



City of Chicago



O2019-5548

Office of the City Clerk

Document Tracking Sheet

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| Meeting Date: | 7/24/2019 |
| Sponsor(s): | Lightfoot (Mayor) |
| Type: | Ordinance |
| Title: | Amendment of Municipal Code Section 2-56-110 regarding authority to release confidential investigatory files and reports of Inspector General to public |
| Committee(s) Assignment: | Committee on Ethics and Government Oversight |



OFFICE OF THE MAYOR
CITY OF CHICAGO

LORI E. LIGHTFOOT
MAYOR

July 24, 2019

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Corporation Counsel, I transmit herewith an ordinance amending Chapter 2-56 of the Municipal Code regarding conditions for release of reports.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lori E. Lightfoot".

Mayor

ORDINANCE

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

SECTION 1. Section 2-56-110 of the Municipal Code is hereby amended by adding the underscored text and deleting the struck-through text, as follows:

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

(a) Except as otherwise provided ~~herein in this section~~, all investigatory files and reports of the office of inspector general shall be confidential and shall not be divulged to any person or agency, except to the United States Attorney, the Illinois Attorney General or the State's Attorney of Cook County, or as otherwise provided in this chapter or Chapter 2-156. The inspector general is authorized to issue public statements in the following circumstances: (a) upon written request by (i) a person publicly known to have been under investigation that exonerates that person; or (ii) an elected official publicly known to have been under investigation that results in a not-sustained finding; (b) if an investigation, audit or review concerns inefficient or wasteful management; and (c) in a public summary of each investigation resulting in sustained findings of misconduct. The public summary shall briefly state, without disclosing the name of any individual who was the subject of such investigation, (i) the nature of the allegation or complaint; (ii) the specific violations resulting in sustained findings; (iii) the inspector general's recommendation for discipline or other corrective measures; and (iv) the ultimate jurisdictional authority's response to and final decision on the inspector general's recommendation.

(b) The Corporation Counsel, in his sole discretion, is authorized to release reports of the Office of Inspector General to the public as provided in this subsection (b). Any release pursuant to this subsection (b) shall be limited to reports containing sustained findings regarding conduct that either (1) is associated with a death, or (2) is or may be a felony as defined in the Illinois Criminal Code and is of a compelling public interest. Prior to releasing any reports in whole or in part pursuant to this subsection (b), the Corporation Counsel shall determine, following a non-binding consultation with the Inspector General, that such a release would not: (i) constitute an unwarranted invasion of personal privacy; (ii) interfere with due process in an ongoing or contemplated City employment or disciplinary process; (iii) impede an ongoing or contemplated administrative, civil or criminal investigation or proceeding; (iv) compromise law enforcement or investigative operations; (v) reveal the identity of confidential sources, including protected witnesses; (vi) endanger the life or safety of any person or cause a threat to security, or (vii) contravene applicable law, court order, or collective bargaining agreement.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval.