



# City of Chicago



O2021-2143

Office of the City Clerk  
Document Tracking Sheet

**Meeting Date:** 5/26/2021

**Sponsor(s):** Lightfoot (Mayor)

**Type:** Ordinance

**Title:** Amendment of Municipal Code Chapters 2-80, 2-56, 2-78 and 2-84 regarding establishment of Community Commission for Public Safety and Accountability

**Committee(s) Assignment:** Committee on Public Safety

PUB  
SAF



OFFICE OF THE MAYOR  
CITY OF CHICAGO

LORI E. LIGHTFOOT  
MAYOR

May 26, 2021

TO THE HONORABLE, THE CITY COUNCIL  
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

I transmit herewith an ordinance adding a new Chapter 2-80 to the Municipal Code, and amending associated Municipal Code provisions, regarding civilian police oversight.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in black ink that reads "Lori E. Lightfoot".

Mayor

PUB  
SAF



OFFICE OF THE MAYOR  
CITY OF CHICAGO

LORI E. LIGHTFOOT  
MAYOR

May 26, 2021

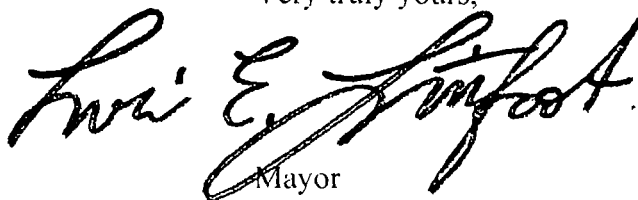
TO THE HONORABLE, THE CITY COUNCIL  
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

I transmit herewith an ordinance adding a new Chapter 2-80 to the Municipal Code, and amending associated Municipal Code provisions, regarding civilian police oversight.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

  
Mayor

## ORDINANCE

**WHEREAS**, The City of Chicago ("City") is a home rule municipality as described in Article VII, Section 6(a) of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, The City established by ordinance at Chapter 2-84 of the Municipal Code of Chicago a Department of Police ("CPD") to protect the health, safety, and welfare of its residents; and

**WHEREAS**, Pursuant to 65 ILCS 5/3.1-30-5(a), the Mayor is authorized to appoint, with the advice and consent of the City Council, officers necessary to carry into effect the powers conferred upon municipalities, which, pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois, include the power to regulate for the protection of the public health and safety; and

**WHEREAS**, The Police Accountability Task Force called for creation of a "Community Safety Oversight Board," "comprised entirely of community residents," with "power to oversee CPD, the new CPIA [now the Civilian Office of Police Accountability] and all police oversight mechanisms," and specified that "The Community Board would ensure that ... all components of the police oversight system are held fully accountable, operate with maximum transparency and perform their roles in a manner that is informed by community needs"; and

**WHEREAS**, The United States Department of Justice concluded that "[i]t has never been more important to rebuild trust for the police within Chicago's neighborhoods most challenged by violence, poverty, and unemployment," and that "Chicago must undergo broad, fundamental reform to restore this trust," which "will benefit both the public and CPD's own officers," and "is necessary to solve and prevent violent crime"; and

**WHEREAS**, The United States and the City of Chicago continued to be challenged with questions of police legitimacy and demands for more involvement for the public in overseeing the actions, policies, and procedures of the police departments responsible for serving and protecting their communities; and

**WHEREAS**, Research indicates that public participation in the determination of police department policy helps to build trust in the police department; and

**WHEREAS**, People who trust the police department are more likely to cooperate with the police department, and public cooperation with the police department helps to reduce and solve crime; and

**WHEREAS**, This ordinance establishes a Community Commission for Public Safety and Accountability ("Commission") for the purposes of increasing public safety; ensuring that CPD activities are directed toward maximizing public health and safety while minimizing any harm to City residents; building trust and improving interactions between and among CPD and the people it serves; increasing public support for CPD policies and activities; improving interactions between CPD officers and the people they serve; ensuring that CPD resources are not used inappropriately to address public health or safety issues that other professionals would be better equipped to address; increasing transparency and public input into CPD operation, policies, and performance; providing the residents of every Chicago community with meaningful opportunities

to shape CPD policies and practices that affect their lives; and increasing public accountability of CPD, the Civilian Office of Police Accountability, and the Police Board; and

**WHEREAS**, This ordinance also establishes District Councils for the purposes of building connections between CPD and the community; collaborating in the development and implementation of community policing initiatives; ensuring regular community input for Commission efforts; ensuring that within each police district there is a forum where district residents can raise and work to address any concerns about policing in the district, including, but not limited to, police interactions with youth and people of all immigration statuses; and ensuring the independence and increasing the legitimacy of the Commission by participating in the selection of its members; now, therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** The foregoing recitals are adopted and incorporated into and made a part of this Ordinance.

**SECTION 2.** Title 2 of the Municipal Code of Chicago is hereby amended by creating a new Chapter 2-80, as follows:

**CHAPTER 2-80        COMMUNITY COMMISSION FOR PUBLIC SAFETY AND  
                                 ACCOUNTABILITY**

**2-80-010        Definitions.**

The following terms whenever used in this Chapter shall have the following meanings unless a different meaning appears from the context:

“Chief Administrator” means the Chief Administrator of COPA.

“Commission” means the Community Commission for Public Safety and Accountability established in this Chapter.

“Consent Decree” means the Consent Decree entered into between the State of Illinois and the City of Chicago on January 31, 2019 (17-cv-6260).

“COPA” means the Civilian Office of Police Accountability established in Chapter 2-78.

“Department” means the Department of Police established in Chapter 2-84.

“District” means one of the 22 Department districts.

“Independent Monitor” means the Independent Monitor established pursuant to the Consent Decree.

“Inspector General” means the Office of Inspector General established in Chapter 2-56.

“Just Cause” means any act or omission bearing directly on an individual’s ability to honestly and competently carry out the duties of their office, and which shall include, but is not

limited to, incompetence, gross misconduct, or criminal conduct of any type that threatens to impair or undermine public confidence.

“Nominating Committee” means the nominating committee that is comprised of one member from each District as determined pursuant to subsection (f) of Section 2-80-070, to fill existing and anticipated vacancies on the Commission.

“Police Board” means the Police Board established in Chapter 2-84.

“Policy” means any departmental initiative that impacts Department interactions with the public, to the extent that any said policy is not covered by or in the jurisdiction of the Consent Decree, or as defined under subsequent court order or otherwise identified by the Independent Monitor as falling within the scope of the Monitor’s mandate, COPA policy, or Police Board policy.

“Public Safety Inspector General” means the Deputy Inspector General for Public Safety established in Chapter 2-56.

“Superintendent” means the Superintendent of Police.

**2-80-020 Establishment.**

There is hereby established a commission to be known as the Community Commission for Public Safety and Accountability, which shall include Commissioners, and staff to include a non-voting Executive Director, and such other employees, as may be provided for in the annual appropriation ordinance, and as required to implement the Commission’s powers and duties. The Commission will adopt rules and procedures for the conduct of its business, and may establish any committees deemed necessary for the conduct of its business. The Executive Director shall administer the affairs of the Commission, hire and supervise any Commission staff, and exercise such additional powers as may be conferred by, and are within the jurisdiction of, the Commission and consistent with existing state or local laws. The Mayor shall appoint the first Executive Director, who shall thereafter serve at the pleasure of the Commission. Any subsequent Executive Director shall be appointed by, and serve at the pleasure of, the Commission.

**2-80-030 Purpose.**

The purpose of the Commission is to: (1) increase public safety; (2) ensure that Department activities are directed toward maximizing public health and safety while minimizing any harm to City residents; (3) build trust between and among the Department and the people it serves; (4) increase public support for Department policies and activities; (5) improve interactions between Department officers and the people they serve; (6) ensure that Department resources are not used inappropriately to address public health or safety issues that other professionals would be better equipped to address; (7) increase transparency and public input into the operation, policies, and performance of the Department; (8) provide the residents of every Chicago community with meaningful opportunities to have input on Department policies and practices that affect their lives; and (9) increase public accountability of the Department, COPA, and the Police Board.

**2-80-040 Commission Composition and qualifications.**

(a) Composition and term. The Commission shall be composed of seven Commissioners.

By January 1, 2022, an interim Commission shall be established to carry out the pertinent powers and duties set forth in Sections 2-80-050, 2-80-060 and 2-80-070(c) until a permanent Commission can be appointed pursuant to subsection (c) of this section following the first District Council elections. The interim Commission shall be composed of seven members, five of whom the Mayor shall nominate and two of whom the City Council Committee on Public Safety shall nominate. All seven members of the interim Commission shall be subject to City Council approval. The interim Commission shall appoint an interim Commission President and Vice-President from among its members.

The permanent Commission shall appoint a Commission President and Vice-President, to serve one or more two-year terms in that capacity, from among its members. The first full slate of seven permanent Commissioners shall be assigned a number between one and seven in a random drawing conducted by the Executive Director, which number shall correspond to the following initial terms:

- Commissioner 1 – 2 years
- Commissioner 2 – 2 years
- Commissioner 3 – 2 years
- Commissioner 4 – 4 years
- Commissioner 5 – 4 years
- Commissioner 6 – 4 years
- Commissioner 7 – 4 years

Thereafter, Commissioners shall serve four-year terms, and no Commissioner shall serve more than 12 years in their lifetime. A Commissioner shall continue to serve until a successor is appointed and qualified.

(b) Qualifications. A candidate for Commissioner shall:

- (1) be a resident of the City, and have resided in the City for at least the five years immediately preceding appointment;
- (2) have at least five years of experience in one or more of the following fields: law, public policy, social work, psychology, mental health, law enforcement, community organizing, civil rights, advocacy on behalf of immigrant or undocumented people, or advocacy on behalf of LGBTQ people;
- (3) not have been convicted of theft, bribery, embezzlement, extortion, perjury, or other corruption-related crime, nor any forcible felony as defined by Article 2-8 of the Illinois Criminal Code of 2012, codified at 720 ILCS 5/2-8, nor any Class 4 or more serious felony, as defined in Chapter 720 of the Illinois Compiled Statutes, if such felony is related to the distribution of a controlled substance;
- (4) have adequately disclosed any personal, professional, or financial conflict of interest that could reasonably be thought to bear upon the person's performance as a Commissioner;

- (5) have a reputation for integrity, professionalism, and sound judgment;
- (6) have a history of leadership and community involvement;
- (7) have a demonstrated ability to engage effectively with all who have a stake in policing, including, but not limited to, residents of marginalized communities, police officers, and public officials;
- (8) have a documented history and reputation for working in groups in a collaborative manner that reflects sound judgment, independence, fairness, and objectivity;
- (9) not have been an employee of the Department, COPA, or the Police Board in any of the five years immediately preceding their appointment; and
- (10) not be a member of the Nominating Committee.

At least two Commissioners shall each have at least ten years of experience as a practicing attorney, with significant experience in civil rights, civil liberties, law enforcement, or criminal defense. At least one Commissioner shall have at least ten years of experience in community organizing that involves a formal affiliation with a community-based organization. Two Commissioners shall be exempt from the requirements of subsection (b)(2) of this section, and shall be between the ages of 18 and 24 years old at the time of appointment.

(c) Appointment. Except as provided in subsection (a) of this section addressing an interim Commission, Commissioners shall be appointed by the Mayor from among candidates nominated by the Nominating Committee. Each appointment shall be subject to City Council approval.

(1) At least 90 days before the expiration of a Commissioner's term, and any time there is a vacancy on the Commission, the Nominating Committee shall make publicly available a Request for Application for Commissioner ("Request"). The Request shall include a form for applying to be a candidate for Commissioner and state the:

- (A) process for selecting a Commissioner;
- (B) description of specific duties and responsibilities of a Commissioner;
- (C) qualifications for becoming a Commissioner; and
- (D) timeline for Commissioner selection.

An application shall be made in writing, shall state how the applicant meets the qualifications established in this Chapter, shall contain at least three letters of recommendation, and shall include any additional information that the Nominating Committee deems appropriate for consideration.

(2) The Nominating Committee shall receive applications for 30 days after issuing the Request. After reviewing all applications received, the Nominating Committee shall select as finalists no fewer than four qualified candidates for each existing vacancy or expiring



term on the Commission, or shall submit all qualified candidates if the Nominating Committee determines that fewer than four candidates are qualified. The Nominating Committee shall conduct in-person interviews of all finalists:

(3) Within 60 days after issuing the Request, the Nominating Committee shall meet to select at least two applicants for each vacancy or expiring term for consideration by the Mayor for appointment to the Commission. Each applicant must receive at least 15 votes from the Nominating Committee in order to be nominated. The two applicants receiving the most votes will be selected as nominees. The Nominating Committee shall promptly transmit the list of nominees and each nominee's application materials to the Mayor.

(4) Within 30 days after receiving the list of nominees, the Mayor shall either appoint a candidate from the list to the Commission, or provide the Nominating Committee with a written explanation as to why the Mayor declined to appoint a candidate. The Nominating Committee shall make this written explanation publicly available on the Commission's website within 3 business days after receipt, and shall then, within one month after the Mayor's declination, submit to the Mayor a new list of two nominees for each vacancy or expiring term. This new list of nominees shall not include a candidate from any prior list submitted to the Mayor to fill the current existing vacancy or expiring term. Within 30 days after receiving the new list of candidates, the Mayor shall either appoint a candidate, or decline to appoint a candidate, as described in this section. This process shall continue until the Mayor appoints a candidate for City Council approval.

(d) Removal from office. A Commissioner may only be removed for Just Cause either at the discretion of the Mayor, or upon a two-thirds vote of the Committee on Public Safety and then a two-thirds vote of all members of the City Council. Before directing a removal, the Mayor shall provide written notice of such intent to the Chairman of the Committee on Public Safety, who, within 30 days of the date of said notice, may convene a meeting of the Committee on Public Safety to adopt a resolution overriding the intended removal, which must be passed by a two-thirds majority vote of the City Council to be effective. The Mayor or City Council must provide written notice that describes with specificity the reason for removal to the affected Commissioner.

(e) Compensation. Each Commissioner shall receive an annual stipend of \$12,000.00, and the President shall receive an annual stipend of \$15,000.00.

## **2-80-050 Powers and Duties.**

The Commission shall have the following powers and duties:

(a) Respond to public safety-related community needs and concerns through means including, but not limited to, the following:

(1) Engaging in community outreach to obtain the perspectives of community members and Department employees on police-community relations, Department policies and practices, and the police accountability system;

(2) Maintaining connections with community groups throughout the city, including representatives of disenfranchised communities and rank and file police officers; and

- (3) Providing the Department, Police Board, COPA, and Public Safety Inspector General with community feedback relevant to their operations received as a result of the Commission's public outreach activities;
- (b) Oversee the District Councils and delegate powers and duties to the District Councils at its discretion and consistent with applicable law;
- (c) Publish reports as required by this Chapter, and report to the public about matters related to policing that concern all Chicago communities;
- (d) Have access to information, documents, data, and records in order to carry out the Commission's powers and duties, as provided in section 2-80-120;
- (e) Assess performance of and set goals for the Superintendent, Chief Administrator, and Police Board President;
- (f) Direct the Public Safety Inspector General to conduct research, or audits on specific topics or issues, including emergent national public safety best practices that, in the Commission's judgment, are needed to support public confidence in the Department. If the Commission issues such a directive in writing, the Public Safety Inspector General shall respond in writing within 10 business days;
- (g) Review and provide input to the Chief Administrator, Public Safety Inspector General, Superintendent, Police Board, and other City departments and offices, including the Mayor, City Council Committee on Public Safety, and Corporation Counsel, on the police accountability system, police services, and Department policies and practices of significance to the public;
- (h) Collaborate with the Department, COPA, and the Police Board in the development of new or amended Policy, as provided in section 2-80-110;
- (i) Review and approve by majority vote any proposed new or amended Policy, as provided in section 2-80-110;
- (j) By majority vote and subject to applicable law and reasonable scheduling accommodation, require the attendance of the Superintendent, the Public Safety Inspector General, the Chief Administrator, and the President of the Police Board, or their designees, at any regular or special meeting of the Commission in order to provide updates on matters as requested by the Commission, and to answer questions from the Commission and public;
- (k) In the event of a vacancy, interview, assess the qualifications of, and recommend to the Mayor candidates having appropriate qualifications for the positions of Superintendent, Chief Administrator, and Police Board member, as provided in section 2-80-080;
- (l) Introduce and by a two-thirds' majority vote adopt a resolution of no confidence in the fitness of the Superintendent, Chief Administrator, or a Police Board member to hold their position, as provided in section 2-80-090;
- (m) Before a City Council vote on the annual budget, prepare and submit to the Budget Director a detailed and factually supported budget submission, then review and, if warranted, recommend changes to the proposed Department budget appropriation; and

(n) Direct the Chief Administrator to investigate complaints of police misconduct consistent with COPA's defined jurisdiction.

**2-80-060 Commission Meetings.**

(a) The Commission shall hold regular meetings on at least a monthly basis. All meetings shall comply with or exceed the requirements of the Illinois Open Meetings Act, codified at 5 ILCS 120/1, et seq. Subject to applicable law, all Commission meeting minutes, deliberations, reports, investigations, and policies and procedures shall be posted on the Commission's publicly accessible website. Notice of each meeting, along with a proposed agenda, shall be posted on the Commission's website at least 7 days prior to each meeting. Audio and video recordings of each meeting will also be made available on the Commission's website.

(b) The Superintendent, Chief Administrator, and Police Board President may each designate a representative who may attend all Commission meetings and participate in discussions, but none of whom shall have voting authority related to Commission business.

(c) Upon submission to the Commission of a petition signed once by at least 5000 individual Chicago residents ("Qualifying Petition"), the Commission shall hold a special meeting. The Qualifying Petition shall set forth with specificity the issues or concerns that would be the subject of the special meeting, and those issues or concerns must fall within the Commission's purposes as specified in Section 2-80-030. The petition may include up to 10 questions to be directed to the Superintendent, the Public Safety Inspector General, the Chief Administrator, or the President of the Police Board. Within 14 days of receiving a Qualifying Petition, the Commission shall determine and announce whether a special meeting is required. If a special meeting is required, the meeting shall be convened within 21 days of submission of the Qualifying Petition.

**2-80-070 District Councils – establishment, purpose, composition, and duties.**

There is hereby established, within each District, a District Council.

(a) The purpose of the District Councils is to: (1) build connections between the police and the community; (2) collaborate in the development and implementation of community policing initiatives; (3) ensure regular community input for Commission efforts; (4) ensure that within each District there is a forum where District residents can raise and work to address any concerns about policing in the District, including but not limited to police interactions with youth and people of all immigration statuses; (5) ensure the independence and increase the legitimacy of the Commission by participating in the selection its members; (6) participate in the selection of Commissioners who will fulfill the purposes listed in Section 2-80-030 of this Chapter; and (7) assist the Commission in fulfilling the purposes listed in Section 2-80-030.

(b) Each District Council shall be comprised of three members who are elected to serve four-year terms. No person may serve more than a total of 12 years on a District Council in their lifetime. A candidate for District Council membership shall:

- (1) be at least 18 years old on the date on which their term begins;
- (2) reside in the District in which they seek to serve;

- (3) not have been convicted of theft, bribery, embezzlement, extortion, perjury, or other corruption-related crime, nor any forcible felony as defined by Article 2-8 of the Illinois Criminal Code of 2012, codified at 720 ILCS 5/2-8, nor any Class 4 or more serious felony, as defined in Chapter 720 of the Illinois Compiled Statutes, if such felony is related to the distribution of a controlled substance;
- (4) not be a member of the Commission; and
- (5) not have been an employee of the Department, Independent Police Review Authority, COPA, or the Police Board in any of the three years immediately preceding the date on which their term begins.

(c) As soon as is practical and feasible following its establishment, the interim Commission established pursuant to Section 2-80-040(a) shall recommend to the Mayor and the Chairman of the City Council Committee on Public Safety a process for electing District Council members, which process shall not require proof of U.S. citizenship as a prerequisite for voting. In its discretion, the interim Commission may recommend that this process take place in conjunction with a similar established process (e.g., the process for electing local school council members set forth at 105 ILCS 5/34-2.1). Upon receiving such recommendation, the Mayor and the Chairman shall prepare and introduce into that Committee an ordinance, based on those recommendations, that codifies the process for electing District Council members.

(d) Each District Council member shall receive a stipend of \$500 per month while serving in this role. Each stipend shall be factored into the Commission's annual budget and shall be paid on an annualized pro rata basis to each District Council member.

(e) Each District Council shall:

- (1) Hold public meetings at least monthly to discuss policing issues;
- (2) Work with the Police District Commander and community members to help develop and implement community policing initiatives;
- (3) Delegate one or more District Council members to attend quarterly meetings with representatives from each District Council to identify trends and concerns;
- (4) Delegate one or more District Council members to attend annual meetings with representatives from each District Council to propose priorities for the Commission;
- (5) Work to develop and expand restorative justice and similar programs in the District;
- (6) Report its findings, conclusions, and recommendations to the Commission as requested; and
- (7) Exercise any other powers delegated to it by the Commission.

(f) Each District Council shall have a Chair, a member of the Nominating Committee, and a Community Engagement Coordinator. District Council members on each District Council shall determine which member shall serve as Chair, which member shall serve on the Nominating Committee, and which member shall serve as Community Engagement Coordinator. Within 30 days of members taking office, each District Council shall submit to the Commission a document identifying who has been selected to fill each of these positions. If, 30 days after taking office, members of any District Council have not filled one or more of these positions, the Commission shall assign roles by a majority vote of the Commission.

(g) District Council members may enlist qualified volunteers to assist them in carrying out their duties, including but not limited to serving on committees, pursuant to this section.

**2-80-080 Superintendent, Chief Administrator, and Police Board: hiring, appointment.**

(a) Superintendent. When a vacancy occurs in the position of Superintendent, the Commission shall hold at least four public hearings at which members of the public may provide recommendations to inform the Commission's selection of Superintendent candidates. At least one public hearing shall be held on the North Side of Chicago, the South Side of Chicago, the West Side of Chicago, and in downtown Chicago. To solicit candidates for filling the Superintendent vacancy, the Commission shall conduct a nationwide search to include recruiting applicants, thoroughly reviewing applications, including background checks, and conducting in-depth interviews of the best-qualified candidates. Qualified candidates will, at a minimum, demonstrate experience in leading proactive public-safety initiatives, advances in training and accountability, and increasing trust between police officers and the communities they serve.

Within 120 days after a vacancy occurs in the position of Superintendent, the Commission shall submit three candidates for the position to the Mayor. Within 30 days thereafter, the Mayor shall either select one of these candidates, or reject the candidates and provide the Commission with a written explanation, which the Commission shall make publicly available no later than three business days after receipt. Within 30 days after this rejection, the Commission shall submit to the Mayor three new candidates, which shall not include any previous candidate. Within 30 days thereafter, the Mayor shall either select a candidate or reject the candidates and provide the Commission with a written explanation, which the Commission shall make publicly available no later than three business days after receipt. This process shall continue until the Mayor appoints and submits for City Council approval a candidate.

After the Mayor has appointed and submitted to the City Council a candidate for Superintendent, but before the City Council has voted on whether to approve the candidate, the City Council Committee on Public Safety shall hold a public hearing to consider recommending approval of the candidate, at which the candidate shall appear and answer questions from Committee members. At the hearing, the Committee shall also provide time for public comment on the candidate. Before the public hearing, the Committee shall provide on its website an opportunity for members of the public to register questions for and comments about the candidate, and shall make publicly available a written explanation submitted by the Commission in which the Commission explains why it nominated this candidate.

After the City Council has approved the appointment of the Superintendent, the Commission shall hold at least four public hearings at which the Superintendent may speak and members of the public may share comments and questions, and provide recommendations to inform the Commission's work with the Superintendent. At least one public hearing shall be held on the North Side of Chicago, the South Side of Chicago, the West Side of Chicago, and in downtown Chicago.

(b) Chief Administrator. When a vacancy occurs or is anticipated in the position of Chief Administrator, the Commission shall engage a nationally recognized organization with expertise in government oversight to perform a nationwide search and identify at least ten candidates. Such candidates shall fulfill the qualifications in Section 2-78-115. The Commission shall submit to the Mayor the three candidates it deems most qualified. Within 30 days thereafter, the Mayor shall either select one of these candidates, or reject the candidates and provide the Commission with a written explanation, which the Commission shall make publicly available no later than three business days after receipt. Within 30 days after this rejection, the Commission shall submit three new candidates to the Mayor, which shall not include any previous candidate. Within 30 days thereafter, the Mayor shall either select a candidate or reject the candidates and provide the Commission with a written explanation, which the Commission shall make publicly available no later than three business days after receipt. This process shall continue until the Mayor appoints and submits to the City Council a candidate.

(c) Police Board. When a vacancy occurs on the Police Board, the Commission shall, within 60 days, identify candidates eligible to fill the vacancy. Such candidates shall have the same qualifications as those for Commissioners as set out in Section 2-80-040(b), and shall adhere to the Police Board Selection Criteria contained in paragraph 532 of the Consent Decree. For each Police Board vacancy, the Commission shall submit to the Mayor three candidates it deems most qualified. Within 30 days thereafter, the Mayor shall either select one of these candidates, or reject the candidates and provide the Commission with a written explanation, which the Commission shall make publicly available no later than three business days after receipt. Within 30 days after this rejection, the Commission shall submit three new candidates to the Mayor, which shall not include any previous candidate. Within 30 days thereafter, the Mayor shall either select a candidate or reject the candidates and provide the Commission with a written explanation, which the Commission shall make publicly available no later than three business days after receipt. This process shall continue until the Mayor selects a candidate.

(d) The Mayor's selection of a candidate in subsections (a), (b), or (c), shall be referred to the City Council Committee on Public Safety for a hearing, and shall then be subject to City Council approval. If the City Council rejects the Mayor's selected candidate, within 30 days thereafter the Mayor shall either select a different candidate from the most recent list submitted by the Commission, or request that the Commission provide three new candidates.

**2-80-090 Superintendent, Chief Administrator, and Police Board: Vote of No Confidence.**

The Commission may adopt by a two-thirds' vote a resolution of no confidence in the fitness of the Superintendent, Chief Administrator, or a Police Board member to hold their position. Such resolution may only be considered for Just Cause. Upon passage by a two-thirds' vote of a motion to take a no confidence vote, the Commission shall provide written notice to the affected party of its intent to adopt such resolution, including a detailed explanation of the deficiencies that are the basis of the "for Just Cause" determination. Within 30 days of receiving

this written notice, the affected party may respond in writing. Upon receipt of the affected party's response, or 30 days after delivery of written notice, whichever comes first, the Commission may vote on a resolution of no confidence, which shall require the affirmative vote of at least five members. Such resolution shall state with specificity the grounds for finding Just Cause for the resolution of no confidence.

If the Commission adopts a resolution of no confidence, the City Council Committee on Public Safety shall hold a hearing within 14 days, at which it shall consider and vote on whether to recommend that the affected party be removed for Just Cause. If the affected party requests to appear at the hearing, that person party shall be given an opportunity to speak and to respond to questions from Committee members. If the Committee on Public Safety votes in the affirmative to recommend that the affected party be removed, then the City Council shall consider and vote on whether to recommend that the affected party be removed. The City Council shall meet for this purpose either within 30 days of the Commission's vote of no confidence, or at the next regular meeting of the City Council. If a majority of the members of the City Council vote in the affirmative to recommend that the affected party be removed, the Mayor shall respond in writing to the City Council within 14 days after adoption of the resolution, explaining the actions that the Mayor will take in response.

**2-80-100 Superintendent, Chief Administrator, and Police Board President:  
Performance reviews.**

Every year, the Commission shall establish goals and expectations for the Superintendent, Chief Administrator, and Police Board President, which the Commission shall make publicly available. By December 1st of each year, the Superintendent, Chief Administrator, and Police Board President shall each provide the Commission with a written self-evaluation that describes progress towards meeting that year's goals and expectations, and proposes goals and expectations for the next year. By December 31st of each year, the Commission shall provide the Superintendent, Chief Administrator, and Police Board President with preliminary written evaluations that include the Commission's assessment of the Superintendent's, Chief Administrator's, and Police Board President's performance in meeting the previous year's goals and expectations, and sets out goals and expectations for that calendar year. If the Superintendent, Chief Administrator, or Police Board President believe that changes to the written evaluation or the goals and expectations are warranted, within 15 days of receiving the evaluation they may request in writing that the Commission make such changes. By January 31st of each year, the Commission shall complete a final performance review of the Superintendent, Chief Administrator, and Police Board President covering the previous calendar year, and establish goals and expectations for the Superintendent, Chief Administrator, and Police Board President for the then-current calendar year.

**2-80-110 Department, COPA, and Police Board Policymaking.**

(a) A new or amended Policy may be initiated by the Department, COPA, the Police Board, or the Commission.

- (1) The Commission may initiate a Policy either by making a written request to the Department, COPA, or the Police Board to draft such Policy, or by drafting a Policy itself.
- (2) If the Commission requests that the Department, COPA, or the Police Board draft a Policy:

- (A) The Department, COPA, or the Police Board shall accept or decline the request in writing within 14 days of receipt, and, if declining, provide the Commission with a written explanation.
- (B) If the request is accepted, the Department, COPA, or the Police Board shall provide a draft of the Policy to the Commission within 60 calendar days, which time the Commission may extend at its discretion.
- (C) If the Department, COPA, or the Police Board does not respond, declines the request, or accepts the request but fails to draft a Policy within 60 calendar days or any extension thereto, the Commission may take its request to the Mayor, who shall review the parties' positions and either direct the Superintendent, Chief Administrator, or Police Board President to take appropriate action, or explain in writing why no action is warranted.

(b) The initiating party shall submit the proposed new or amended Policy to the Commission, and to the Department, COPA, or Police Board, as appropriate, for review. The Commission, and the Department, COPA, or Police Board shall have 60 days after submission to provide written comments or suggestions to the submitting party on how to improve the Policy. The Commission will use national best practice methods to engage impacted communities in Policy development, and will implement a mandatory 15-day public posting and review and comment period before a proposed new or amended Policy can be finalized.

- (1) If, after 60 days, there are no written comments or suggestions, the Commission may place the new or amended Policy on its agenda for consideration at a regular meeting. The Department, COPA, or the Police Board may place a new or amended Policy into effect if the Commission provides no written comments or suggestions, and has not placed the Policy on its agenda for consideration at a regular meeting held within 60 days of the new or amended Policy's submission.
- (2) If there are written comments or suggestions, within 14 days of receipt, the receiving party shall provide a written response indicating whether the comments or suggestions will be incorporated into the new or amended Policy, or explaining why the comments or suggestions will not be incorporated.
- (3) In the event of a disagreement as to a proposed Policy or whether the subject matter is eligible for inclusion in a Policy, the parties shall work collaboratively and in good faith for 30 days to reach an agreement on the Policy. If unable to reach an agreement, the parties shall bring the proposed Policy to the Mayor, who shall review the parties' positions and either direct the Superintendent, Chief Administrator, or Police Board President to take appropriate action, or explain in writing why no action is warranted.
- (4) The Commission shall not place a new or amended Policy prepared under this subsection (b) on its agenda for consideration at a regular



meeting unless all disagreements with the Department, COPA, or the Police Board have been resolved.

- (5) The Commission shall post on its publicly accessible website any new or amended Policy; Commission request; Department, COPA, or Police Board response; written comments or suggestions; responses to written comments or suggestions; and Mayor's final determination.

(c) If circumstances demand the immediate creation of, or change to, a Policy, the Department, COPA, or Police Board may, upon written notice to the Commission, issue a temporary Policy that will be in effect for up to 60 days or until the Policy receives final consideration from the Commission as set forth in subsection (b) of this section.

(d) Any new or amended Policy developed pursuant to this section shall provide the Department with sufficient time to train its members to implement and comply with that new or amended Policy prior to its becoming effective.

**2-80-120 Access to Records.**

(a) Subject to applicable law, the Commission shall have access to information, documents, data, and records in the possession, custody, or control of the Department, COPA, the Police Board, or any other City department, agency, or entity in order to carry out the Commission's powers and duties in this Chapter. Within 14 days after receiving a request, the requested agency shall either produce the requested materials, or respond in writing explaining why the materials will not be provided. The Commission shall publish any such written explanations on its publicly accessible website.

(b) Nothing in this section requires any City officer or employee to allow access to or disclose any information, documents, data, or records that would risk revealing or compromising confidential sources, or that would impede, risk impeding, or risk affecting the outcome of a pending investigation or disciplinary proceeding, or that would risk endangering a person.

(c) If the Commission believes a request for information, documents, or records has been improperly denied, it may file a complaint with the Office of Inspector General.

**2-80-130 Reports.**

The Commission shall issue an annual report that includes a detailed summary of the Commission's activities during the year, as well as all policy, rule, and/or procedure changes enacted or recommended by the Commission, the relevant entity's response, and the status of implementation; all Commission requests for reviews, audits, and analyses, and the status of those reviews, audits, and analyses; and any other matters the Commission deems of public importance. The Commission shall make its annual reports publicly available by posting them on its publicly accessible website.

**2-80-140 Duty of Cooperation.**

It is the duty of the Superintendent, the Chief Administrator, and the President of the Police Board or their respective designees to cooperate with the Commission as the Commission carries out its powers and duties under this Chapter.

**2-80-150      Retaliation, obstruction, or interference prohibited - Penalty.**

(a) No person shall retaliate against, punish, intimidate, discourage, threaten, or penalize any other person who serves or seeks to serve as a member of the Commission or District Councils, or participates or seeks to participate, in any capacity, in the work of the Commission or District Councils. No person shall knowingly interfere with or obstruct the Commission as the Commission carries out its powers and duties under this Chapter.

(b) The Inspector General shall review all complaints alleging violations of this section pursuant to that Office's processes set forth in the Code.

(c) Any person who willfully violates this section shall be subject to a fine of not less than \$1,000.00 and not more than \$5,000.00 for each such offense, or imprisonment for a period of not less than 30 days and not more than six months, or both a fine and imprisonment. Each day that a violation continues shall constitute a separate and distinct offense. Actions seeking the imposition of a fine only shall be filed as quasi-criminal actions subject to the provisions of the Illinois Code of Civil Procedure. Actions seeking incarceration, or incarceration and a fine, shall be filed and prosecuted as misdemeanor actions under the procedure set forth in Section 1-2-1.1 of the Illinois Municipal Code, 65 ILCS 5/1-2-1.1.

**2-80-160      Budget and Staffing.**

The appropriations for the Commission and District Councils shall be determined by the City Council as part of the annual City budget process, but shall not be less than 0.075 percent of the annual appropriation of all non-grant funds for the Department contained in the annual appropriation ordinance for that fiscal year.

The City Council shall appropriate funds sufficient for the Commission and District Councils to perform their functions and duties as set forth in this section, including, at minimum, budgeting for an Executive Director, and such other staff as are necessary to support the work of the District Councils, and such administrative staff as may be necessary for the efficient operation of the Commission and District Councils.

**2-80-170      Review.**

Within three years after the full implementation of the Commission, the Public Safety Inspector General shall commence a formal review of key aspects of the operations of the Commission. The findings of the review shall be published in a report in accordance with the Inspector General's rules and mandates.

**SECTION 3.** Section 2-56-230 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

**2-56-230 Public safety deputy – Powers and duties.**

The Public Safety Deputy shall have the following powers and duties:

*(Omitted text is unaffected by this ordinance)*

(i) To set minimum qualifications and appropriate screening procedures for all persons to be considered for employment by the Office of the Deputy Inspector General for Public Safety, and to set appropriate staffing levels to carry out the powers and duties set forth herein.

(j) To conduct research and audits as directed by the Community Commission for Public Safety and Accountability pursuant to Section 2-80-050(f) of the Code.

*(Omitted text is unaffected by this ordinance)*

**SECTION 4.** Section 2-78-115 of the Municipal Code of Chicago is hereby amended by deleting the language struck-through and inserting the language underscored, as follows:

**2-78-115 Chief Administrator – qualifications and appointment.**

The Chief Administrator shall be the chief executive officer of the Office, and shall be selected pursuant to the process set forth in Section 2-80-080. The Chief Administrator shall serve a term of four (4) years, and at the conclusion of such term may be considered for reappointment. The Chief Administrator may be removed from office prior to the conclusion of such term only for cause in accordance with Section 2-78-155.

~~Upon the effective date of this Ordinance, the individual serving as the Chief Administrator of the Independent Police Review Authority shall become the first Chief Administrator of the Office. Such Chief Administrator, or, if such individual shall resign or otherwise vacate such office, a successor selected by the Mayor and approved by the City Council, shall continue to serve as Chief Administrator of the Office until a permanent method of selecting the Office's Chief Administrator shall be enacted by the City Council and become effective.~~

*(Omitted text is unaffected by this ordinance)*

**SECTION 5.** Sections 2-84-020, 2-84-030 and 2-84-040 of the Municipal Code of Chicago are hereby amended by deleting the language struck-through and inserting the language underscored, as follows:

**2-84-020 Police board – Establishment, membership and organization.**

(a) There is hereby created a police board consisting of nine members to be appointed by the mayor, pursuant to the process set forth in Section 2-80-080, by and with the advice and consent of the city council. Except in the case of vacancies filled for the remainder of an unexpired term, board members shall be appointed for a term of five years, or until their respective successors are appointed and qualified. Provided, however, that no person shall be eligible for reappointment to the board if such person has served on the board for more than ten years during his or her lifetime. Board members shall be reasonably compensated for their service on the board as provided for in the annual appropriation ordinance.

*(Omitted text is unaffected by this ordinance)*

**2-84-030 Police board – Powers and duties.**

The board shall exercise the following powers:

~~1. When a vacancy occurs in the position of superintendent of police, to nominate three candidates to fill the position and to submit those nominations to the mayor;~~

~~2~~ 1. To adopt recommend rules and regulations for the governance of the police department of the City; and

~~3~~ 2. To serve as a board to hear disciplinary actions for which a suspension for more than the 30 days expressly reserved to the superintendent is recommended, or for removal or discharge involving officers and employees of the police department in the classified civil service of the city.

~~4~~ 3. To serve as a board to consider appeals, pursuant to Section 2-84-035, by applicants for a probationary police officer position who have been removed from the Department of Police's eligibility list due to the results of a background investigation.

*(Omitted text is unaffected by this ordinance)*

~~In designating the nominees for the position of superintendent of police, the board shall be governed solely by the professional and executive qualifications required for the position which shall be without reference to the residence of the nominees. If none of the nominees accept appointment, the board shall submit new lists of three nominees until the position is filled.~~

*(Omitted text is unaffected by this ordinance)*

**2-84-040 Superintendent of Police – Appointment.**

The Superintendent of Police shall be the chief executive officer of the Police Department. The Superintendent shall be appointed by the Mayor ~~upon recommendation of the Police Board~~ pursuant to the process set forth in Section 2-80-080, and with the advice and consent of the City Council, and shall serve at the pleasure of the Mayor. The Superintendent shall be responsible for the general management and control of the Police Department and shall have full and complete authority to administer the Department, except for those matters under the jurisdiction of the Office of Public Safety Administration, in a manner consistent with the ordinances of the City, the laws of the state, and the rules and regulations of the Police Board.

**SECTION 6.** This ordinance shall be in full force and effect upon the happening of both of the following: (i) ten days following due passage and publication, and (ii) the passage by the City Council of a budget, or budget amendment, that effectuates Section 2-80-160 created by this ordinance.