



Office of the City Clerk

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Legislation Details (With Text)

File #: SO2011-6503

Type: Ordinance **Status:** Passed

File created: 7/28/2011 **In control:** City Council

Final action: 9/8/2011

Title: Amendment of Municipal Code Chapter 2-84 regarding Police Board powers and duties

Sponsors: Fioretti, Bob

Indexes: Ch. 84 Dept. of Police

Attachments: 1. SO2011-6503.pdf, 2. O2011-6503.pdf

Date	Ver.	Action By	Action	Result
9/8/2011	1	City Council	Passed as Substitute	Pass
9/6/2011	1	Committee on Public Safety	Recommended to Pass	Pass
7/28/2011	1	City Council	Referred	

ORDINANCE

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

SECTION 1. Section 2-84-020 of the Municipal Code of the City of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

284020 - Police board - Establishment, membership and organization.

There is hereby created a police board consisting of nine members to be appointed by the mayor by and with the advice and consent of the city council. They shall be appointed for a term of five years, or until their respective successors are appointed and qualified. Board members shall serve without compensation. No Board Member shall serve more than two consecutive five year terms (10 years) except that current members who have already served 10 years as of the date this amendment takes effect may serve up to 18 additional months on the Board. No Compensation of any kind shall be paid to Board Members exceeding \$5,000 per year for Board Members and \$7,500 per year for the President.

Vacancies shall be filled for the remainder of an unexpired term in the same manner as original appointments.

Members of the Board may be removed by the mayor as provided by law.

~~The mayor shall designate~~ The police board shall elect a president and a vice president from among the members of the board for a term of two (2) years. The board shall hold a regular meeting at least once a month. All regular meetings shall be in a public office of the board with reasonable provision for attendance by the public. The superintendent of police may be present at all meetings of the board and shall have the right to take part in the discussions and deliberations but shall have no vote.

The board shall appoint a secretary not a member of the board. The secretary shall keep a record of the proceedings and transactions of the board specifying therein the names of the members of the board at all meetings and giving the ayes yeas and nees nays upon all votes. He shall post and publish all orders, resolutions and notices which the board shall order to be posted and published, and shall perform such other duties as are herein or may be by order of the board imposed on him the secretary. The yeas and nays of police board members on all votes shall be posted by the secretary on the police board website within two business days of any such vote and shall remain posted on such website for at least two years.

The powers of the board shall be exercised by order or resolution adopted by a majority of its members and recorded in the minutes with ayes yeas and hogs 113 ys at length. Such action shall be attested by the signatures of the president or vice-president or two members of the board and by the signature of the secretary of the board.

Any Board Member who misses three board meetings in any calendar year is deemed to have resigned as a Board Member unless they receive the written prior consent of the City Council Committee on Public Safety to continue on the board.

SECTION 2. Section 2-84-030 of the Municipal Code of the City of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

284030 Police board - Powers and duties.

The board shall exercise the following powers:

- (1) When a vacancy occurs in the position of superintendent of police, it shall nominate three candidates to fill the position and submit the nominations to the mayor;

- (2) Adopt rules and regulations for the governance of the police department of the city;
- (3) Review, approve, and submit to the budget direct of the city the annual budget of the police department;
- (4) 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 removal or discharge involving officers and employees of the police department in the classified civil service of the city.

(Language omitted for brevity and is unaffected by this ordinance)

The police board, or any member or hearing officer designated by it, may administer oaths and secure by its subpoena both the attendance and testimony of witnesses and the production of relevant books and papers. All proceedings before the police board, or any member or hearing officer designated by it, shall be recorded. No continuance may be granted after a hearing has begun unless all parties to the hearing agree thereto. The findings and decisions of the police board, including explanations of those facts and conclusions of law, when approved by said board, shall be certified to the superintendent and shall forthwith be enforced by said superintendent. Findings of fact shall be accompanied by concise and explicit statement of underlying facts supporting their findings. These findings and decisions, including the explanation of the reasons for those findings and decisions, shall be posted on the Police Board website within two business days and shall remain there for at least two years. Dissenters from Police Board findings and decisions shall state explanations of the reasons for their dissent and these dissents shall also be posted on the Police Board website within two business days and shall remain there for at least two years.

(Language omitted for brevity and is unaffected by this ordinance)

The board's power to adopt rules and regulations for the governance of the police department does not include authority to administer or direct the operations of the police department or the superintendent of police, except as provided in Section 12.1 of "An Act to regulate the civil service of cities" approved March 20,1895, as amended. The board shall have the authority to make recommendations to the

Superintendent of Police and Chair of the City Council Committee on Public Safety concerning revisions in policies to increase the efficiency of the Chicago Police Department. The recommendations shall be posted on the police board website within two business days of the date on which such recommendation is made to the department or superintendent and shall remain posted on the police board website for a period of at least two years.

284035 - Police Board - Public Hearings

If a majority of the Police Board votes that a public hearing concerning citywide police policies, procedures, or operations is in the public interest, the Board can convene a public hearing.

Alternatively, if a petition on any citywide police policies, procedures, or operations under the Police Board's authority with 500 signatures of registered voters of Chicago is received by the board, it shall hold a public hearing on the issue in the petition within 45 days. The Superintendent is required to attend such a hearing. The person who files the petition shall choose three spokesmen for the petition who shall each be given five minutes to speak at the start of the hearing.

The Superintendent shall furnish written responses to any questions submitted to him by the board as a result of the public hearing. Such written responses will be posted on the Police Board website within two business days of receipt. A transcript of the hearing shall be posted on the Police Board website within 30 days and shall remain there for at least two years.

SECTION 3. This ordinance shall take full force and effect immediately upon its passage and publication.

Amy Pava 47
 Joseph A. Moore 49
 36th
 Theodoros Parasatis
 Joe M. Lewis
 Sandra Jacobson 7th
 (6)
 42
 Uncle Sam
 Robert of old
 57
 Alderman Robert W. Fioretti, 2nd Ward
 Leslie N. Hanstons
 45
 Scott W. Agnew
 Pat Dowell, 3rd
 M. M. S. 22
 20
 5 3 27th