

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA            )     No.   05 CR 644  
  )  
  )     Violations: Title 18, United States Code,  
  )     Sections 2, 1001, 1341, and 1346.  
  )  
ROBERT SORICH,                         )  
TIMOTHY McCARTHY,                    )  
JOHN SULLIVAN,                        )  
PATRICK SLATTERY                     )

**SUPERSEDING INDICTMENT**

**COUNT ONE**

The SPECIAL FEBRUARY 2005-2 GRAND JURY charges:

1.     At times material to this indictment:

A.     The City of Chicago (“the City”) was a municipal corporation, and a political subdivision of the State of Illinois. The functions and services provided by the City on behalf of its residents were coordinated through various agencies and departments. The City operational departments included, but were not limited to, the Department of Streets and Sanitation, the Department of Water, the Department of Sewers, the Department of Aviation, the Department of General Services, the Department of Buildings, and the Department of Transportation. (On January 1, 2003, the Departments of Water and Sewers merged into a Department of Water Management.) Each of these departments was headed by a Commissioner. (The City operational departments, collectively, will be referred to as “the Operating Departments.”)

B.     The Office of Intergovernmental Affairs (“IGA”) was a division within the Office of the Mayor of the City. IGA functioned in part as a liaison between the Mayor’s Office and other units of government, including the City Council, the State of Illinois and the government of the United States.

C. Pursuant to City ordinances and personnel procedures, the City maintained a process by which individuals were hired or promoted to certain non-policymaking positions in City employment. According to written procedures issued by the City's Department of Personnel, the process for hiring and promoting to non-policymaking positions was the responsibility of the hiring department and the Department of Personnel. In the written procedures, IGA was not designated any role in the hiring and promotion process for non-policymaking positions. The process included the following steps:

i. Interviews were to be conducted for all non-policymaking jobs. For many positions, the identification of those candidates to be interviewed was to be based on the screening of the applicant pool by the hiring department and the Department of Personnel using pre-established screening and hiring criteria. The interviews were typically to be conducted by panels, which often consisted of supervisory officials of the hiring department.

ii. Interviewers were to complete rating forms for the applicants interviewed. Each interviewer was given a rating form for every applicant interviewed. The form identified hiring criteria for the position and allowed the interviewer to grade the applicant on a numerical scale for each criterion. The score was multiplied by the criterion's importance. The scores were tallied, and an average of the panelists' scores was used to obtain a final score for each candidate.

iii. Those candidates with the highest scores were selected for the position. A high-ranking official within the department certified the final scores, indicating the winners of the job or promotion, and transmitted the scores to the City's main Department of Personnel.

- iv. The winning candidates were notified by the City of their selection.

**Individual Defendants.**

2. From no later than 1993 and continuing through approximately July 2005, ROBERT SORICH was a full-time salaried employee of the City, employed at IGA in the capacity of Assistant to the Director. In addition to his public employment, SORICH coordinated political campaign activities and assigned organizations of field workers to work on behalf of certain candidates.

3. From no later than 1993 and continuing through approximately July 2005, TIMOTHY McCARTHY was a full-time salaried employee of the City. From 1996 until 2001, McCARTHY was Assistant Commissioner in charge of administering the hiring and promotion process for the Department of Aviation. Beginning in 2001, McCARTHY was assigned to IGA and assisted SORICH.

4. From no later than 1994 and continuing through approximately September 2005, JOHN SULLIVAN was a full-time salaried employee of the City. From 1999 through 2005, SULLIVAN was Managing Deputy Commissioner in the Department of Streets & Sanitation. In his capacity as Managing Deputy Commissioner, SULLIVAN supervised employees who administered the hiring and promotion process for Streets & Sanitation.

5. From no later than 1988 and continuing through approximately July 2005, PATRICK SLATTERY was a full-time salaried employee of the City. In or about March 2000, SLATTERY became the Director of Staff Services in Streets & Sanitation. In the position of Director of Staff Services, SLATTERY supervised the interview process for hiring and promotions in Streets & Sanitation.

6. From no later than 1970 and continuing through approximately 2003, Daniel Katalinic was a full-time salaried employee of the City. From 2000 until his retirement in 2003, Katalinic was Deputy Commissioner of Street Operations for Streets & Sanitation. Beginning in or about 1999, at the suggestion of SORICH, Katalinic organized a group of mostly Streets & Sanitation employees into an organization to perform campaign work as directed by SORICH and others on behalf of political campaigns.

**Laws and Duties Applicable to City Employees.**

7. During their respective employments with the City, and pursuant to the Chicago Governmental Ethics Ordinance, SORICH, McCARTHY, SULLIVAN, SLATTERY, Katalinic and other City employees administering the hiring and promotion process, each owed a duty of honest services to the City and the people of the City in the performance of their respective public duties.

8. Pursuant to Section 2-74-050 of the Chicago Municipal Code, personnel rules for City employment were codified by law, including public notice, and the selection of persons based on their “relative fitness” and “job-related selections procedures,” and including provisions for ranking applicants. Section 2-74-090 provides that no person “shall make any false statement, certification, mark [or] rating . . . with regard to any test, certifications or appointment . . . or in any manner commit or attempt to commit any fraud [or] prevent the impartial execution of this ordinance. . . .” It also provides that no person “shall defeat, deceive or obstruct any person in his right to examination, eligibility, certification or appointment under this ordinance . . . .”

9. Pursuant to 720 ILCS § 5/33E-15, it was a violation of Illinois law for “[a]ny officer, agent, or employee of, or anyone who is affiliated in any capacity with any unit of local government . . . [to] make[] a false entry in any book, report, or statement of any unit of local government . . .

. with the intent to defraud the unit of local government . . . .” Pursuant to 720 ILCS § 5/33-3(b), it was unlawful for any public officer or employee to knowingly perform an act which he knows he is forbidden by law to perform.

10. Pursuant to orders and decrees entered by the United States District Court for the Northern District of Illinois, Eastern Division, with the City’s consent, on May 5, 1972, and June 20, 1983, in the case of *Shakman, et al. v. The Democratic Organization of Cook County, et al.*, 69 C 2145, City employees were permanently enjoined from directly or indirectly, in whole or in part:

A. conditioning, basing, or knowingly prejudicing or affecting any term or aspect of governmental employment, with respect to one who is at the time already a governmental employee, or affecting the hiring of any person as a governmental employee (other than for positions exempt from the *Shakman* decrees), upon or because of any political reason or factor including, without limitation, any prospective employee’s political affiliation, political support or activity, political financial contributions, promises of such political support, activity or financial contributions, or such prospective employee's political sponsorship or recommendation; and

B. knowingly inducing, aiding, abetting, participating in, cooperating with or encouraging the commission of any act which is proscribed by the orders and decrees.

11. Pursuant to the Constitution of the State of Illinois, all employees of the City were permitted to use public funds, property and credit only for public purposes.

12. Beginning no later than 1993 and continuing to at least approximately July 2005, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere:

ROBERT SORICH,  
TIMOTHY McCARTHY,  
JOHN SULLIVAN, and  
PATRICK SLATTERY,

defendants herein, along with Daniel Katalinic and others known and unknown to the Grand Jury, devised and intended to devise, and participated in, a scheme and artifice to defraud the people of the City, and the City, of money, property and the intangible right to the honest services of SORICH, McCARTHY, SULLIVAN, SLATTERY, Katalinic and other City employees participating in the hiring and promotion process, and to obtain money and property by means of materially false and fraudulent pretenses, representations, promises and material omissions, which scheme is further described below.

**Co-Schemers.**

13. Between 1993 and 2000, Individual A was a full-time salaried employee of the City, employed at IGA. In addition to his public employment, Individual A coordinated political campaign activities. Individual A's campaign activities included assigning field workers to support certain candidates, and conducting field work in certain wards and precincts. Individual A participated in the organization and direction of an organization of campaign field workers, comprised in part by City employees, called the Hispanic Democratic Organization (hereinafter referred to as "HDO").

14. Participants in the scheme included individuals (hereinafter "Personnel Directors") who, in addition to SLATTERY and SULLIVAN, administered the hiring and promotion process within certain Operating Departments. Personnel Directors typically were Assistant Commissioners

of their respective Operating Departments. SLATTERY, SULLIVAN and the Personnel Directors received direction from SORICH, McCARTHY and Individual A in connection with the hiring and promotion process within their respective Operating Departments, whereby the IGA officials identified pre-selected job or promotion candidates to the Personnel Directors.

15. Participants in the scheme included individuals (hereinafter referred to as “Interviewers”) who in addition to the Personnel Directors, participated in rigging the scores and interviews for hiring and promotion to City jobs, based in part on the directions that originated with SORICH and IGA. Interviewers conducted the interviews and scored candidates as directed by the Personnel Directors.

16. Participants in the scheme included individuals (hereinafter referred to as “Campaign Coordinators”) who in addition to Daniel Katalinic, organized groups of mostly City workers to perform campaign field work as directed by SORICH, Individual A, and others on behalf of political campaigns. The Campaign Coordinators included, but were not limited to Donald Tomczak, a full-time salaried employee of the City from 1989 to January 2004, who held the title of First Deputy Commissioner of the Water Department (later, Water Management).

### **Overview of The Scheme.**

17. It was part of the scheme that:

A. SORICH together with Individual A and others, engaged in a systematic effort to provide financial benefits, in the form of City jobs and promotions, in exchange for campaign work. In addition, in some cases SORICH and others rewarded other favored persons and groups with City jobs and promotions. As part of this scheme, SORICH (and, beginning in or about 2001 when he assumed his role at IGA, McCARTHY) corrupted the City’s personnel process by directing

the awarding of jobs and promotions in non-policymaking positions to candidates pre-selected by IGA through sham and rigged interviews coordinated by Personnel Directors and conducted by Interviewers.

B. Campaign Coordinators met with SORICH, and beginning in 2001 with McCARTHY, to submit the names of workers for whom the Campaign Coordinators sought favorable jobs or promotions. SORICH and McCARTHY accepted the submitted names and weighed competing requests from Campaign Coordinators.

C. SORICH and McCARTHY selected those candidates who were to receive jobs or promotions, in return for campaign-related work and in some cases because of other favored status. SORICH and McCARTHY forwarded these names to Personnel Directors to award positions to those individuals pre-selected by IGA. SORICH and McCARTHY knew and understood that the pre-selected candidates would be awarded positions through the false and fraudulent manipulation of interview scoring and without regard to written criteria in place to evaluate candidates for non-policymaking positions.

D. Personnel Directors and other co-schemers implemented SORICH's and McCARTHY's instructions by causing favored candidates to be placed on referral lists of persons to be interviewed, sham interviews to be conducted by Interviewers, and the interview scores to be fraudulently manipulated and recorded in a manner to guarantee jobs and promotions for IGA's pre-selected candidates.

**Submissions from Campaign Organizations.**

18. It was further part of the scheme that SORICH and others directed HDO and organizations led by Daniel Katalinic, Donald Tomczak and other Campaign Coordinators to

perform campaign work on behalf of political campaigns. SORICH and others directed the particular campaign organizations to perform work to benefit candidates running for election to Mayoral, Aldermanic, U.S. Congressional, Illinois state-wide and state legislative offices.

19. It was further part of the scheme that Daniel Katalinic, Donald Tomczak and other Campaign Coordinators, knowing that the interview process for non-policymaking positions was falsely and fraudulently administered by SORICH and McCARTHY, submitted names of individuals associated with campaign organizations to SORICH and McCARTHY in order to cause those individuals to receive jobs or promotions in City employment.

20. It was further part of the scheme that SORICH and McCARTHY received names of candidates for non-policymaking positions from Katalinic, Tomczak and other Campaign Coordinators, and caused certain members of campaign organizations to be hired and promoted through false and fraudulent hiring and promotion practices, in order to reward Katalinic, Tomczak and other Campaign Coordinators and their political organizations for their campaign work.

21. It was further part of the scheme that SORICH and McCARTHY directed an employee of IGA, IGA Employee 1, to maintain documents, in electronic and hard copy format, identifying thousands of City employees and job applicants in non-policymaking positions and the employees' corresponding sponsorship, in order to coordinate and track competing requests for jobs and promotions from Campaign Coordinators and representatives of other favored groups.

**Sham Interviews and False and Fraudulent Ratings.**

22. It was further part of the scheme that after receiving instructions from SORICH and McCARTHY identifying the pre-selected applicants, co-schemers in the Operating Departments, including Personnel Directors and Interviewers, manipulated, falsified and caused to be manipulated

and falsified the ostensibly merit-based ratings given to prospective employees in the Operating Departments in order to favor IGA's selections.

23. It was further part of the scheme that after receiving instructions from SORICH identifying the pre-selected applicants, McCARTHY, when he was Personnel Director in the Department of Aviation, provided the names of preselected candidates to Interviewers in order to cause rating scores to be falsified in favor of the pre-selected candidates. Later, when McCARTHY was assigned to IGA, a Personnel Director in Aviation received instructions from McCARTHY identifying the pre-selected applicants and in turn provided the names to Interviewers in order to cause the rating scores to be falsified in favor of the pre-selected candidates. In addition, McCARTHY provided names of pre-selected applicants directly to Aviation Department employees who were creating the referral list for interviews.

24. It was further part of the scheme that defendant SLATTERY met with SORICH on a regular and frequent basis in order to receive the names of pre-selected candidates for jobs and promotions in the Department of Streets & Sanitation, including the Bureaus of Street Operations, Electricity, and Forestry. After receiving instructions from SORICH and McCARTHY identifying the pre-selected applicants, defendants SULLIVAN and SLATTERY, together with Personnel Directors, manipulated, falsified and caused to be manipulated and falsified the ostensibly merit-based ratings generated in conjunction with interviews that were given to prospective employees in Streets & Sanitation in order to favor IGA's selections.

25. It was further part of the scheme that defendant SULLIVAN maintained color-coded lists of employees who obtained certain positions in Streets & Sanitation based on SORICH's and McCARTHY's selections. SULLIVAN indexed the color-coded documents to highlight, among

other things, the employees' political affiliation with organizations taking direction from SORICH and other political operatives.

26. It was further part of the scheme that defendants SULLIVAN and SLATTERY, together with Personnel Directors in Streets & Sanitation, caused ratings to be given to applicants for positions without regard to the substance of interviews conducted, and fraudulently caused high scores to be given to those applicants pre-selected by SORICH and McCARTHY. Defendant SULLIVAN instructed SLATTERY and the Personnel Directors to ignore the interviews and to instead give high scores to pre-selected applicants.

27. It was further part of the scheme that co-schemers in the Operating Departments reported the results of the fraudulent interview process to SORICH and McCARTHY, thereby communicating to SORICH and McCARTHY the progress of the scheme to award jobs and promotions to preselected applicants.

**False and Fraudulent Certifications.**

28. It was further part of the scheme that defendants SORICH, McCARTHY, SULLIVAN, SLATTERY, and other co-schemers knowingly caused City officials to certify falsely, in documents known as *Shakman* referral lists, which documents were required by the City to be completed and maintained as part of the hiring and promotion process, that political considerations played no role in the decisionmaking process, when in truth and in fact as defendants well knew, the decisionmaking process included the submission of names by Campaign Coordinators, and SORICH's and McCARTHY's decisions to reward Campaign Coordinators with jobs and promotions.

**Acts of Concealment in Furtherance of the Scheme.**

29. It was further part of the scheme that SORICH and McCARTHY instructed co-schemers in the Operating Departments and at IGA to conceal SORICH's and McCARTHY's roles in the false and fraudulent hiring practices of the Operating Departments. SORICH and McCARTHY instructed Personnel Directors to destroy and conceal documents reflecting IGA's pre-selection of candidates.

30. It was further part of the scheme that SORICH and McCARTHY directed defendant Daniel Katalinic and the Campaign Coordinators to conceal the submission of names to IGA and to conceal the existence of meetings with SORICH and McCARTHY held for the purpose of submitting recommendations based on campaign work. At times, SORICH and McCARTHY instructed Katalinic and other Campaign Coordinators to meet with IGA officials outside of City Hall.

31. It was further part of the scheme that SORICH directed IGA Employee 1 to conceal the existence of documents tracking the sponsorship of non-policymaking employees and to conceal IGA Employee 1's role in maintaining files related to political sponsorship, hiring and promotion in non-policymaking positions.

32. It was further part of the scheme that SORICH directed IGA Employee 1 to destroy hard copy files tracking sponsorship, hiring and promotion in non-policymaking positions.

33. It was further part of the scheme that SULLIVAN made false and misleading statements to federal investigators on or about August 5, 2004, February 18, 2005 and February 22, 2005, concerning the hiring and promotion process in Streets & Sanitation, in order to conceal the existence of sham and rigged interviews.

34. It was further part of the scheme that SLATTERY knowingly caused City representatives to make false statements and certifications to union officials who were investigating the City's hiring practices, in an effort to conceal the existence of sham and rigged interviews.

35. It was further part of the scheme that defendants SORICH, McCARTHY, SULLIVAN, SLATTERY, and Katalinic misrepresented, concealed and hid, and caused to be misrepresented, concealed and hidden, the purposes of and acts done in furtherance of the scheme.

35. On or about July 15, 2004, at Chicago, in the Northern District of Illinois, Eastern Division,

ROBERT SORICH,  
TIMOTHY McCARTHY,  
JOHN SULLIVAN, and  
PATRICK SLATTERY,

defendants herein, for the purpose of executing the aforesaid scheme, and attempting to do so, did knowingly cause to be delivered by mail according to the direction thereon an envelope containing a letter to Streets & Sanitation Employee A advising him that he received a promotion to the position of Career Service Motor Truck Driver, at a Chicago, Illinois address;

In violation of Title 18, United States Code, Sections 1341, 1346 and 2.

**COUNT TWO**

The SPECIAL FEBRUARY 2005-2 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 35 of Count One of this indictment are hereby realleged and incorporated herein as if fully set forth.
2. On or about April 1, 2002, at Chicago, in the Northern District of Illinois, Eastern Division,

ROBERT SORICH, and  
TIMOTHY McCARTHY,

defendants herein, for the purpose of executing the aforesaid scheme, and attempting to do so, did knowingly cause to be delivered by mail according to the direction thereon an envelope containing a letter to Sewers Employee A advising him that he received a promotion to the position of House Drain Inspector, at a Chicago, Illinois address;

In violation of Title 18, United States Code, Sections 1341, 1346 and 2.

**COUNT THREE**

The SPECIAL FEBRUARY 2005-2 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 35 of Count One of this indictment are hereby realleged and incorporated herein as if fully set forth.
2. On or about June 13, 2001, at Chicago, in the Northern District of Illinois, Eastern Division,

ROBERT SORICH,

defendant herein, for the purpose of executing the aforesaid scheme, and attempting to do so, did knowingly cause to be delivered by mail according to the direction thereon an envelope containing a letter to Water Employee A advising him that he received a promotion to the position of District Foreman of Water Pipe Construction, at a Chicago, Illinois address;

In violation of Title 18, United States Code, Sections 1341, 1346 and 2.

**COUNT FOUR**

The SPECIAL FEBRUARY 2005-2 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 35 of Count One of this indictment are hereby realleged and incorporated herein as if fully set forth.

2. On or about September 28, 2001, at Chicago, in the Northern District of Illinois, Eastern Division,

ROBERT SORICH,

defendant herein, for the purpose of executing the aforesaid scheme, and attempting to do so, did knowingly cause to be delivered by mail according to the direction thereon an envelope containing a letter to Water Employee B advising her that she received a promotion to the position of Career Service Motor Truck Driver, at a Chicago, Illinois address;

In violation of Title 18, United States Code, Sections 1341, 1346 and 2.

**COUNT FIVE**

The SPECIAL FEBRUARY 2005-2 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 35 of Count One of this indictment are hereby realleged and incorporated herein as if fully set forth.

2. On or about July 6, 2004, at Chicago, in the Northern District of Illinois, Eastern Division,

ROBERT SORICH, and  
TIMOTHY McCARTHY,

defendants herein, for the purpose of executing the aforesaid scheme, and attempting to do so, did knowingly cause to be delivered by mail according to the direction thereon an envelope containing a letter to Buildings Employee A advising him that he did not receive the position of Building Inspector, at a Chicago, Illinois address;

In violation of Title 18, United States Code, Sections 1341, 1346 and 2.

**COUNT SIX**

The SPECIAL FEBRUARY 2005-2 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 35 of Count One of this indictment are hereby realleged and incorporated herein as if fully set forth.

2. On or about August 5, 2004, at Chicago, in the Northern District of Illinois, Eastern Division,

PATRICK SLATTERY,

defendant herein, for the purpose of executing the aforesaid scheme, and attempting to do so, did knowingly cause to be delivered by mail according to the direction thereon an envelope containing a letter to a Deputy Trustee of Laborer's District Council, Local 1001 concerning promotion of Hand Laborers to Seasonal Laborers and Seasonal Laborers to Career Service Laborers, at a Chicago, Illinois address;

In violation of Title 18, United States Code, Sections 1341, 1346 and 2.

## COUNT SEVEN

The SPECIAL FEBRUARY 2005-2 GRAND JURY further charges:

1. The allegations in paragraphs 1, 4 and 6 of Count One of this indictment are hereby realleged and incorporated herein as if fully set forth.

2. At times material to this Count:

A. The Federal Bureau of Investigation, and, first, the SPECIAL AUGUST 2003-2 GRAND JURY, and then the SPECIAL FEBRUARY 2005-2 GRAND JURY were investigating, among other things, allegations of fraudulent hiring and promotion practices in the Department of Streets & Sanitation.

B. The Hispanic Democratic Organization (“HDO”) was an organization comprised mostly of City employees that performed campaign field work on behalf of certain candidates for public office.

C. The following matters, among others, were material to that investigation concerning hiring and promotion practices of the City:

i. The role of HDO in hiring and promotions in Streets & Sanitation, including whether persons associated with HDO were rewarded with City jobs and promotions.

ii. The role of Daniel Katalinic in hiring and promotions in Streets & Sanitation, including whether persons associated with Katalinic and his political organization were rewarded with City jobs and promotions.

D. Defendant JOHN SULLIVAN was interviewed by federal law enforcement personnel, including a Special Agent of the Federal Bureau of Investigation, on or about August 5, 2004, and February 18, 2005, and in a telephone conversation on or about February 22, 2005.

3. On or about August 5, 2004, at Chicago, in the Northern District of Illinois, Eastern Division,

JOHN SULLIVAN,

defendant herein, did knowingly and willfully make materially false, fictitious and fraudulent statements and representations in a matter within the jurisdiction of the Federal Bureau of Investigation, an agency within the executive branch of the Government of the United States, when he stated that:

A. He did not know much about the role of HDO in Streets & Sanitation; and

B. HDO played no role that SULLIVAN knew of in getting people jobs;

In violation of Title 18, United States Code, Section 1001(a)(2).

**COUNT EIGHT**

The SPECIAL FEBRUARY 2005-2 GRAND JURY further charges:

1. The allegations in paragraphs 1, 4 and 6 of Count One of this indictment are hereby realleged and incorporated herein as if fully set forth.

2. The allegations in paragraph 2 of Count Four of this indictment are hereby realleged and incorporated herein as if fully set forth.

3. On or about February 18, 2005, at Chicago, in the Northern District of Illinois, Eastern Division,

JOHN SULLIVAN,

defendant herein, did knowingly and willfully make materially false, fictitious and fraudulent statements and representations in a matter within the jurisdiction of the Federal Bureau of Investigation, an agency within the executive branch of the Government of the United States, when he stated that:

A. SULLIVAN had never heard of members of Katalinic's organization getting preferential treatment; and

B. SULLIVAN did not know the identity of members of Katalinic's organization;

In violation of Title 18, United States Code, Section 1001(a)(2).

A TRUE BILL:

\_\_\_\_\_  
FOREPERSON

\_\_\_\_\_  
UNITED STATES ATTORNEY