

The Police Oversight Omnibus Ordinance —Summary and Analysis

Chicago's system of police accountability has failed by every measure and has enabled a relatively small portion of the Chicago Police Department to abuse Chicago residents with near impunity. The current police oversight mechanisms are wholly unaccountable to the communities most likely to experience abusive police tactics. There is little to no transparency in the system and no independence from the Mayor's Office, City Council, or law enforcement. Investigations into allegations of misconduct have been less than rigorous and biased towards police officers. There is no overarching entity that evaluates systemic policy and practice issues related to police operations.

The omnibus ordinance addresses these deficiencies by establishing three separate oversight entities that will work together to provide rigorous, fair, accountable and transparent police oversight. The ordinance is grounded in national best practice and informed by the experiences of communities most impacted by police abuse. It also borrows from other jurisdictions that have recently underwent reform under the supervision of the U.S. Department of Justice, including New Orleans, Newark, Seattle, Cleveland and Albuquerque.

First, the ordinance establishes the Community Oversight Board, an empowered body made up of members of the communities most impacted by police abuse, to coordinate police oversight in Chicago and to ensure police accountability to the people of Chicago.

Second, the ordinance abolishes IPRA and establishes in its place the Independent Citizen Investigator of the Police, a credible civilian agency to investigate police shootings, excessive force, domestic violence, sexual misconduct, bias, coercion, illegal arrests and searches, and other forms of police abuse against civilians. It ensures that the Investigator will have the independence, power, and resources that it needs to conduct high quality and unbiased investigations that are fully transparent and accountable to the public.

Third, and finally, the ordinance establishes the Inspector General for Public Safety within the Office of the Inspector General. The Deputy Inspector General will have the broad power to investigate and audit the Chicago Police Department, Office of Emergency Management Communications, Independent Citizen Investigator of the Police, and the Police Board. Its mandate is to identify and prevent systemic deficiencies in the police department and the police oversight system.



ISSUE	ORDINANCE FIX
LACK OF ACCOUNTABILITY TO COMMUNITIES MOST AFFECTED BY POLICE ABUSE	<ul style="list-style-type: none"> ✓ Establishes a Community Oversight Board comprised of representatives from Chicago's diverse communities and empowers the Board to: ✓ Convene regular public hearings on matters related to the Chicago Police Department, including hearings initiated by citizen petitions to which the Police Superintendent and other officials must respond; ✓ Select the Superintendent of Police from three final candidates chosen by the Mayor; ✓ Select, supervise and direct the Independent Citizen Investigator; ✓ Advise the Inspector General for Public Safety; ✓ Secure audits of the entire police oversight system; ✓ Approve all proposed Police Department policy revisions.
LACK OF INDEPENDENCE.	<ul style="list-style-type: none"> ✓ Ensures that representatives of communities most impacted by police abuse have primary responsibility for hiring, supervising, and firing the Independent Citizen Investigator; ✓ Guarantees dedicated resources to the Citizen Investigator and Public Safety Inspector General that are insulated from politics and sufficient to enable them to independently do their jobs (a minimum of 1.5% of CPD's budget to the Citizen Investigator and 0.75% of CPD's budget to the Public Safety IG); ✓ Prohibits people previously employed by the Chicago Police Department or the Cook County State's Attorney from serving as Citizen Investigator or Public Safety IG; ✓ Gives the Citizen Investigator and Inspector General unfettered access to CPD databases and records; ✓ Provides the Citizen Investigator and the Public Safety IG with subpoena power and independent counsel to represent those offices.
BIASED INVESTIGATIONS THAT FACILITATE THE POLICE CODE OF SILENCE.	<ul style="list-style-type: none"> ✓ Provides the resources needed to ensure high quality, rigorous and independent investigations; ✓ Empowers the Citizen Investigator and Inspector General for Public Safety to compel prompt officer and witness statements, and to obtain all relevant evidence; ✓ Empowers the Inspector General to audit police misconduct investigations to ensure that they are unbiased and rigorous, and to monitor the most serious police misconduct investigations in real time;

	<ul style="list-style-type: none"> ✓ Requires the CPD to fire officers who lie during investigations or retaliate against any person who reports abuse; ✓ Makes it a condition of employment for every officer, employee, department, and agency of the city to cooperate with the Investigator and Public Safety IG in any investigation; ✓ Transfers the power to investigate police abuse of civilians from Police Internal Affairs to the Independent Citizen Investigator, including allegations of rape and sexual misconduct, biased police practices, First Amendment violations, false arrest, and illegal searches and seizures; ✓ Prohibits the City from entering into any collective bargaining agreement that limits the powers or duties of the Citizen Investigator as set forth in this ordinance.
<p>FAILURE TO ADDRESS PATTERNS AND PRACTICES OF ABUSE</p>	<ul style="list-style-type: none"> ✓ Empowers and requires the Citizen Investigator to investigate and root out patterns of police abuse; ✓ Designates one full time employee of the Citizen Investigator to serve in a director level position to oversee pattern and practice investigations; ✓ Empowers the Inspector General for Public Safety to identify officers engaged in patterns of abuse and other systemic problems in the CPD; ✓ Requires audits of CPD body and car cameras to evaluate whether they are being used in accordance with CPD policy and to investigate any potential violations captured on video.
<p>LACK OF TRANSPARENCY</p>	<ul style="list-style-type: none"> ✓ Requires the prompt release of video and other information in police misconduct and shooting investigations; ✓ Requires the Citizen Investigator and Inspector General for Public Safety to publish prompt public reports of each completed investigation, audit, review, and recommendation, and to publish comprehensive quarterly reports on their work; ✓ Requires the collection and publication of information related to the Chicago police officers' stops, searches, arrests, citizen complaints, and uses of force, including the race, gender, age of the involved persons, and the location of the encounters; ✓ Designates a full time director level employee employed by the Citizen Investigator to engage with communities and keep the public informed about the work of the Investigator;

	<ul style="list-style-type: none"> ✓ Ensures that the process to file police misconduct complaints is simple, widely accessible and safe, and requires a process through which communities members can provide real time feedback to the Citizen Investigator on the investigative process; ✓ Requires the Police Superintendent, Citizen Investigator, and Public Safety Inspector General to respond to community members' petitions for public hearings before the Community Oversight Board; ✓ Empowers the Inspector General to audit and publicly report on the operations of the Police Department, including crime statistics, the CPD's success in solving crime, the assignment of police officers by district and unit, and CPD initiatives and practices to address crime; ✓ Requires independent, publically disseminated audits of the police oversight system. .
<p>FAILURE TO HOLD OFFICERS ACCOUNTABLE FOR ABUSE</p>	<ul style="list-style-type: none"> ✓ Empowers the Citizen Investigator to recommend officer discipline to the Police Superintendent and requires it to monitor and publish outcomes of its recommendations; ✓ Compels the Police Superintendent to implement the Citizen Investigator's disciplinary recommendations unless clear and convincing evidence exists that the Citizen Investigator abused its discretion; ✓ Empowers the Inspector General to determine whether discipline is fairly and consistently applied, and to determine whether final disciplinary decisions are executed.