOARD OF  
ETHICS



Ranjit Hakim,  
Executive Director (by delegation)

cc: [REDACTED] Commissioner, Cook County Board  
Ms. Letitia Dominici, Compliance Officer, Cook County