



Office of the Chicago City  
Clerk



O2012-698

Office of the City Clerk

City Council Document Tracking Sheet

**Meeting Date:** 2/15/2012  
**Sponsor(s):** Munoz, Ricardo (22)  
**Type:** Ordinance  
**Title:** Amendment of Chapter 7-50 of Municipal Code regarding  
public safety, privacy and free speech protection  
**Committee(s) Assignment:** Committee on Public Safety

**Submitting a Proposed Ordinance sponsored by**

**RICARDO MUNOZ, Alderman Twenty-Second Ward**

**PROPOSED ORDINANCE**

**PUBLIC SAFETY, PRIVACY AND FREE SPEECH PROTECTION**

**WHEREAS**, the City Council of the City of Chicago has given the Mayor of Chicago and the Chicago Police Department extraordinary police powers in advanced of the G8/NATO meetings as defined in the amended Municipal Code 10-8-330 and 10-8-330 et seq.; and

**WHEREAS**, these extraordinary police powers demonstrate the City of Chicago's commitment to providing public safety for its citizens and should be adequate to meet the needs of the G8/NATO events; and

**WHEREAS**, the City of Chicago is committed to navigating the balance between public safety and the rights of citizens to be informed via the press, to privacy in their persons, property and communications; and

**WHEREAS**, interfering in the freedoms of speech, press and privacy are breaches of basic Constitutional rights and can lead to governmental overreach and spark the public disorder that will endanger the lives and property of the citizens of Chicago; and

**WHEREAS**, the City Council and Mayor of Chicago have been elected to carry out their duties as outlined in the Chicago Municipal Code Chapters 2-8-850 and 2-4-010 et seq. respectively; and

**WHEREAS**, Chapter 7-50 of the Chicago Municipal Code, covering the Wireless Communications and the Chicago Emergency Telephone System Board created in Chapter 3-64 of the Code does not take into account the internet's status as the new public square or fully reflect the power inherent in the Mayor's and the Chicago Police Department's enhanced police powers; and

**WHEREAS**, this ordinance in no way interferes with legitimate and Constitutional law enforcement activities and operations; and


**WHEREAS**, the City of Chicago will soon pay \$6.2 million dollars to settle claims that the Chicago Police Department violated the rights of anti-Iraq War protestors in 2003 and has already paid over \$40 million to settle allegations of police misconduct in the Burge case

**WHEREAS**, the Mayor's expressed commitment to showcasing Chicago as a world-class, international city depends on the city demonstrating it is a respecter and defender of Constitutional rights and the highest international norms in regards to freedoms of speech, the press and privacy; and

**WHEREAS**, by means of this ordinance, the City of Chicago will protect the Internet, which is the new public square, from being censored; and

**WHEREAS**, the time to protect uncomfortable, inconvenient and dissenting speech is exactly when difficult events are occurring; and

**WHEREAS**, all segments of our community should be informed and give their perspective on the G8/NATO meetings to create positive civic pressure that will prompt citizens, elected officials and law enforcement agencies to be on their best behavior and will protect the rights of privacy, press and speech for all Chicago's Citizens.



**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Chicago, that Chapter 7-50 of the Chicago Municipal Code, covering Wireless Communications be amended in reference to the Chicago Emergency Telephone System Board created by chapter 3-64 of this Code as follows:

**The Chicago Police Department and the City of Chicago will not cooperate or engage in activities including, but not limited to:**

- (a) Shutting down mobile tower communications during the G8/NATO as part of a crowd control or emergency strategy as this will place untold citizens and persons both within the range of the towers and those outside of the area communicating with those people in even more danger, while also doing definite economic harm to those depending on cell service to conduct commerce.
- (b) Selectively blocking access to the internet and social media sites and websites to prevent the dissemination of information by individuals during the G8/NATO.
- (c) Identifying and blocking certain social media and websites in order to control speech and information that is not of a criminal nature during the G8/NATO.
- (d) Engaging in the practice of track-tracing, using confiscated PDA's phones and computers to locate individuals, to monitor or block mobile phone and web access, or to target specific websites, chat rooms and other social media from the general public during the G8/NATO.

**LET IT ALSO BE ORDAINED**, by the City Council of the City of Chicago that the City of Chicago will behave in accordance with the Constitution of the United States of America as follows:

**Unless agents have a criminal warrant for the arrest of an individual on charges**

- (a) The Chicago Police Department shall not engage in or facilitate preventive detention of any person in its jurisdiction as such measures serve no legitimate law enforcement purpose. Nor will agents engaging in preventative detention be given access to or use of City facilities for investigative interviews or other purposes, and City personnel shall not expend their time responding to preventive detention inquiries or communicating or cooperating with agents engaged in preventive detention activities; and
- (b) The Chicago Police Department will not cooperate with any state or federal entity engaged in any of the above causes as outlined in the ordinance, including preventive detention, selective blocking of the internet, cutting off cell service and/or track tracing during the G8/NATO.

**LET IT ALSO BE ORDAINED**, by the City Council of the City of Chicago that the City of Chicago will behave in accordance with the Constitution of the United States of America as follows:

**By insuring that there will be a wider credentialing of independent media to insure a diversity of perspectives, access and information for the general public during the G8/NATO.**

- (a) The Chairman of the City Council's Committee on Human Relations shall establish an 8-person temporary media committee composed of the Council's reform caucus, civil rights, human rights and social justice organizations and representatives of the City of Chicago from the Mayor's Office to credential media sources in order to increase the public's access to the G8/NATO meetings.
- (b) This will open accreditation to neighborhood organizations, education institutions, public interest organizations, non-profits, web and social media sites and other civic organizations to reflect the diversity of perspectives and speech that will be needed to create positive civic pressure on elected officials, citizens, visitors and public safety officials and agents during the G8/NATO events to be on their best behavior.

**Effective Date:** This ordinance shall be in effect immediately upon adoption.

*Recab May 22*  
*Jan 46*  
*Amptan 47*

*Joe Moran 121*  
*45*  
*128*  
*Paul 7*  
*Scott W. 32*