



# Office of the City Clerk

City Hall  
121 N. LaSalle St.  
Room 107  
Chicago, IL 60602  
www.chicityclerk.com

## Legislation Text

File #: O2022-2928, Version: 1

### ORDINANCE

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

SECTION 1. Section 2-56-060 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

#### **2-56-060 Investigation reports.**

Upon conclusion of an investigation the Inspector General ~~inspector general~~ shall issue a summary report thereon. The report and supporting materials shall be delivered to filed ~~solely with~~ the designated ultimate jurisdictional authority as defined in Section 2-56-025(b). The report shall include the following:

- a) A description of any complaints or other information received by the Inspector General ~~inspector general~~ pertinent to the investigation;
- b) A description of any illegal conduct, inefficiencies or waste observed or discovered in the course of the investigation;
- c) Recommendations for correction of any illegal conduct, inefficiencies or waste described in the report;
- d) Such other information as the Inspector General ~~inspector general~~ may deem relevant to the investigation or resulting recommendations.

Disclosure of reports and materials under this Section respecting disciplinary investigations concerning personnel of the City Council as defined in Section 2-56-025(a)(2) and (3) is hereby expressly limited to the ultimate jurisdictional authorities for such matters as set forth in Section 2-56-025(b), unless the matter concerns misconduct involving both personnel of the City Council as defined in Section 2-56-025(a)(2) and (3) and non-City Council personnel as otherwise defined in this chapter, in which case the report and all relevant information materials, including that concerning the subject City Council personnel shall be provided to all appropriate ultimate jurisdiction authorities as defined in Section 2-56-025(b).

SECTION 2. Section 2-56-065 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

#### **2-56-065 Response to recommendations by the Inspector General ~~inspector general~~.**

If the Inspector General ~~inspector general~~ issues a recommendation for discipline or other administrative action in a summary report, the ultimate jurisdictional authority must respond to that recommendation within 30 days with a written response to the Inspector General ~~inspector general~~. This response must include either (1) a description of any disciplinary or administrative action the ultimate jurisdictional authority has taken with respect to the employee in question or (2) a request for a 30-day extension of the 30-day decision period if additional time is needed by the ultimate jurisdictional authority to review the recommendation. If the ultimate jurisdictional authority did not take any disciplinary or administrative action, or took a different disciplinary or administrative action than that recommended by the Inspector General ~~inspector general~~, the ultimate jurisdictional authority must describe the different action and explain the reasons for the different action in the written response. This response must be submitted to the Inspector General

inspector general within the 30-day decision period. The Inspector General ~~inspector general~~ may approve a request for an extension of this 30-day decision period for a period of time not to exceed 30 days if additional time is needed by the ultimate jurisdictional authority to review the recommendation of discipline.

SECTION 3. Section 2-56-110 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

**2-56-110 Files and reports confidential - Public statements authorized when.**

(a) Except as otherwise provided in this section, all investigatory files and reports of the office of Inspector General ~~inspector general~~ shall be confidential and shall not be divulged to any person or agency, except to the United States Attorney, the Illinois Attorney General or the State's Attorney of Cook County, or as otherwise provided in this chapter or Chapter 2-156. The Inspector General ~~inspector general~~ is authorized to issue public statements in the following circumstances:

(a) , upon written request by (i) a person publicly known to have been under investigation that exonerates that person; or (ii) an elected official publicly known to have been under investigation that results in a not-sustained finding; and (b) if an investigation, audit or review concerns inefficient or wasteful management ~~and (c) in a public summary of each investigation resulting in sustained findings of misconduct.~~ The public summary shall briefly state, without disclosing the name of any individual who was the subject of such investigation, (i) the nature of the allegation or complaint; (ii) the specific violations resulting in sustained findings; (iii) the Inspector General's ~~inspector general's~~ recommendation for discipline or other corrective measures; and (iv) the ultimate jurisdictional authority's response to and final decision on the Inspector General's ~~inspector general's~~ recommendation.

~~(b) The Corporation Counsel, in his sole discretion, is authorized to release reports of the Office of Inspector General to the public as provided in this subsection (b). Any release pursuant to this subsection (b) shall be limited to reports containing sustained findings regarding conduct that either (1) is associated with a death, or (2) is or may be a felony as defined in the Illinois Criminal Code and is of a compelling public interest. Prior to releasing any reports in whole or in part pursuant to this subsection (b), the Corporation Counsel shall determine, following a non-~~

~~binding consultation with the Inspector General, that such a release would not: (i) constitute an unwarranted invasion of personal privacy; (ii) interfere with due process in an ongoing or contemplated City employment or disciplinary process; (iii) impede an ongoing or contemplated administrative, civil or criminal investigation or proceeding; (iv) compromise law enforcement or investigative operations; (v) reveal the identity of confidential sources, including protected witnesses; (vi) endanger the life or safety of any person or cause a threat to security; or (vii) contravene applicable law, court order, or collective bargaining agreement.~~

(b) Within 60 days after receiving a response to a summary report from the applicable ultimate jurisdictional authority that results in a suspension of at least 3 days or termination of employment the Inspector General shall make available to the public the report and response or a redacted version of the report and response. Within 60 days after receiving a response to a summary report from the applicable ultimate jurisdictional authority that contains sustained findings but does not result in a suspension of at least 3 days or termination of employment, the Inspector General may make available to the public any such summary report and response of the ultimate jurisdictional authority or a redacted version of the report and response.

(c) The Inspector General shall redact information in the summary report that would: (i) constitute an unwarranted invasion of personal privacy; (ii) interfere with due process in an

ongoing or contemplated City employment or disciplinary process; (iii) impede an ongoing or contemplated administrative, civil, or criminal investigation or proceeding; (iv) compromise law enforcement or investigative operations; (v) reveal the identity of confidential sources, including protected witnesses; (vi) endanger the life or safety of any person or cause a threat to security; or (vii) contravene applicable law, court order, or collective bargaining agreement. The Inspector General shall also redact a recommendation of discipline or other, non-disciplinary remedial actions against a member of the Police Department if it is known to the Inspector General that such member of the Police Department is deceased. The Inspector General may also redact any other information they believe should not be made public.

(d) Prior to publication of a summary report under this section, the Inspector General shall permit the applicable ultimate jurisdictional authority and the Corporation Counsel to review documents to be made public. Each may offer, within 15 days, non-binding suggestions for redactions or provide any additional response that shall be made public with the summary report. After considering the suggestions for redaction, if any, the Inspector General shall reassess what should be made available to the public and publish the summary report and response or a redacted version of the report and response. Notwithstanding the provisions of subsection (b) to the contrary, the Inspector General may withhold publication of a summary report or response if the Corporation Counsel certifies that releasing the report to the public would: (i) constitute an unwarranted invasion of personal privacy; (ii) interfere with due process in an ongoing or contemplated City employment or disciplinary process; (iii) impede an ongoing or contemplated administrative, civil or criminal investigation or proceeding; (iv) compromise law enforcement or investigative operations; (v) reveal the identity

of confidential sources, including protected witnesses; (vi) endanger the life or safety of any person or cause a threat to security; or (vii) contravene applicable law, court order, or collective bargaining agreement.

SECTION 4. Within one year of the effective date of this ordinance, the Inspector General shall review all summary reports previously completed by the Inspector General that contain sustained findings and make available to the public any applicable summary reports and responses or redacted versions of such reports and responses in accordance with this ordinance.

SECTION 5. This ordinance shall take effect upon passage and approval.

MICHAEL D^ RODRIGUEZ Alderman, 22nd Ward