

ORDINANCE

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

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

(Omitted text unaffected by this ordinance)

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

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

(Omitted text unaffected by this ordinance)

(d) 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 Police and Fire, or its successor committee, Public Safety to address problems or deficiencies or make improvements in such policies, practices, programs, and training;

(Omitted text unaffected by this ordinance)

2-56-241 Appearance before committee.

Within 45 days of issuance of the annual report required in Section 2-56-240(b), the Public Safety Deputy or their ~~his~~ designee shall appear at a hearing of ~~the~~ a joint City Council Committee consisting of the Committee on Police and Fire and the Committee on Public Safety, or their respective successor committees, to respond to questions concerning such report.

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 ~~Chairman~~ of the City Council Committee on Police and Fire, or its successor committee, Public Safety shall request that the head of the department or agency in question, or their designee, appear at a hearing of a joint City Council Committee consisting of the Committee on Police and Fire and the Committee on Public Safety, or their respective successor committees, to explain and respond to questions concerning such response.

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 their his designee, the Chair of the City Council Committee on Police and Fire, or its successor committee, and the Chairman of the City Council Committee on Public Safety, or its successor committee, 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.

(Omitted text unaffected by this ordinance)

2-56-280 Public safety deputy – Conditions for removal from office.

Prior to serving a complete term, the Public Safety Deputy may be removed only for cause and in accordance with this section. The Inspector General shall give written notice to the Mayor, the Chairman of the City Council's Committee on Police and Fire, or its successor committee, Public Safety, and the Public Safety Deputy of their his intent to remove the Public Safety Deputy and stating the reasons for the proposed removal. Within ten days after receipt of the notice, the Public Safety Deputy may file with the Mayor and the Chairman of the City Council's Committee on Police and Fire, or its successor committee, Public Safety, a request for hearing on the cause for removal. If no such request is made within ten days, the Public Safety Deputy shall be deemed to have resigned their his or her office as of the tenth day after receipt of the notice of intended removal. If such a request is made, the Chairman of the City Council's Committee on Police and Fire, or its successor committee, Public Safety, shall convene a hearing on the cause for removal of the Public Safety Deputy, at which the Public Safety Deputy may appear, be represented by counsel, and be heard. The hearing shall be convened within 21 days after receipt of the request for the hearing and conclude within 35 days thereafter. The Inspector General's notice of intended removal shall constitute the charge against the Public Safety Deputy. Removal of the Public Safety Deputy for cause after the hearing shall require the approval of the City Council.

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

(Omitted text unaffected by this ordinance)

2-78-120 Office and Chief Administrator – Powers and duties.

The Office and Chief Administrator shall have the following powers and duties:

(Omitted text unaffected by this ordinance)

(m) Based on information obtained through investigations conducted pursuant to this section, to recommend to the Superintendent, the Chairman of the City Council Committee on Police and Fire, or its successor committee, Public Safety, the Police Board, and the Commission revisions to the Police Department's policies, practices, collective bargaining agreements, programs, and training in order to improve the accountability, effectiveness, integrity, and transparency of the Police Department;

(Omitted text unaffected by this ordinance)

2-78-130 Decisions, recommendations.

(Omitted text 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 Police and Fire, or its successor committee, Public Safety shall request that the Superintendent or their his-designee appear at a hearing of the Committee on Police and Fire, or its successor committee, Public Safety to explain and respond to questions concerning such response.

(Omitted text unaffected by this ordinance)

2-78-135 Investigations not concluded within six months.

If the Office does not conclude an investigation of alleged misconduct within six months after its initiation, the Chief Administrator shall notify, within five days after the end of the six-month period, the Mayor or their his-designee, the Superintendent, the Chairman of the City Council Committee on Police and Fire, or its successor committee, Public Safety, the complainant, and the employee named in the complaint, or their his or her-counsel, of the general nature of the complaint or information giving rise to the investigation and the reasons for the Office's failure to complete the investigation within six months. Thereafter, the Office shall provide an update to such notice, including the same information and notification to the same individuals, every six months until the investigation is completed.

(Omitted text 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 their his-designee, the Superintendent, the Chairman of the City Council Committee on Police and Fire, or its successor committee, Public Safety, 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 their ~~his~~-designee, the Superintendent, the Chairman of the City Council Committee on Police and Fire, or its successor committee, Public Safety, ~~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.

(Omitted text unaffected by this ordinance)

2-78-151 Appearance before committee.

Within 45 days of issuance of the quarterly or annual report required in Section 2-78-150, the Chief Administrator or their ~~his~~-designee shall appear at a hearing of the City Council Committee on Police and Fire, or its successor committee, Public Safety to respond to questions concerning such report.

(Omitted text unaffected by this ordinance)

SECTION 3. Chapter 2-80 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

(Omitted text unaffected by this ordinance)

2-80-040 Commission – Composition and qualifications.

(Omitted text unaffected by this ordinance)

(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 three business days after receipt, and shall then, within 30 days 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 consideration by the City Council Committee on Police and Fire, or its successor committee, Public Safety and

subsequent City Council approval. If the City Council rejects the Mayor's appointed candidate, within 30 days thereafter the Mayor shall either appoint a different candidate from the most recent list submitted by the Nominating Committee, or request that the Nominating Committee provide two new nominees. This process shall continue until the City Council confirms a candidate appointed by the Mayor.

(Omitted text unaffected by this ordinance)

(e) *Removal from office.* A Commissioner may only be removed for Just Cause either at the discretion of the Mayor or by the City Council, upon a majority vote of the members of the Committee on Police and Fire, or its successor committee, ~~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 Police and Fire, or its successor committee, ~~Public Safety~~, who, within 30 days of the date of said notice, may convene a meeting of the Committee on Police and Fire, or its successor committee, ~~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.

(Omitted text unaffected by this ordinance)

2-80-050 Commission – Powers and duties.

The Commission shall have the following powers and duties:

(Omitted text unaffected by this ordinance)

(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 Police and Fire, or its successor committee, ~~Public Safety~~, and Corporation Counsel, on the police accountability system, police services, and Department policies and practices of significance to the public;

(Omitted text unaffected by this ordinance)

2-80-080 Superintendent, Chief Administrator and Police Board – Selection; appointment.

(Omitted text unaffected by this ordinance)

After the Mayor has appointed and submitted to the City Council a candidate for Superintendent, but before the City Council Committee on Police and Fire, or its successor committee, ~~Public Safety~~ has held a hearing on the appointment, the Commission shall hold a public hearing at which the candidate shall appear and answer questions from the Commission and from members of the public. At the hearing, the Commission shall also provide time for public comment on the candidate. Before the public hearing, the Commission 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 of why the Commission nominated this candidate.

(Omitted text unaffected by this ordinance)

(b) *Chief Administrator.* The Chief Administrator shall be appointed by the Commission subject to City Council approval. 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. The Commission shall select a Chief Administrator from among the candidates identified in this process. Such candidates shall fulfill the qualifications in Section 2-78-115. The Commission shall select the candidate it deems most qualified and publish its selection on its website. The Mayor shall have the opportunity to provide written input on the Commission's selection before its referral to the City Council Committee on Police and Fire, or its successor committee, ~~Public Safety~~. The Commission's selected candidate shall be referred to the City Council Committee on Police and Fire, or its successor committee, ~~Public Safety~~ for a hearing, and shall then be subject to City Council approval. If the City Council rejects the Commission's selected candidate, within 30 days thereafter the Commission shall select a new candidate.

(Omitted text unaffected by this ordinance)

(d) The Mayor's selection of a candidate in subsections (a) or (c), shall be referred to the City Council Committee on Police and Fire, or its successor committee, ~~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, Police Board and Chief Administrator – Vote of no confidence; removal.

(Omitted text unaffected by this ordinance)

If the Commission adopts a resolution of no confidence in the Superintendent, a Police Board member, or the Chief Administrator, the City Council Committee on Police and Fire, or its successor committee, ~~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, they shall be given an opportunity to speak and to respond to questions from Committee members. If a majority of the members of the Committee on Police and Fire, or its successor committee, ~~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 or, in the case of the Chief Administrator, whether to remove. 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.

(Omitted text unaffected by this ordinance)

2-80-190 Consent decree – Update and public input.

(a) The Law Department shall provide a monthly written update to the Commission and to the City Council Committee on Police and Fire, or its successor committee, ~~Public Safety~~ describing any court-ordered changes to the scope of the Consent Decree since the previous update, if there have been any such changes.

(Omitted text unaffected by this ordinance)

SECTION 4. Chapter 2-84 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

(Omitted text unaffected by this ordinance)

2-84-030 Police Board – Powers and duties.

(Omitted text unaffected by this ordinance)

The ~~Board's board's~~ power to adopt rules and regulations for the governance of the Police Department ~~police department~~ does not include authority to administer or direct the operations of the Police Department ~~police department~~ or Superintendent of Police ~~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 board~~ in its discretion shall have the authority to make recommendations to the Superintendent of Police ~~superintendent of police~~ and to the ~~chairman of the city council committee on public safety or its successor committee~~ the Chair of the City Council Committee on Police and Fire, or its successor committee, concerning revisions in policy and operating procedures to increase the efficiency of the Police Department ~~department of police~~. Such recommendations shall be posted on the Police Board ~~police board~~ website within two business days of the date on which such recommendation is made to the Superintendent ~~superintendent~~ and shall remain posted on such website for a period of at least two years.

(Omitted text unaffected by this ordinance)

2-84-053 Authority to enter into task force agreements.

In addition to any other authority provided in this Code, the Superintendent of Police ~~superintendent of police~~ shall have the authority to enter into agreements to form law enforcement task forces, agreements to deputize certified law enforcement personnel, and other cooperative agreements, with the following law enforcement agencies: United States Drug Enforcement Administration; Federal Bureau of Investigation; Illinois Department of State Police; Illinois Attorney General; United States Department of Justice; United States Department of Justice, Bureau of Alcohol, Tobacco and Firearms; State's Attorney of Cook County; and other law enforcement agencies determined by the Superintendent of Police ~~superintendent of police~~ to be necessary for the fulfillment of law enforcement functions. The Superintendent ~~superintendent~~ is also authorized to enter into agreements with public or private entities concerning placement, installation, maintenance or use of video, audio, telecommunications, or other similar equipment. The location of any camera or antenna permanently installed pursuant to any such agreement shall be determined pursuant to joint review and approval with the Executive Director of Emergency Management and Communications ~~executive director of emergency management and communications~~. Agreements entered into pursuant to this section shall be subject to approval by the Corporation Counsel ~~corporation counsel~~ as to form and legality. Such agreements may contain provisions to indemnify or hold harmless participating agencies and their personnel in connection with the purposes of the task force or other agreement. The agreements may not authorize the deployment of City ~~city~~ personnel or use of City ~~city~~ equipment unless the City Council ~~city council~~ has duly appropriated funds for such personnel and equipment. The Superintendent of Police ~~superintendent of police~~ shall notify the ~~chairman of the city council committee on public safety or its successor committee~~ the Chair of the City Council Committee on Police and Fire, or its successor committee, with respect to multi-jurisdictional agreements entered into in accordance with this section.

(Omitted text unaffected by this ordinance)

2-84-197 Quarterly reports on murders and murder clearance rates.

On a quarterly basis, if a request is made by the ~~Chairman~~ of the Committee on Police and Fire, ~~or its successor committee, Public Safety, the superintendent or his the Superintendent or their designee shall appear before such Committee the Committee on Public Safety~~ to report on, and answer questions concerning, the number of murders in the City and the City's murder clearance rate during the preceding quarter.

2-84-198 Hearings on consent decree reports by the independent monitor.

Within 60 days of the filing of a written public report of the status of the consent decree by the independent monitor, the ~~Chairman~~ of the Committee on Police and Fire, ~~or its successor committee, Public Safety~~ shall convene a meeting of such Committee ~~the Committee on Public Safety~~. The Superintendent of the Chicago Police Department, the Chief Administrator of the Civilian Office of Police Accountability, the President of the Police Board, and the Corporation Counsel or their respective designees, shall appear before the committee to report on, and answer questions concerning, the independent monitor's report.

(Omitted text unaffected by this ordinance)

SECTION 5. This ordinance is intended to clarify, rather than to change, existing law to reflect the establishment of the Committee on Police and Fire, and the respective jurisdictions of the Committee on Public Safety and the Committee on Police and Fire under the resolution approving the City Council Rules of Order and Procedure for 2023-2027 Term, adopted by City Council on May 24, 2023, as published in the City Council Journal of Proceedings of such date at pages 23 through 50 (the "2023-2027 Rules of Order").

SECTION 6. The Corporation Counsel shall take all necessary steps to request any update to the Consent Decree entered into between the State of Illinois and the City of Chicago on January 31, 2019 (17-cv-6260) to substitute any references to the Committee on Public Safety with references to the Committee on Police and Fire to reflect the respective jurisdictions of such Committees under the 2023-2027 Rules of Order and this ordinance.

SECTION 7. This ordinance shall take effect upon passage and approval.