



City of Chicago



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Office of the City Clerk

Document Tracking Sheet

Meeting Date:	2/24/2021
Sponsor(s):	Waguespack (32)
Type:	Ordinance
Title:	Amendment of Municipal Code Title 2 by adding new Chapter 2-150 entitled "Transparency and Accountability in the Police Department Lawsuit Settlements"
Committee(s) Assignment:	Committee on Finance

ORDINANCE

SECTION 1. Title 2 of the Municipal Code of Chicago is amended by inserting the new Chapter 2-150, as follows:

CHAPTER 2-150 TRANSPARENCY AND ACCOUNTABILITY IN THE POLICE DEPARTMENT LAWSUIT SETTLEMENTS

2-150-010 Purpose and intent.

This Chapter shall be known and may be cited as the “Transparency and Accountability in the Police Department Lawsuit Settlements Ordinance.” It is the purpose of this Chapter: (i) to facilitate proper oversight of City operations by the City Council and (ii) to help the City minimize financial exposure from alleged misconduct by members of the Police Department.

2-150-020 Definitions.

“Chief Administrator” means the Chief Administrator of the Civilian Office of Police Accountability or the Chief Administrator’s designee.

“Final Summary Report” has the meaning ascribed to the term in Section 2-78-100 of this Code.

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

“Police Department” means the Department of Police established in Chapter 2-84 of this Code.

“Public Safety Deputy” means the Deputy Inspector General for Public Safety established in Chapter 2-56 of this Code.

“Superintendent” means the Superintendent of Police or the Superintendent’s designee.

ARTICLE I. FINANCIAL TRANSPARENCY IN POLICE ACCOUNTABILITY

2-150-030 Delivery of required information.

The Chairman of the Committee on Finance shall deliver to all members of the City Council all required information, as defined below, not less than forty-eight hours prior to a meeting of the Committee on Finance during which members of the Committee on Finance are to consider approval of settlements of lawsuits and controverted claims against the City concerning alleged misconduct by members of the Police Department.

2-150-040 Reporting of required information.

The following departments, offices, and agencies shall report to the Chairman of the Committee on Finance the following information, subject to any applicable legal constraints regarding confidentiality, not less than seventy-two hours prior to a meeting of the Committee on Finance during which members of the Committee on Finance are to consider approval of settlements of lawsuits and controverted claims against the City concerning alleged misconduct by members of the Police Department.

- (a) *Department of Law.* The Corporation Counsel shall report, as applicable: (i) a narrative summary of the allegations, applicable rules, and incident resulting in the proposed settlement, (ii) evidence obtained during discovery, including audio and video evidence, (iii) a summary of previous lawsuits or controverted claims with the same named parties, (iv) a list of all cases in the five (5) years preceding the meeting of the Committee on Finance under the jurisdiction of the Corporation Counsel that are materially similar to the settlements of lawsuits and controverted claims under consideration, (v) an estimate of the number of personnel hours devoted to and the amount of funds expended or encumbered by the Department of Law and outside counsel for the case under consideration, and (vi) a narrative summary of the services rendered by expert witnesses commissioned by the Corporation Counsel, including a list of previous cases for which said expert witnesses were commissioned and the amount of funds expended or encumbered for said expert witnesses.
- (b) *Civilian Office of Police Accountability.* For incidents investigated under the jurisdiction of the Civilian Office of Police Accountability, the Chief Administrator shall report, as applicable: (i) the Final Summary Report of the incident resulting in the proposed settlement and (ii) a narrative summary of all sustained complaints against the named parties, including the Office's findings and conclusions.
- (c) *Police Department Bureau of Internal Affairs.* For incidents investigated under the jurisdiction of the Police Department Bureau of Internal Affairs, the Chief of Internal Affairs or their designee shall report, as applicable, a narrative summary of all sustained complaints against the named parties, including the Bureau's findings and conclusions.
- (d) *Police Board.* For incidents investigated under the jurisdiction of the Police Board, the President of the Board or their designee shall report, as applicable, a narrative summary of all sustained complaints against the named parties, including the Board's findings and conclusions.
- (e) *Office of the Deputy Inspector General for Public Safety.* The Public Safety Deputy or their designee shall report, as applicable: (i) all published reports of completed reviews and audits materially similar to the settlements of lawsuits and controverted claims under consideration and (ii) responses to the Public Safety Deputy's reports by the Police Department, the Police Board, the Office, or

another City department or agency.

ARTICLE II. CITY COUNCIL OVERSIGHT

2-150-050 Appearance before committee.

Within seven days of January 15 and July 15, the Superintendent, Corporation Counsel, Chief Administrator, and Deputy Chief of Police for Training & Support, or their respective designees, shall appear at a hearing of the Committee on Public Safety to respond to questions concerning structural remedies to misconduct within the Police Department with the goal of enhancing the effectiveness of the Police Department and ensuring accountability of the police force.

Each official shall report the following information, subject to any applicable legal constraints regarding confidentiality:

- (a) *Department of Law.* The Corporation Counsel shall report, as applicable: (i) narrative summaries and statuses of ongoing civil litigation against the City concerning alleged misconduct by members of the Police Department, (ii) a statement of the number of personnel hours devoted to and the amount of funds expended or encumbered by the Department of Law and outside counsel for cases of alleged police misconduct in the six months prior to the month in which a hearing is held, and (iii) a statement of the Department of Law or outside counsel personnel that are sanctioned for spoliation of evidence, including transcripts.
- (b) *Civilian Office of Police Accountability.* The Chief Administrator shall report, as applicable, summaries of reports concerning the Office's recommendations as to a Police Department policy, practice, or process, or training pursuant to Section 2-78-120(m) or (n), along with the Police Department's response thereto, conducted in the six months prior to the month in which a hearing is held.
- (c) *Police Department.* The Superintendent and Deputy Chief for Training & Support shall report, as applicable, changes to and progress on Police Department policy, practice, or process, or training.

SECTION 2. Pursuant to Section 1-4-200 of the Municipal Code of Chicago, any invalid provision or invalid application of this chapter is severable.

SECTION 3. The provisions of this ordinance shall take full force and effect upon passage and publication.



Committee on Finance

Scott Waguespack
Alderman, Ward 32