



BOARD OF ETHICS
CITY OF CHICAGO

MEMORANDUM

To: Members of City Council and Chiefs of Staff

From: Steve Berlin, Executive Director

Re: Improper Mixing of Political and Official City content in Newsletters and Websites
Cases 19040.IG, 19041.IG

Date: January 14, 2020

In light of two cases recently referred to our office by the Office of Inspector General (based on complaints that Office received then referred to us for appropriate action¹), this Memorandum serves to remind you about content that is permissible or prohibited in Ward newsletters, as well as content that is permissible or prohibited on websites with indicia of being “official” City websites. ***The general rule is that City business/constituent services content cannot be mingled with political content in a newsletter or on an “official” City website.***

Ward Newsletters. In the first case, an alderman included, in an official Ward newsletter displaying the Official City seal on its first page, an advertisement for his own political fundraiser. ***Any newsletter that includes the Official City seal and/or contains primarily official City of Chicago business or constituent services-related content (including “PSAs” for Ward holiday toy drives, small business Expos sponsored by the City Treasurer or BACP, community recycling events, Chicago Police Department Beat meeting announcements, and the like), may not also include political/electioneering content, such as invitations to one’s own or another candidate’s or elected official’s political fundraising event.***² This is true regardless whether funding for the newsletter or platform comes from a City Aldermanic expense account or other City-provided funds, or from political funds, and regardless whether the newsletters are put together and emailed by City employees, independent contractors, or volunteers.

Official Aldermanic Websites. In the second case, a website contained indicia of an official City/ward website (these included links to City and/or constituent services, such as Ward office hours and Ward nights, information on obtaining City vehicle stickers, and filling pot-holes), but it also included a “Chip-in” button, where users could click a link and make political contributions to the alderman’s political committee. The

¹ The Board voted unanimously at its January 13, 2020 meeting to dismiss both cases, but to instruct Board legal staff to issue this reminder Memorandum. These are Board case 19040.IG and 19041.IG.

² See §2-156-060, *City-owned property* and §2-156-135(b), *Prohibited political activities*

Case Nos. 19040.IG, 19041.IG

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inclusion of this political donation button on the site is prohibited by two provisions in the Governmental Ethics Ordinance: §§2-156-060 (City-owned property) and 2-156-135(b) (which provides no City official shall “intentionally misappropriate any city property or resources of the city in connection with any prohibited political activity...”). Again, this is true regardless of whether this site is paid for with City funds or political funds, because the website itself contained indicia of an official City/ward website, and thus for purposes of the Governmental Ethics Ordinance, effectively become an official City/ward website. These two types of websites must remain separate.

For additional information or confidential advice regarding aldermanic use of social media accounts or the City seal, please see the Board’s advisory opinions in case Nos. 18038.A.1³ and 18036.C,⁴ or contact the Board of Ethics at (312) 744-9660.

³<https://www.chicago.gov/content/dam/city/depts/ethics/general/AO-City%20Owned%20Property/18038.A.1.pdf>

⁴ <https://www.chicago.gov/content/dam/city/depts/ethics/general/AO-City%20Owned%20Property/18036.C.doc>