WHEREAS, The City of Chicago ("City") is a home rule municipality as described in Section 6(a), Article VII 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, includes 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, 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 residents; building trust and improving interactions between CPD and the people it serves; increasing public support for CPD policies and activities; improving interactions between CPD officers and the residents 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 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 selecting 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.

"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.

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

"Policy" means any Department general order or COPA 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, an Executive Director, and such deputies, assistants, and 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, regulations, 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 as its chief administrative officer, hire and supervise staff, and exercise such additional powers as may be conferred by the Commission. The Mayor shall appoint the first Executive Director, who shall 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 Chicago Police Department activities are directed toward maximizing public health and safety while minimizing any harm to City residents; (3) build trust between and among the Chicago Police Department and the people it serves; (4) increase public support for Chicago Police Department policies and activities; (5) improve interactions between Chicago Police Department officers and Chicago residents; (6) ensure that Chicago Police 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 Police Department; (8) provide the residents of every Chicago community with meaningful opportunities to shape the Chicago Police Department policies and practices that affect their lives; and (9) increase public accountability of the Police Department, COPA, and the Police Board.

2-80-040 Composition and qualifications.

(a) Composition and term. The Commission shall be composed of seven commissioners. The Commission shall appoint a Commission president and vice-president from among its members, who each may serve one or more consecutive two-year terms. Inaugural commissioners shall be assigned a number between one and seven in a random drawing, 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’ experience in the fields of 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) have not been convicted of a crime of bribery, embezzlement, extortion, perjury, or other corruption-related offenses;

(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) have not been an employee of the Department, COPA, or the Police Board in any of the three years immediately preceding their appointment; and

(10) not be a member of the Commission 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 these qualifications, if they are between the ages of 18 and 24 years old at the time of appointment and have been incarcerated, under correctional supervision, on probation or parole, or have been the victim of police misconduct.

(c) Appointment. Commissioners shall be appointed by the Mayor from among candidates nominated by the Nominating Committee. Such appointment shall be subject to the advice and consent of the City Council. The initial seven Commissioners shall be nominated no later than July 15, 2021.

(1) At least three calendar months before the expiration of a Commissioner’s term, and anytime 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;

(B) qualifications for becoming a Commissioner; and

(C) timeline for Commissioner selection.
A written application shall state how the applicant meets the qualifications established in this Chapter, contain at least three letters of recommendation, and include any additional information that the Nominating Committee deems appropriate for consideration.

(2) The Nominating Committee shall receive applications for one calendar month after issuing the Request. After reviewing all applications received, the Nominating Committee shall select as finalists no fewer than 4 qualified candidates for each existing vacancy or expiring term on the Commission. The Nominating Committee shall conduct in-person interviews of all finalists.

(3) Within two calendar months after issuing the Request, the Nominating Committee shall meet publicly 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 one calendar month 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 one calendar month 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 confirmation by the City Council.

(d) Removal from office. A commissioner may only be removed for just cause 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. Just cause includes, but is not limited to: incompetence, neglect of duty, gross misconduct or criminal conduct of the type that threatens to impair or undermine public confidence in the Commission, or other acts of nonfeasance, malfeasance or misfeasance in office. Prior to removal, the Mayor or City Council must provide written notice to the City Council, which shall describe with specificity the reason for removal. If the Mayor removes a Commissioner, the Commissioner may be restored to the Commission by a two-thirds vote of the City Council.

(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 representatives of disenfranchised communities and with other community groups throughout the City; and

(3) Providing the Department, Police Board, Chief Administrator 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;

(e) Contribute information and advice to the Mayor concerning the performance and goals of the Superintendent, Chief Administrator, and Police Board;

(f) Recommend to the Public Safety Inspector General specific areas for investigation and evaluation, including emergent issues that, in the Commission’s judgment, are needed to support public confidence in the Department and related criminal justice practices; if the Commission makes such a recommendation in writing, the Public Safety Deputy shall respond in writing within 10 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 COPA and the Department in the development of new or amended Policy, as provided in section 2-80-100;

(i) Review and approve by majority vote any proposed new or amended Policy, as provided in section 2-80-100;

(j) By majority vote and subject to applicable law and reasonable scheduling accommodation, require the attendance of the Superintendent, the Public Safety Inspector General, and the Chief Administrator, and the President of the Police Board, or their designees, to 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 2-80-070.
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, 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 and Chief Administrator may each designate a representative who may attend all Commission meetings and participate in policy discussions, but who shall not have voting authority.

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 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, (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 ordinance; and (7) assist the Commission in fulfilling the purposes listed in Section 2-80-030 of this ordinance.

(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 and be registered to vote in the District they seek to serve;

(3) have not been convicted of any infamous crime, bribery, perjury, or other felony;

(4) not be a member of the Commission;

(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) Each District Council shall be elected by residents of the District. Persons wishing to appear on the ballot as a candidate for District Council shall file a statement of candidacy with the Chicago Board of Election Commissioners and submit petitions for nomination; the signature requirements for the petitions for nomination of District Council candidates shall be 0.5% of the total number of registered voters in the District, or a minimum of
25 registered voters in the District, whichever is greater. Eligible candidates for District Council shall appear on the ballot in a special election to be held concurrently with the general election on the first Tuesday after the first Monday of November, 2020. The candidates in each District receiving the greatest, second greatest, and third greatest number of votes shall take office on the second Monday of January, 2021 and shall serve until their successors take office.

Beginning in 2023, and quadrennially thereafter, District Councils shall be elected in the consolidated election held in odd-numbered years on the first Tuesday in April except as provided in 10 ILCS 5/2A-1.1a. The candidates in each District receiving the greatest, second greatest, and third greatest number of votes shall take office on the first Tuesday after the first Monday in May following their election.

In all District Council elections, voters may vote for up to three candidates.

Between the day established by law for the commencement of the circulation period for nomination petitions for District Council election and the day after the District Council election, District boundaries shall not be altered.

If a vacancy occurs on any District Council, and there remains an unexpired portion of the term of at least 28 months, and the vacancy occurs at least 130 days before the next general municipal election, then the vacancy shall be filled for the remainder of the term at that general municipal election. Until the office is filled by election, the Mayor shall appoint a qualified person to the District Council with the advice and consent of the City Council. If a vacancy occurs on any District Council and there remains an unexpired portion of the term of less than 28 months, or the vacancy occurs less than 130 days before the general municipal election next scheduled under the general election law, then the Mayor shall have the power to appoint a qualified person to the District Council subject to the advice and consent of the City Council. When the Mayor is filling the District Council vacancy, the remaining member or members of the District Council shall, within 30 days of the vacancy being created, identify three people who meet the qualifications established in this Chapter and submit their names to the Commission. From among the names submitted by the District Council, the Commission shall, within 60 days of the vacancy being created, select a person to recommend to the Mayor to fill the vacancy. If all of the positions on a District Council become vacant, the Commission shall, within 60 days of the creation of each vacancy, select a person who meets the qualifications established in this Chapter to recommend to the Mayor to fill the vacancy. If vacancies exist in any District Council before the Commission has been established with members confirmed by the City Council, then the Commission Nominating Committee shall carry out the responsibilities otherwise assigned to the Commission in this section.

(d) Each elected District Council member shall receive a stipend of $500 per month while serving in this role.

(e) Each district council shall have unelected members to aid in the district-specific work of the District Councils. All unelected district council members shall meet the qualifications established in 2-80-060(b). The elected district council members shall select two-thirds of the unelected members in their district. The District Commander shall select one-third of the unelected members in their district.

(f) 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) Meet at least quarterly with appropriate representation of elected members of the District Councils to identify trends and concerns;

(4) Meet at least annually with appropriate representation of elected members of the District Councils 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.

(g) Each District Council shall have a Chair, who shall be the candidate receiving the highest number of votes at the preceding election; a member of the Nominating Committee, who shall be the candidate receiving the second highest number of votes at the preceding election; and a Community Engagement Coordinator, who shall be the candidate receiving the third highest number of votes at the preceding election.

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

(a) Superintendent. 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 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.

After the Mayor has selected a candidate for Superintendent, but before the City Council has voted on whether to confirm the candidate, 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.

(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 the three candidates it deems most qualified 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 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.

(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 2-80-030(b) and (c), and shall adhere to the Police Board Selection Criteria contained in paragraph 532 of the consent decree entered in State of Illinois v. City of Chicago, No. 17-cv-6260. The Commission shall submit the three candidates it deems most qualified 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 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, as appropriate, confirmed by the City Council. If the Committee on Public Safety or 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: Performance reviews

Every year, the Commission shall collaborate with the Mayor to establish goals and expectations for the Superintendent, Chief Administrator, and Police Board. The Mayor shall have final authority to establish such goals and expectations, and shall coordinate with the Commission to make them publicly available. By December 1st of each year, the Superintendent, Chief Administrator, and Police Board shall each provide the Mayor and 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 15th of each year, the Commission shall provide the Mayor with a preliminary written evaluation that includes the Commission's assessment of the Superintendent's, Chief Administrator's, and Police Board's performance in meeting the previous year's goals and expectations, and advises the Mayor regarding goals and expectations for the next calendar year. By January 31st of each year, the Mayor shall complete a final performance review of the Superintendent covering the previous calendar year, and establish goals and expectations for the Superintendent, Chief Administrator, and Police Board for the then-current calendar year.
Department and COPA Policymaking.

(a) Any new or amended Policy, as provided in section 2-80-100, shall become effective only after the Commission has approved it, by majority vote, except as set forth below in subsection (b)(2) and (e).

(b) The Superintendent or Chief Administrator shall submit any proposed new or amended Policy to the Commission for review. Within 60 days after such submission, the Commission shall provide written comments or suggestions, if any, to the Superintendent or Chief Administrator to improve the Policy. The Commission may consult with subject matter experts and solicit public comment to inform its evaluation.

1. If the Commission has no written comments or suggestions, the Commission shall place the Policy on the agenda for consideration at a regular meeting held within 60 days after submission.

2. If the Commission provides no written comments or suggestions within 60 days after submission and has not placed the Policy on the agenda for consideration at a regular meeting held within 60 days after submission, the Superintendent or Chief Administrator may place such Policy into effect.

3. If the Commission provides comments or suggestions, the Superintendent or Chief Administrator shall respond in writing, within 14 calendar days, as to whether the comments or suggestions have been implemented into the Policy, or explaining why the comments or suggestions were not implemented. The Commission shall post any proposed new or amended policy, the Commission’s comments or suggestions, and any response from the Superintendent or Chief Administrator on its publicly accessible website. The Superintendent or Chief Administrator and the Commission shall work collaboratively and in good faith to reach an agreement on the Policy. If, 30 days after the Commission receives the Superintendent’s or Chief Administrator’s written response, a resolution has not been reached, the Commission may notify the Mayor of the situation, and the Mayor shall either direct the Superintendent or Chief Administrator to take appropriate action, or explain in writing why no action is warranted.

(c) The Commission may initiate the policymaking, pursuant to the definition of “policy” provided in section 2-80-010, process either by providing written notice to the Superintendent or Chief Administrator requesting that the Department or COPA draft a new or amended Policy for the Commission to review, or by drafting a Policy and submitting it to the Superintendent or Chief Administrator to review.

If the Commission requests that the Department or COPA draft a policy, the Superintendent or Chief Administrator will have 14 days to indicate in writing either that the Department or COPA will draft the Policy, or explain why it will not. If the Department or COPA agrees to draft, they will then have 60 days to produce a draft of the Policy. If the Department or COPA anticipates that drafting will require more than 60 days, the Department or COPA may request an extension of time from the Commission.

If the Commission drafts a Policy, the Superintendent or Chief Administrator will have 30 days to review it.
Once the Department or COPA has produced a draft of a Policy or reviewed a Policy drafted by the Commission, if the Commission, the Department, or COPA has comments or suggestions, the Department and the Commission or COPA and the Commission shall engage in good-faith discussions for 30 days. Among other things, the Commission, the Department, or COPA shall provide written comments or suggestions to improve the Policy.

(1) If there are no written comments or suggestions, the Commission shall place the Policy on the agenda for consideration at a regular meeting held within 45 days after submission.

(2) If the Commission provides comments or suggestions on a policy drafted by the Department or COPA, the Superintendent or Chief Administrator shall respond in writing, within 14 calendar days, as to whether the comments or suggestions have been implemented into the policy, or explaining why the comments or suggestions were not implemented. If the Department or COPA provides comments or suggestions on a policy drafted by the Commission, the Commission President shall respond in writing, within 14 calendar days, as to whether the comments or suggestions have been implemented into the policy, or explaining why the comments or suggestions were not implemented. The Commission shall post any proposed new or amended policy, the Commission’s request, the Superintendent or Chief Administrator’s response, the Commission’s, the Department’s, or COPA’s comments or suggestions, and any response from the Superintendent, Chief Administrator, or Commission President on its publicly accessible website. The Superintendent or Chief Administrator and the Commission shall work collaboratively and in good faith to reach an agreement on the Policy.

(3) If, after receiving written notice from the Commission requesting a draft of a Policy, the Superintendent or Chief Administrator does not respond within 14 days, or responds that the Department or COPA will not produce a draft of the Policy, or if, after 30 days of good-faith discussions, the Department and the Commission or COPA and the Commission are unable to reach agreement about the Policy, the Commission may notify the Mayor of the situation, and the Mayor shall either direct the Superintendent or Chief Administrator to take appropriate action, or explain in writing why no action is warranted.

(d) If circumstances demand the immediate creation of, or change to, a Policy, the Superintendent or Chief Administrator 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 above in subsection (b) of this Section.

(e) This Section shall not apply to any Policy the establishment of which is governed exclusively by the consent decree entered in State of Illinois v. City of Chicago, No. 17-cv-6260, while such consent decree is in force. The Superintendent or Chief Administrator shall submit any such proposed new or amended Policy to the Commission solely for the Commission’s review and comment.

2-80-110 Access to Records.

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

2-80-120  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 investigations, and the status of those audits, analyses, and investigations; 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.

2-80-130  Duty of Cooperation.

It is the duty of every officer, employee, department, agency, contractor, subcontractor, agent or licensee of the City to cooperate with the Commission in any investigation undertaken pursuant to this chapter. Any employee or appointed officer of the City who violates this section shall be subject to discipline, including but not limited to discharge, in addition to any other penalty provided in this chapter.

2-80-140  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 participates or seeks to participate, in any capacity, in the work of the Commission. No person shall knowingly interfere with or obstruct an inquiry or investigation conducted by the Commission.

(b) The City of Chicago Office of Inspector General (OIG) shall review all complaints alleging violations of this section to determine whether to open an investigation, make a referral to an appropriate entity, or decline the complaint. If OIG concludes that a complaint merits prosecution under this section, it shall share its findings and conclusions with the City of Chicago Department of Law. If, in the course of its investigation, OIG discovers conduct that may have violated a criminal statute, it may refer the complaint to the appropriate law enforcement authority. Subject to applicable law, OIG shall also inform the Commission and the complainant of the outcome of its investigation and include a description of the outcome in the next ensuing quarterly report following final disposition. The submission of a complaint alleging violations of this subsection does not bar the complainant from seeking any other remedy provided by law.

(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.
2-80-150 Staffing

The City shall allocate a budget 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, a staff person to oversee and support the day-to-day operations of the Commission, two attorneys, two policy analysts, a staff person to oversee and support the Commission's interaction with residents across Chicago and the day-to-day operations of the District Councils, staff to provide direct support to each of the District Councils, staff to ensure that youth actively participate in District Council activities, and such administrative and support staff as may be necessary for the efficient operation of the Commission and District Councils.

No later than January 1, 2021, the District Councils shall be staffed by adequate numbers of personnel to competently and thoroughly carry out its duties.

No later than July 1, 2021, the Commission shall be staffed by adequate numbers of personnel to competently and thoroughly carry out its duties.

2-80-160 Review

Within three years after full implementation of the Commission, the Deputy Inspector General for Public Safety 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 OIG's rules and mandates.

SECTION 3. 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 through the process set out in chapter 2-80-070. 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 4. Section 2-84-030 of the Municipal Code of Chicago is hereby amended by deleting the language struck-through and inserting the language underscored, as follows:

2-84-030 Police board – Powers and duties.
The board shall exercise the following powers:

4. 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;

21. To adopt rules and regulations for the governance of the police department of the city; and

32. 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.

(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)

SECTION 5. This ordinance shall be in full force and effect __________________