



# Office of the City Clerk

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## Legislation Details (With Text)

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**Final action:**

**Title:** Amendment of Municipal Code Title 2 by adding new Chapter 2-76 entitled "Chicago Community Police Commission" and modifying Chapters 2-56 and 2-78 regarding Deputy Inspector General for Public Safety

**Sponsors:** Reboyras, Ariel, Ervin, Jason C., Taliaferro, Chris, Curtis, Derrick G., Sadlowski Garza, Susan, Thompson, Patrick D., Zalewski, Michael R., Scott, Jr. Michael, Solis, Daniel, Burke, Edward M., Santiago, Milagros, Austin, Carrie M., Mitts, Emma, Laurino, Margaret, O'Connor, Patrick, Tunney, Thomas, Harris, Michelle A., Cappleman, James, Lopez, Raymond A., Hopkins, Brian, Dowell, Pat, Villegas, Gilbert

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Date	Ver.	Action By	Action	Result
5/29/2019	1	City Council	Failed to Pass	
3/28/2018	1	City Council	Referred	

### ORDINANCE

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

SECTION 1. Title 2 of the Municipal Code of Chicago is amended by creating a new Chapter 2-76, as follows:

#### CHAPTER 2-76 CHICAGO COMMUNITY POLICE COMMISSION

- 2-76-100 Definitions.
- 2-76-110 Purpose.
- 2-76-120 Establishment.
- 2-76-130 Independent and collaborative oversight.
- 2-76-140 Powers and duties.
- 2-76-150 Independence.
- 2-76-160 Commissioner qualifications.
- 2-76-170 Commissioner appointment, removal, and compensation.
- 2-76-180 Reporting.
- 2-76-190 Administration.

#### 2-76-100 Definitions.

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

"Chief Administrator" means the Chief Administrator of the Civilian Office of Police Accountability or the Chief Administrator's designee.

"Department" means the Chicago Department of Police.

"Office" means the Civilian Office of Police Accountability established in Chapter 2-78.

"Commission" means the Chicago Community Police Commission established in this Chapter.

"Police Board" means the Police Board established in Chapter 2-84.

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

"Superintendent" means the Superintendent of Police or the Superintendent's designee.

### **2-76-110 Purpose.**

(a) The Police Department is granted extraordinary power to maintain the public peace, including the power of arrest and statutory authority to use deadly force in the performance of its duties in particular circumstances. Public trust in the appropriate use of those powers is bolstered by having a police oversight system that reflects community input and

1

values. It is the City of Chicago's intent to ensure by law a comprehensive and sustainable approach to independent oversight of the Police Department that enhances the trust and confidence of the community, and that builds an effective Police Department that respects the civil and constitutional rights of the people of Chicago. The purpose of this Chapter is to provide the authority necessary for that oversight to be as effective as possible.

(b) Oversight of the Police Department shall be comprised of the Office, to provide a just and efficient means to fairly and timely conduct investigations within its jurisdiction, including investigations of alleged police misconduct and to determine whether those allegations are well-founded, applying a preponderance of the evidence standard; to identify and address patterns of police misconduct; and, based on information obtained through such investigations, to make policy recommendations to improve the Police Department and reduce incidents of police misconduct.; the Public Safety Deputy, to initiate reviews and audits of the Police Department, the Office and the Police Board with the goal of enhancing the effectiveness of the Police Department, the Office and the Police Board; increasing public safety, protecting civil liberties and civil rights; and ensuring the accountability of the police force, thus building stronger police-community relations.; and the Commission, to help ensure public confidence in the effectiveness and professionalism of Police Department and the responsiveness of the police accountability system to public concerns by engaging the community to develop recommendations on the police accountability system and provide a community-based perspective on law enforcement-related policies, practices, and services affecting public trust; all for the purpose of ensuring constitutional, accountable, effective, and respectful policing.

(c) An accountability system requires a strong, effective Superintendent to implement oversight recommendations and to create the culture change from within the Police Department that is necessary to support lasting reform. The Superintendent is the chief executive officer of the Police Department, is responsible for the general management and control of the Police Department, and has full and complete authority to administer the Police Department in a manner consistent with the ordinances of the City, the laws of the state, and the rules and regulations of the Police Board. In performing those duties, the Chief is responsible and accountable to the Mayor and City Council for the administration and management of Police

Department, and is the final decision-maker, subject to appeal rights, in all matters related to misconduct, including discipline. Nothing in this Chapter shall be interpreted or applied so as to limit or restrict the responsibilities of the Superintendent.

### **2-76-120 Establishment.**

There is hereby established a board to be known as the Chicago Community Police Commission ("Commission"). The Commission shall also include an Executive Director and such other employees as required to perform the Commission's powers and duties as set forth in this Chapter. The Commission shall be located in a facility separate from the Police Department and the Office. One of the cornerstones of effective oversight of law enforcement is community involvement. The Commission is established to fulfill the purposes set forth in Section 2-176-110.

### **2-76-130 Independent and collaborative oversight.**

(a) The Office, Police Board, and Public Safety Deputy have an obligation to exercise independent judgment and offer critical analysis in the performance of their duties. These oversight entities shall exercise their responsibilities without interference from any

person, group, or organization, including the Superintendent, other Police Department employees, or other City officials. City employees and agents who violate these provisions may be subject to dismissal, discipline, or other sanctions.

(b) The Office, Police Board, Public Safety Deputy and Superintendent shall each advise the Chairman of the City Council Committee on Public Safety, the Mayor, Corporation Counsel, and each other on issues related to the purposes of this Chapter, and recommend and promote changes to policies and practices, collective bargaining agreements, City ordinances, and state laws in order to support systemic improvements and other enhancements to Police Department performance and in furtherance of community trust.

(c) The Office, Police Board, Public Safety Deputy and Police Department shall engage in collaborative conversations with each other on a quarterly basis and as otherwise reasonably requested by each other in order to effectuate coordinated oversight, including meeting collectively to review the extent to which the purposes and requirements of this Chapter are being met.

### **2-76-140 Powers and duties.**

The Commission shall have the following powers and duties that it may undertake on its own or at the request of the Chairman of the City Council Committee on Public Safety, without interfering with Police Department, Office, Police Board, or Public Safety Deputy investigative functions:

(a) Interview, assess the qualifications of, and make a recommendation of up to three candidates having the qualifications set out in Section 2-78-115 of this Code to the City Council Committee on Public Safety for the position of Chief Administrator;

(b) Review and provide input to the Chief Administrator, Public Safety Deputy, Superintendent, 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 Police Department policies and practices of significance to the public. Such review may include input on policy and practice changes recommended by the Chief Administrator, the Public Safety Deputy, or Police Department;

(c) Be responsive to 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 Police Department employees on police-community relations, Police Department policies and practices, and the police accountability system;

(2) ■ Maintaining connections with representatives of disenfranchised communities and with other community groups throughout the City;

(3) Providing the Police Department, Police Board, Chief Administrator and Public Safety Deputy with community feedback relevant to their operations received as a result of the Commission's public outreach activities; and

3

(4) ■ Providing technical assistance on community matters to the Chief Administrator and Public Safety Deputy, as reasonably requested and consistent with the purposes of this Chapter;

(d) Identify and advocate for reforms to state laws that will enhance public trust and confidence in policing and the criminal justice system. Such advocacy may include, but is not limited to, reforms related to the referral of certain criminal cases to independent prosecutorial authorities, officer de-certification, pension benefits for employees who do not separate from the Police Department "in good standing," and the standards for overriding termination decisions by the Superintendent;

(e) Appoint a commissioner to co-chair and any other commissioners to serve on the search committees for Chief Administrator and Public Safety Deputy, identify qualified finalists, advise the appointing authority on these appointments, and review and provide input to the appointing authority on the reappointment or removal of the Chief Administrator and Public Safety Deputy;

(f) Convene an annual meeting to receive public comments and present to the community highlights of the Commission's annual report;

(g) Hold regular meetings open to the public, no less than once a month, and establish workgroup subcommittees of its members to meet as necessary;

(h) Monitor the implementation by the Police Department, Chief Administrator, City elected officials, and other City departments and offices of recommendations made by the Public Safety Deputy, Chief Administrator, and the Commission;

(i) Review all reports required to be prepared by the Chief Administrator, Public Safety Deputy, and any recommendations made by the Chief Administrator and Public Safety Deputy;

(j) Recommend to the Public Safety Deputy specific areas for investigation and evaluation, including emergent issues that arise that in the Commission's judgment are needed to support public confidence in the Police Department and related criminal justice practices;

(k) Make a written request to the Public Safety Deputy to review or audit particular policies, procedures or practices of the Police Department, the Office, or the Police Board, and to make findings and recommendations to improve future performance;

(l) Make a written request to the Public Safety Deputy to review and audit individual closed Office and Police Department disciplinary investigations, and to make findings and recommendations based on those findings: (i) to inform and improve future investigations and ensure that they are complete, thorough, objective, and fair; and (ii) if it finds a deficiency that it concludes materially affected the outcome of the investigation, recommend that the investigation be reopened;

(m) Make a written request to the Public Safety Director to review and audit the Police Department's policies, practices, programs and training (i) with respect to constitutional policing, discipline and use of force, or (ii) that affect the Police Department's integrity, transparency, and relationship with City residents; and to make recommendations to the

4

Superintendent and the Chairman of the City Council Committee on Public Safety to address problems or deficiencies or make improvements in such policies, practices, programs and training;

(n) Make a written request to the Public Safety Director to review and audit all sustained findings, disciplinary recommendations, and decisions made by the Police Department, the Office, and the Police Board, and any subsequent arbitration decisions, for the purpose of assessing trends and determining whether discipline is consistently and fairly applied, and determining whether final disciplinary decisions are being carried out;

(o) Evaluate work performed by the Public Safety Deputy undertaken at the request of the Oversight Commission;

(p) Review closed Office investigations to identify opportunities for systemic improvements. However, the Commission shall not serve as a review board for individual investigations; shall not evaluate or opine on the sufficiency of the evidence, findings, or determinations of any specific Office investigations; and shall not seek to influence the course or outcome of any specific Office investigation, or the findings, discipline, or other remedial action recommended or imposed in such cases;

(q) Collaborate with the Police Department, Chief Administrator, the Public Safety Deputy and the Corporation Counsel in improving system transparency, including improving Police Department public disclosure procedures and providing for timely online posting by the Office of information about the status of investigations and their outcomes;

(r) Review and provide input into Police Department recruiting, hiring, and promotional practices, and assist the Police Department in the development and delivery of Police Department in-service training related to the accountability system and helping ensure that this training is part of the curriculum for all new employees;

(s) Annually evaluate the performance of the Executive Director, after soliciting perspectives from the public, Mayor, Corporation Counsel, Superintendent, Chief Administrator, other Police Department employees, and commissioners;

(t) Provide input to the City Council Committee on Public Safety on the performance of the Chief Administrator in advance of the performance evaluation of the Chief Administrator; and

(u) Provide input the City Council Committee on Public Safety on the performance of the Public Safety Deputy in advance of the performance evaluation of the Public Safety Deputy.

**2-76-150 Independence.**

(a) The Commission is self-governing and functionally independent. The Commission may adopt bylaws to govern its own activities.

(b) No employee of the Commission shall have been formerly employed by the Police Department as a sworn officer.

5

(c) The City shall provide staff and resources that it deems sufficient to enable the Commission to carry out its powers and duties. The Executive Director shall submit an annual budget request, and the Commission's budget shall be independent of any other City department. The commissioners and Executive Director may advocate for resources directly to the City Council during the budget process and throughout the year.

(d) The Commission may, request and shall timely receive from other City departments and offices, including the Police Department, information relevant to its powers and duties that would be disclosed if requested under the Freedom of Information Act, without having to make a request pursuant to the Act.

**2-76-160 Commissioner qualifications.**

(a) Commissioners shall be respected members of Chicago's many diverse communities. All Commissioners shall reside in Chicago at the time of appointment or reappointment and shall be geographically representative of the City.

(b) Commissioners shall be representative of Chicago's diverse population, drawn from different socio-economic backgrounds and racial and ethnic groups, including immigrant/refugee communities, and from the African-American, LGBTQ, youth, faith, business, and other communities reflecting the overall demographics of Chicago residents. Some shall represent or be knowledgeable of the issues of those who are limited-English speakers, homeless, or who have mental illness and substance abuse disorders.

(c) Individual Commissioners shall have expertise in law enforcement; law enforcement oversight; police accountability; human resources; community engagement; organizational change; constitutional, criminal, or labor law; social justice; training; or other disciplines important to the Commission's work. Altogether, there shall be a balance that allows the Commission as a whole to benefit from the knowledge and expertise of its individual members.

(d) At least two Commissioners shall be graduates of an accredited law school and members in good standing of the Illinois bar, with significant experience in the fields of public defense and civil liberties law.

(e) All Commissioners shall have the following qualifications and characteristics:

(1) A reputation for integrity and professionalism, and the ability to be effective in a board or commission role;

(2) A commitment to the need for and responsibilities of law enforcement, including enforcement, community care-taking, and the need to protect the constitutional rights of all affected parties;

(3) A commitment to the statements of purpose and policies in this Chapter;

(4) A history of leadership experience or deep roots in communities represented;

6

(5) The ability to relate, communicate, and engage effectively with all who have a stake in policing, including, but not limited to, the general public, complainants, disenfranchised communities, Police Department employees, and relevant City and other officials including the Mayor, City Council, Corporation Counsel, Superintendent, Chief Administrator, Public Safety Deputy, and other Commission members;

(6) An understanding of the city's ethnic and socioeconomic diversity, and proven experience working with and valuing the perspectives of diverse groups and individuals; and

(7) The ability to exercise sound judgment, independence, fairness, and objectivity in an environment where controversy is common.

## **2-76-170 Commissioner appointment, removal, and compensation.**

(a) The Commission shall consist of 21 Commissioners, appointed and reappointed as set forth in this Chapter. The Mayor shall select seven Commissioners, the City Council shall select seven Commissioners, and the Commission shall select seven Commissioners, including a public defense representative, a civil liberties law representative.

(b) Each appointing authority shall provide a process that allows individuals to apply and be considered for appointment, and shall ensure appointees meet the qualifications outlined in this Chapter and ensure the collective membership of the Commission meets the requirements of this Chapter. The appointing authorities shall consult with one another prior to making their respective appointments and reappointments. All Commissioners appointed or reappointed by the Mayor or Commission shall be confirmed by a majority vote of the full City Council and shall assume office upon receiving City Council confirmation; Commissioners appointed or reappointed by the City Council shall assume office upon appointment or reappointment.

(c) Commissioners in position numbers 1, 4, 7, 10, 13, 16, and 19 shall be appointed, and where applicable, reappointed by the Mayor. Commissioners in position numbers 2, 5, 8, 11, 14, 17, and 20 shall be appointed, and where applicable, reappointed by the City Council. Commissioners in position numbers 3, 6, 9, 12, 15, 18, and 21 shall be appointed, and where applicable, reappointed by the Commission. Position number 3 shall be designated for a public defense representative; position number 6 shall be designated for a civil liberties law representative.

(d) All CPC Commissioners shall be eligible to serve a maximum of three three-year terms, with each term commencing on January 1, except for the first term under this Chapter which will begin at the time of their confirmation following the effective date of this ordinance. All terms shall be staggered so that no more than seven Commissioners' terms expire in any given year. If a Commissioner assumes office prior to the

expiration of the term of the Commissioner's predecessor, the Commissioner may complete that term and then be reappointed for up to three three-year subsequent terms.

(e) Each appointment and reappointment shall be made whenever possible sufficiently prior to the expiration of the incumbent's term of office or the effective date of an incumbent's resignation, to permit City Council action to approve or disapprove the appointment or reappointment, at least 45 days before the vacancy, so as to avoid undue vacancy. All

7

appointments to fill positions due to resignations without notice shall be made as soon as reasonably possible, but should be made no later than 90 days after the effective date of the resignation of the incumbent. A Commissioner whose term is ending may continue on an interim basis until a successor has been confirmed by the City Council.

(f) To strengthen the independence of the Commission, Commissioners may be removed from office by the appointing authority only for cause. By a three-quarters vote of its membership, the Commission may approve removal of Commissioners appointed by the Commission. A majority vote of the full City Council is required to confirm the removal of any Commissioner.

**(g) Commissioners shall be compensated, if at all, as provided by ordinance. 2-76-180**

#### **Reporting.**

(a) The Commission shall produce annual reports that are readily understandable and useful to policymakers. The annual report shall be posted online and electronically distributed to the Mayor, Corporation Counsel, Chairman of the City Council Committee on Public Safety, Superintendent, Chief Administrator, and Public Safety Deputy, as well as to the City Clerk for filing as a public record. The annual report shall include, but not be limited to, the following:

(1) An evaluation of the extent to which all of the purposes, duties, and responsibilities detailed in this Chapter have been met;

(2) A summary of all recommendations for changes in policies and practices, collective bargaining agreements, City ordinances, and state laws;

(3) A summary of the implementation status of any' previous recommendations and, for any that have not been implemented, the reasons; and

(4) Information about the Commission's outreach to Police Department employees and the public, the perspectives gathered by the Commission from such outreach, and how the outreach informed the Commission's work.

(b) In partnership with the Public Safety Deputy, the Commission shall periodically evaluate and issue reports on how effective the Police Department's processes are in meeting community needs for a diverse work force, including the relevance of traditional disqualifying factors and the speed of the hiring process, to assess if there are unfair impediments to hiring and retaining diverse and skilled officers.

#### **2-76-170 Administration.**

(a) The Commission shall appoint an Executive Director, subject to confirmation by the City Council,



using merit-based criteria. The Executive Director shall not have been formerly employed by the Police Department. The term of the Executive Director position is six years, and shall continue until a successor is appointed and confirmed. In the event of a vacancy, the Commission shall designate an interim Executive Director within ten days of the first day of the vacancy.

8

(b) The Executive Director may only be removed for cause upon a majority vote of the Commission.

(c) The Executive Director shall have the authority and responsibility to:

(1) Oversee and manage the Commission's administrative functions;

(2) Hire, supervise, and discharge the Commission's employees;

(3) Manage preparation of the Commission's proposed budget, authorize necessary expenditures, and enter into contracts for professional and other services in accordance with the adopted budget, develop and manage programs, and undertake authorized activities;

(4) Execute, administer, modify, and enforce such agreements and instruments as the Executive Director shall deem necessary to implement programs and carry out the responsibilities, functions, and activities of the Commission; apply for grants and donations for Commission programs; and solicit and use volunteer services;

(5) Represent, together with Commissioners, the Commission in providing testimony and expertise to City departments and offices, commissions, and other organizations pertaining to issues of constitutional policing; and

(6) Exercise such other and further powers and duties as prescribed by this Chapter.

SECTION 2. Chapter 2-78 of the Municipal Code of Chicago is amended by deleting the struck-through text and inserting the underscored text, as follows:

**2-78-100 Definitions.**

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

*(Omitted text is unaffected by this ordinance)*

"Office" means the Civilian Office of Police Accountability established in this chapter.

"Commission" means the Chicago Community Police Commission established in Chapter 2-76.

"Police Board" means the Police Board established in Chapter 2-84 of this Code.

*(Omitted text is unaffected by this ordinance)*

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

The Chief Administrator shall be the chief executive officer of the Office, shall serve a term of four (4) years, and at the conclusion of such term may be considered for reappointment.

9

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.

The Chief Administrator shall be the chief executive officer of the Office, and shall be selected pursuant to the nomination process in Section 2-76-140(a) and appointment by the City Council Committee on Public Safety.

The Chief Administrator shall have the following minimum qualifications:

- (a) An attorney with substantial experience in criminal, civil rights, and/or labor law, or corporate and/or governmental investigations; or an individual with substantial experience in law enforcement oversight, or investigating employee or other wrongdoing;
- (b) Knowledge of law enforcement, particularly of internal investigations of wrongdoing and use of force;
- (c) A commitment to and knowledge of the need for and responsibilities of law enforcement, as well as the need to protect basic constitutional rights of all affected parties;
- (d) Demonstrated integrity, professionalism, sound judgment, and leadership; and
- (e) The ability to work with diverse groups and individuals.

The Chief Administrator shall not be a current or former sworn employee of the Police Department, a non-sworn employee of the Police Department within the last five years, or an employee of the Cook County State's Attorney's Office within the last five years.

*(Omitted text is unaffected by this ordinance)*

## **2-78-120 Chief Administrator - Powers and Duties.**

The Chief Administrator shall have the following powers and duties:

*(Omitted text is unaffected by this ordinance)*

(w) To appear before the Committee on Finance at public hearings at which proposed settlements of lawsuits and controverted claims against the Police Department or its members are submitted for approval, and, subject to any applicable legal constraints regarding confidentiality, reply to questions related to Office or

Independent Police Review Authority investigations involving Police Department members who are named parties to said lawsuits or controverted claims; and .

10

(x) Subject to applicable law and in the Chief Administrator's discretion, to reopen any closed Office or Independent Police Review Authority investigations if:

(i) The Chief Administrator becomes aware of evidence not available at the time the investigation was closed that could materially affect the results of that investigation;

(ii) The Chief Administrator determines that the manner in which the investigation was concluded has resulted in a gross miscarriage of justice; or

(iii) Following a review or audit of an investigation by the Deputy Inspector General for Public Safety, the Deputy Inspector General for Public Safety recommends that the investigation be reopened. If the Chief Administrator declines to reopen a closed investigation pursuant to this subparagraph (ii), the Chief Administrator shall provide a written explanation of its reasons to the Oversight Commission and to the Deputy Inspector General for Public Safety^

and

(y) To attend meetings of the Commission and provide summary reports, respond to questions and recommendations, and provide updates on requested reviews.

*(Omitted text is unaffected by this ordinance)*

**2-78-130 Decisions, recommendations.**

(Omitted text is unaffected by this ordinance) (b) Policy,

Program and Practices Recommendations.

If the Chief Administrator issues a recommendation or report to the Superintendent concerning a policy, program, or practice of the Police Department, the Superintendent shall respond to such recommendation or report within 60 days of receipt. Such response shall include a description of the actions the Superintendent has taken or is planning to take, if any, with respect to the issues raised in the report or recommendation. If the Superintendent declines to implement one or more of the Chief Administrator's recommendations, such response shall explain the reasons for doing so. In addition, at the request of at least three aldermen, the Chairman of the City Council Committee on Public Safety the Commission, shall request that the Superintendent or his designee shall appear at a hearing meeting of the Committee on Public Safety Commission to explain and respond to questions concerning such response.

*(Omitted text is unaffected by this ordinance)*

**2-78-150 Quarterly and annual reports to legislative and executive branches.**

(a) Quarterly Reports.

No later than the fifteenth day of April, July and October of each year, the Chief Administrator shall

post on the Office website for public review and file with the Mayor or his designee, the Superintendent, the Chairman of the City Council Committee on Public Safety,

11

the Commission, and the office of the City Clerk, a quarterly report providing information based on data through the end of the preceding month on: (1) the number of investigations initiated during that quarterly reporting period; (2) the number of investigations concluded during that quarterly reporting period, and of those investigations, the number that took more than six months to conclude; (3) the number of investigations pending as of the end of that quarterly reporting period; (4) the number of complaints not sustained during that quarterly reporting period; (5) the number of complaints sustained during that quarterly reporting period; (6) the number of complaints filed as to each Police Department district during the quarterly reporting period; (7) without identifying any individual police officer, the number of complaints filed against each police officer in each Police Department district during the quarterly reporting period; and (8) the number of complaints referred to other agencies during the quarterly reporting period and the identity of such other agencies. Such quarterly reports shall also summarize any reports or recommendations issued to the Superintendent concerning the policies, programs, and practices of the Police Department, and the Superintendent's response to such reports or recommendations.

(b) Annual Reports.

No later than the fifteenth day of February of each year, the Chief Administrator shall post on the Office's website for public review and file with the Mayor or his designee, the Superintendent, the Chairman of the City Council Committee on Public Safety, the Commission, the Office of the City Clerk, and the Deputy Inspector General for Public Safety, an annual report providing information based on data during the prior calendar year on: (1) the number of investigations initiated during the prior calendar year; (2) the number of investigations concluded during the prior calendar year, and of those investigations, the number that took more than six months to conclude; (3) the number of investigations pending as of the last day of the prior calendar year; (4) the number of complaints not sustained during the prior calendar year; (5) the number of complaints sustained during the prior calendar year; (6) the number of complaints filed as to each Police Department district during the prior calendar year; (7) without identifying any individual police officer, the number of complaints filed against each police officer in each Police Department district during the prior calendar year; and (8) the number of complaints referred to other agencies during the prior calendar year and the identity of such other agencies.

Such annual reports shall also describe and summarize the results of the Office's investigations and the Office's other activities and performance during the prior calendar year.

Finally, such annual reports shall summarize any reports or recommendations issued to the Superintendent concerning the policies, programs, and practices of the Police Department during the prior calendar year, and the Superintendent's responses to such reports and recommendations:-.

*(Omitted text is unaffected by this ordinance)*

**2-78-180 Accountability.**

The Chief Administrator and the Office are subject to review and audit by the Deputy Inspector General for Public Safety pursuant to Chapter 2-56 of the Municipal Code, and shall promptly respond to requests for information and recommendations from the Commission.

SECTION 3. Chapter 2-56 of the Municipal Code of Chicago is hereby amended by inserting the underscored text, as follows:

**2-56-200 Public Safety Deputy - Definitions.**

The following terms wherever used in sections 2-56-200 through 2-56-280 shall have the following meanings unless a different meaning appears from the context:

"Office" means the Civilian Office of Police Accountability established in Chapter 2-78.

"Commission" means the Chicago Community Police Commission established in Chapter 2-76.

"Police Board" means the Police Board established in Chapter 2-84.

**(Omitted text is unaffected by this ordinance) 2-56-230**

**Public Safety Deputy - Powers and Duties.**

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

(a) To conduct periodic analysis and evaluation of the results of all closed disciplinary investigations conducted by the Office and the Police Department to identify trends and summarize the number and results of such investigations, and to issue an annual report concerning such analysis and evaluation, and the performance of the police disciplinary system more generally;

(b) Acting on its own initiative or in response to a written request from the Commission, T-e to conduct reviews and audits of particular policies, procedures or practices of the Police Department, the Office, and the Police Board with respect to police disciplinary investigations and hearings, and to make findings and recommendations based on those findings to inform and improve future investigations and hearings;

(c) Acting on its own initiative or in response to a written request from the Commission, T-e to review and audit individual closed Office and Police Department disciplinary investigations, and to make findings and recommendations based on those findings: (i) to inform and improve future investigations and ensure that they are complete, thorough, objective, and fair; and (ii) if it finds a deficiency that it concludes materially affected the outcome of the investigation, recommend that the investigation be reopened;

(d) Acting on its own initiative or in response to a written request from the Commission, T-e to review and audit the Police Department's policies, practices, programs and training (i) with respect to constitutional policing, discipline and use of force, or (ii) that affect the Police Department's integrity, transparency, and relationship with City residents; and to make recommendations to the Superintendent and the Chairman of the City Council Committee on Public Safety to address problems or deficiencies or make

improvements in such policies, practices, programs and training;

13

(e) To review, audit and analyze civil judgments and settlements of claims against members of the Police Department, and to issue recommendations based on its findings to inform and improve or correct deficiencies in the conduct or operation of the Police Department;

(f) Acting on its own initiative or in response to a written request from the Commission, T-o to review and audit all sustained findings, disciplinary recommendations, and decisions made by the Police Department, the Office, and the Police Board, and any subsequent arbitration decisions, for the purpose of assessing trends and determining whether discipline is consistently and fairly applied, and determining whether final disciplinary decisions are being carried out;

(g) To address community groups and inform the public on the mission, policies and ongoing operations of the Public Safety Deputy;

(h) Subject to applicable law, to have full access to all information in the possession or control of the Police Department, the Office, the Police Board, and any other City department or agency in order to conduct any review or audit within the Public Safety Deputy's jurisdiction;

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(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^ and

(j) To attend meetings of the Commission and provide summary reports, respond to questions and recommendations, provide updates on the status of recommendations made to the Police Department, the Office, or the Police Board, and provide updates on reviews requested by the Commission.

The Public Safety Deputy shall have the authority to make recommendations, based on its reviews and audits, to the Police Department, the Police Board and the Office with respect to changes in policies, procedures, practices, operations, directives, training and equipment to address any deficiencies or problems or implement any improvements identified by its reviews and audits. The Public Safety Deputy is also authorized to make recommendations to other City departments and agencies that it determines are necessary or helpful to effect its recommendations as to the Police Department, the Police Board, and the Office.

*(Omitted text is unaffected by this ordinance)*

## **2-56-245 Response to Recommendations by the Public Safety Deputy.**

If the Public Safety Deputy's report includes recommendations concerning the Police Department, the Police Board, the Office, or another City department or agency, that entity must submit a written response to such recommendation within 60 days of its receipt of the Public Safety Deputy's report. The response shall include either (1) a description of any corrective or other actions taken or to be taken in response to the

recommendation, (2) the basis for rejecting the recommendation in whole or in part, or (3) a request for a 30-day extension for making its response if additional time is needed by the entity to respond to the recommendation. In addition, at the request of at least three aldermen the Commission, the Chairman of the City Council Committee on Public Safety shall request that the head of the department or agency in

14

question, or their designee, shall appear at a hearing meeting of the Committee on Public Safety Commission to explain and respond to questions concerning such response.

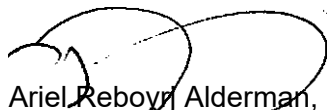
*(Omitted text is unaffected by this ordinance)*

**2-56-250 Publication of the Public Safety Deputy's reports and responses to the Public Safety Deputy's recommendations.**

Upon receipt of the response(s) to its reports and recommendations, the Public Safety Deputy shall promptly post the report and recommendations and all responses thereto on the Public Safety Deputy's website for public review and serve copies on the Mayor or his designee^ the Commission, and the Chairman of the City Council Committee on Public Safety, except to the extent that information contained therein has been redacted because it is exempted from disclosure by the Illinois Freedom of Information Act or any other applicable law.

Neither the Public Safety Deputy nor the Police Department, the Police Board or the Office shall publicly disclose, any recommendations or responses provided in Section 2-56-240(a) and Section 2-56-245 before the processes set forth in Section 2-56-245 are completed.

SECTION 4. This Ordinance shall take effect 10 days after its passage and publication.

  
Ariel Reboyn, Alderman, 30th Ward

**HP**<sub>s</sub>

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