

CITY OF CHICAGO
COMMUNITY COMMISSION FOR PUBLIC SAFETY AND ACCOUNTABILITY BYLAWS
Adopted [date of adoption]

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PREAMBLE

In July 2021, the City of Chicago passed legislation to establish the Community Commission for Public Safety and Accountability (“Commission”). Pursuant to Section 2-80-020 of the Municipal Code of Chicago (“MCC”), “the Commission will adopt rules and procedures for the conduct of its business.” These bylaws are promulgated in accordance with and by virtue of MCC Chapter 2-80. Nothing in these bylaws is intended to or shall operate to limit the authority granted to the Commission by the Municipal Code. The organization and rules of the Commission shall be as follows:

ARTICLE I: COMMISSION PURPOSE AND DUTIES

A. Purpose

Pursuant to MCC Section 2-80-030, the purpose of the Commission is to: “(1) increase public safety; (2) ensure that Department activities are directed toward maximizing public health and safety while minimizing any harm to City residents; (3) build trust and improve interactions between and among the Department and the people it serves; (4) ensure that Department policies and practices are rooted in community needs and public input; (5) increase public support for Department policies and practices; (6) ensure that Department resources are not used inefficiently to address public health or safety issues that other professionals are better equipped to address; (7) encourage preventative, proactive, community-based, and evidence-based approaches to public safety; (8) increase transparency and public input into Department operations, policies, and performance; (9) provide the residents of every Chicago community with meaningful opportunities to shape Department policies and practices that affect their lives; (10) help to bring the City into compliance with the Consent Decree as soon as is practicable; (11) increase efficiency in the use of public safety resources; and (12) increase public accountability of the Department, COPA, and the Police Board.”

B. Duties

The Commission’s powers and duties are defined in MCC Section 2-80-050. Key powers and duties include:

- a. Playing a central role in selecting and removing the Police Superintendent, the head of the Civilian Office of Policy Accountability (COPA), and members of the Police Board;
- b. Drafting, reviewing, and approving Police Department General Orders and COPA and Police Board policies;
- c. Establishing annual goals and evaluating progress towards meeting those goals for the Police Department, COPA, and the Police Board;
- d. Making recommendations about the Police Department budget before the City Council votes on it;

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- e. Identifying and recommending preventative, community-based, and evidence-based solutions to violence;
- f. Engaging with community; and
- g. Increasing transparency.

ARTICLE II: MEMBERSHIP

A. Composition

The Commission is made up of seven Commissioners. The requirements to be on the Commission are set out in MCC 2-80-040(b) and (c). Requirements include the following:

- a. Commissioners must live in Chicago and have lived in the City for at least the five years before they were appointed.
- b. Commissioners must have work experience in areas related to the Commission’s work.
- c. Two Commissioners must be between the ages of 18 and 24 years old.
- d. Commissioners must also meet other requirements, like having a history of leadership and community involvement, and an ability to work collaboratively with a wide range of people.
- e. At least two Commissioners must be from the South Side of Chicago, at least two must be from the West Side of Chicago, and at least two must be from the North Side of Chicago.

B. Selection

Members of the Commission are selected through a process that is described in MCC Section 2-80-040(c). There is an open application process and anyone who meets the basic qualifications described in the ordinance may apply. District Council members review applications and nominate two candidates for each vacancy or anticipated vacancy. The Mayor selects Commissioners from the District Councils’ nominees. Then the City Council votes whether to confirm the people who were nominated by the District Councils and selected by the Mayor.

C. Terms of Office

The first Commissioners will be selected in 2023. Some will serve two-year terms and some will serve four-year terms, so that not all Commissioners’ terms will expire at the same time. Commissioners selected starting in 2025 will serve four-year terms, and no Commissioner shall serve more than 12 years in their lifetime.

D. Attendance

- a. Commissioners will endeavor to attend all Commission meetings for the duration of each meeting.
- b. An excused absence is one where the Commissioner notifies the President, Vice President, and Executive Director prior to the meeting that they will be absent due to one or more of the following excused absences:

- i. Illness;
 - ii. Family leave;
 - iii. Work or personal conflicts that are emergencies or otherwise unavoidable;
 - iv. Religious or cultural holidays;
 - v. Other excuses may be valid as determined by a majority vote of the Commission.
- c. To request an excused absence, Commissioners shall notify the President, Vice President, and Executive Director prior to the Commission meeting, stating the specific reason for the request. If the circumstances prevent a Commissioner from notifying the President, Vice President, and Executive Director prior to the meeting, the Commissioner will notify the President, Vice President, and Executive Director as soon as possible thereafter.

E. Commission Vacancies

Pursuant of MCC 2-80-040(c), at least 90 days before a Commissioner's term ends, and any time there is a vacancy on the Commission, there must be a public process to select Commissioners. A Nominating Committee made up of members of the District Councils must develop an application to serve on the Commission and make it publicly available. The Nominating Committee will receive applications, review them, select and interview finalists, and, for each vacancy, select two candidates for the Mayor to consider. The Mayor must either appoint a candidate from the list, or request a new list. This process shall continue until the Mayor appoints a candidate. The Mayor's appointed candidate must then be voted on by the City Council. As a result of this process, members of the Commission will have the support of the District Council Nominating Committee, the Mayor, and the City Council.

F. Resignation

A Commissioner who wishes to resign from the Commission shall provide advanced written notification of resignation to the Executive Director and the President and such notice shall indicate the effective date of resignation. The Executive Director shall notify the Nominating Committee of the expected vacancy.

G. Removal of Commissioners for Cause

- a. Pursuant to MCC 2-80-040 (4) (e), Commissioners may be removed for Just Cause either by the Mayor or the City Council. The Mayor or City Council must provide written notice that describes the reason for removal.
- b. The Commission may recommend to the Mayor and City Council that a Commissioner be removed with just cause for reasons which may include but are not limited to:
 - i. Serious misconduct showing moral turpitude;
 - ii. Failure to disclose a conflict of interest or failure to make a reasonable effort to evaluate a potential conflict of interest;
 - iii. Violation of confidentiality standards elaborated in the bylaws;

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- iv. Inappropriate behavior toward or mistreatment of members of the public, Commissioners, or staff. Inappropriate behavior or mistreatment may establish grounds for removal for cause whether it occurs in a single instance or a pattern. Inappropriate behavior or mistreatment includes, but is not limited to:
 - 1. Threatening or inflicting physical harm;
 - 2. Stalking;
 - 3. Sexual harassment or harassment based on a protected category;
 - 4. Abusive language, with or without profanity, that unreasonably interferes with performance of Commission duties or renders the environment for performing Commission duties intimidating, hostile, or abusive, from the perspective of a reasonable person.
- v. Unexcused absence rate of 25% or more from Commission meetings after the first six months of a Commissioner's term, or three consecutive unexcused absences from Commission meetings, with a recommendation for removal being presented to the Commission and approved by a vote of a 2/3 majority of the Commission.
- c. Under State law, if the Mayor removes a member of the Commission, the City Council may override the removal by a two-thirds majority vote.

H. Training and Pledges

Commissioners shall complete all mandatory trainings and pledges for City of Chicago officials, including the following:

- a. Filing an Annual Statement of Financial Interests with the Chicago Board of Ethics
- b. Filing an Annual Statement of Economic Interests with the Cook County Clerk's Office
- c. Filing an Ethics Pledge with the Chicago Board of Ethics
- d. Filing a Code of Conduct Pledge with the Chicago Board of Ethics
- e. Completing Online Open Meetings Act Training on the Illinois Attorney General website
- f. Completing online ethics and sexual harassment training

ARTICLE III: OFFICERS

A. Election of Officers

- a. Pursuant of MCC Section 2-80-040(a), the Commission shall select a Commission President and Vice-President from among its members. The President and Vice President will serve two-year terms. At the end of a two-year term, the Commission may reappoint an officer or select a new one.
- b. The Commissioners shall host elections for the role of President and Vice-President every two years, or whenever there is an Officer vacancy. Officer elections shall be held during regularly scheduled Commission meetings. The Commission shall elect a President and Vice-President by majority vote. Nominations for the election of offices shall be made at the regular meeting immediately preceding the meeting at which

elections are to take place. The term of the President and Vice President shall commence on the date of their election and shall end upon the date when their successors have been elected.

B. Removal of Officers

- a. Any Officer appointed by the Commission shall serve at the pleasure of the Commission and may be removed by the Commission whenever in its judgement the best interests of the Commission would be served thereby. Any Officer elected by the Commission may be removed as an Officer by the Commission for Just Cause, including, but not limited to, inability to perform the duties and functions of their office; willful failure to carry out the directions of the Commission; or violation of these Bylaws or the MCC.
- b. Any Commissioner may move that a vote of “No Confidence” be taken as to the President or Vice President of the Commission. A vote of No Confidence supported by at least five (5) out of 7 Commissioners shall result in removal from the office held. If the President is removed under this Rule, the Vice President shall become President, and a new election for Vice President shall be held. If the Vice President is removed under this Rule, a new election for Vice President shall likewise be held.

C. Officers’ Powers and Duties

Responsibilities of the President:

- a. Preside at all meetings of Commission in collaboration with the Vice President.
- b. Carry out Commission duties and assign tasks in collaboration with the Vice President and the Commissioners.
- c. Sign all official Commission documents or appoint someone to do so.
- d. Serve as authorized Commission spokesperson or appoint another.
- e. Attend at least 75% of Commission meetings, excluding excused absences.
- f. Approve proposed Commission meeting agendas, times, locations, and dates and ensure that proper meeting procedures are followed.
- g. Preserve decorum at meetings.
- h. Protect confidentiality of executive session information.
- i. Review Commissioner requests for extended absence.
- j. Decide on all points of order and procedure during the meetings, and the President’s decision shall be final unless overruled by a majority vote of the members.
- k. Appoint a Parliamentarian to assist them

Responsibilities of the Vice President:

- l. At the President’s request, consult on any matters within the President’s authority
- m. Perform the President’s duties in the event of their absence or by request of the President.

D. Duties of the Executive Director

Pursuant of MCC Section 2-80-020, The Executive Director shall “administer the affairs of the Commission, hire and supervise Commission staff, and exercise such additional powers as may be conferred by, and are within the jurisdiction of, the Commission and consistent

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with applicable law.” In order to lay the foundation for the Commission before its members are selected, the Mayor shall appoint the first Executive Director. The Executive Director shall serve at the pleasure of the Commission. After the appointment of the first Executive Director, any subsequent Executive Director shall be appointed by, and serve at the pleasure of, the Commission.

ARTICLE IV: MEETINGS

A. Time and Place

The Commission shall hold public meetings at a time and place that the Commissioners shall designate. The dates and times of meetings, along with a proposed agenda, will be posted on the Commission’s website at least seven days prior to each meeting.

B. Regular Meetings

- a. Pursuant to MCC 2-80-060(a), the Commission shall hold regular meetings at least once a month. The Commission may, at its discretion, schedule additional meetings. Pursuant to 5 ILCS 120/2.03, at the beginning of each calendar year, the Commission shall make available a schedule of all its regular meetings for the calendar year, listing the times and places of the meetings.
- b. 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. Audio and video recordings of each meeting will also be made available on the Commission’s website.
- c. Additional meetings may be scheduled upon the call of the President or upon request of a simple majority of the Commissioners.

C. Special Meetings

- a. Special meetings shall be held upon call of the President or upon request of a simple majority.
- b. Pursuant to MCC 2-80-060 (c), if the Commission receives a valid petition signed by at least 2000 Chicago residents, the Commission shall hold a special meeting within 21 days. The Qualifying Petition shall set forth with specificity the issues or concerns that would be the subject of the special meeting, and those issues or concerns must fall within the Commission’s purposes as specified in Section 2-80-030. The petition may propose up to ten specific topics for the Commission’s consideration. The Commission may approve any or all such topics by majority vote, and shall thereupon generate questions, based on the approved submitted topics, to be directed to the Superintendent, the Public Safety Inspector General, the Chief Administrator, or the President of the Police Board, each of whom may, in their discretion, select one or more designees with subject matter knowledge to appear on their behalf.

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- c. Special meetings shall be held for a specific purpose or purposes and shall not take the place of a regular Commission meeting unless so determined at a prior regular meeting. Pursuant to (ILCS 120/2.02(a) and ILCS 120/7, except in the event of a bona fide emergency, notice of a special meeting, including the agenda for said meeting, shall be provided at least 48 hours in advance. In an emergency situation, notice of the meeting shall be given as soon as possible.

D. Closed Sessions

During any regular or special meeting, the Commission may hold closed sessions to discuss matters as permitted in 5 ILCS 120/2(c). The closed session shall be called by the majority vote of a quorum, taken at a meeting open to the public. Before convening a closed session, the presiding Officer shall announce the purpose of the closed session and the time when the closed session is expected to conclude.

E. Public Comment

- a. The Commission values and encourages public comment and participation at its meetings. There will be a public comment period at every regular Commission meeting. Each speaker will be given two minutes to address matters on the agenda. The Commission shall set aside at least twenty (20) minutes for public comment at each meeting. At an in-person meeting, speakers must fill out a speaker card before the meeting begins in order to be recognized, and at a virtual meeting, speakers must email or call the Commission before the virtual meeting begins in order to be recognized. The Chair of the meeting may adjust the time allowed for public comment, though all speakers must be subject to the same time limits. The Commission reserves the right to hear public comments outside the scope of the agenda. **Members of public who are not fluent in English can request that the Commission provide an interpreter plus additional time to accommodate translations given 5 business days' notice to the Commission before the meeting.**
- b. Meeting transcripts shall include a complete report of each speaker's remarks, and shall be posted on the Commission's website.
- ~~c. Within ten business days of the public meeting, the Executive Director of the Commission shall review the transcript of the meeting, classify the community input received, and direct the community input to the appropriate responding agency (Police Department, Civilian Office of Police Accountability, Police Board, Deputy Inspector General for Public Safety, Civilian Commission for Public Safety and Accountability, and/or any other appropriate agency).~~
- ~~d. The Executive Director shall request that each responding agency provide a written report documenting its response to the community input.~~
- ~~e. The Executive Director of the Commission shall post on the Commission website prior to the next public meeting: (a) a report of the tracking of community input and responses~~

~~(if no response is received, this will be noted on the report), and (b) each responding agency's written report of its response to the community input.~~

F. Conduct at Meetings

The Chair has the power and duty to remove someone for:

- a. Disorderly conduct that disrupts the due and orderly course of the meeting such as making noise, speaking out of turn, being rude or disrespectful toward other participants in the meeting, or otherwise refusing to comply with these rules of conduct governing Commission meetings;
- b. A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of the meeting;
- c. Disobedience of any lawful order of the Chair, which shall include, but not be limited to, an order to be seated.

G. Voting

- a. A motion or resolution will pass upon the majority of the Commissioners present unless a more stringent voting requirement is set by City Charter, City Municipal Code, or these Bylaws on a certain matter.
- b. Dissenting opinions will be entered into meeting minutes upon request.

H. Proxies

There shall be no vote by proxy at any meeting of the Commission.

I. Quorum

4/7 of the Commission shall constitute a quorum.

J. Participation via Telephone or Videoconference

When applicable, an open or closed meeting of the Board may be conducted by audio or video conference, without the physical presence of a quorum of the Commissioners, as authorized by and in compliance with Section 7(e) of the Illinois Open Meetings Act (5 ILCS 120/7(e)).

K. Transcription and Minutes

- a. Transcription and minutes shall be kept for both open and closed sessions in accordance with 5 ILCS 120/2.06. The minutes of open meetings shall be available for public inspection within 10 days of approval of such minutes by the Commission. Minutes of meetings closed to the public shall be available only after the Commission determines that it is no longer necessary to protect the public interest or the privacy of an individual by keeping them confidential. The Commission shall periodically, but no less than every six months, meet to review minutes of all closed minutes. At such meetings a determination shall be made, and reported in an open session that (1) the need for confidentiality still exists as to all or part of those minutes, or (2) that the minutes or portions thereof no longer require confidential treatment and are available for public inspection.

b. All meetings of the Board shall be electronically recorded.

L. Parliamentary Procedure

Wherever these Bylaws are silent, the Commission shall conduct its meetings in accordance with the current edition of Robert's Rules of Order.

ARTICLE V: PRIVILEGED AND CONFIDENTIAL COMMUNICATIONS

A. Confidentiality

Commissioners are required to maintain the confidentiality of all legal advice and other privileged communications, regardless of whether the advice was communicated in writing or orally.

B. Recusal

Any Commissioner who believes that they will be unable to comply with the confidentiality provisions set forth above, because of fiduciary obligations to another organization or for any other reason, must recuse themselves from receiving the legal advice or confidential communication. In the case of advice provided in a closed session, this will require that the Commissioner leave the meeting for the duration of the closed session.

ARTICLE VI: COMMISSION SPOKESPERSONS

- A. The President or equivalent shall act as the official spokespersons for the Commission. The President may delegate an additional spokesperson or media liaison, including the Executive Director. They shall be empowered to represent to the public any positions or views which have been decided upon by the Commission. No other member of the Commission shall speak for or on behalf of the Commission without the express consent of the Commission.
- B. Nothing in this section shall limit or infringe on any member's right to free speech and expression as an individual.

ARTICLE VIII: MISCELLANEOUS PROVISIONS

A. Annual Report of the Commission

Pursuant to MCC Section 2-80-130, the Commission shall issue an annual report. The Commission shall make its annual reports publicly available by posting them on its publicly accessible website.

B. Noncitizen Advisory Council

Pursuant to MCC Section 2-80-050(s), the Commission members will appoint a Noncitizen Advisory Council. The Noncitizen Advisory Council shall include Chicago residents who are not United States citizens and Chicago residents who are undocumented, and may include people who work on behalf of Chicago residents who are not United States citizens. The Noncitizen Advisory Council shall advise the Commission to ensure that the perspectives

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and experiences of Chicago residents who are not United States citizens are reflected and incorporated in the Commission's work

C. Working with District Councils

- a. Pursuant to MCC Section 2-80-050(b), the Commission shall oversee the District Councils and delegate powers and duties to the District Councils at its discretion and consistent with applicable law and in conversation and collaboration with the District Councils.
- b. 30 days after District Council members take office, should any District Council fail to submit to the Commission a document identifying a member to serve as Chair, a member to serve on the Nominating Committee, and a member to serve as Community Engagement Coordinator, the Commission shall assign said roles by a majority vote.

D. Establishing Additional Advisory Councils

Pursuant to MCC Section 2-80-050(a), the Commission shall have the power and duty to engage 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; and to maintain connections with representatives of disenfranchised communities and with other community groups throughout the City. In order to fulfill these duties, the Commission may establish additional advisory councils.

ARTICLE IV: BUDGET

A. Annual Appropriations

Pursuant to MCC Section 2-80-160, the appropriations for the Commission and District Councils, collectively, shall be determined by the City Council as part of the annual City budget process, but shall not be less than 0.22 percent of the annual appropriation of all non-grant funds for the Chicago Police Department contained in the annual appropriation ordinance for that fiscal year.

B. Expenditures

Pursuant to MCC Section 2-80-160, The City Council shall appropriate funds sufficient for the Commission and District Councils to perform their functions and duties as set forth in this section, including, at minimum: budgeting for the Executive Director, who shall administer the affairs of the Commission and District Councils, staff to oversee and support the day-to-day operations of the Commission, adequate legal and policy analysis staff, staff to analyze trends and patterns related to COPA's investigative jurisdiction, staff to oversee and support the Commission's interaction with residents across Chicago, staff to oversee the day-to-day operations of and to provide direct support to each of the District Councils, and staff to ensure that youth actively participate in District Council activities. The City Council shall appropriate funds sufficient to provide for such administrative and support staff as may be necessary for the efficient operation of the Commission and District Councils.

ARTICLE V: CONDUCT

A. Code of Conduct

Commissioners shall comply with applicable sections of the governmental ethics ordinance outlined in MCC Chapter 2-156.

B. Applicability of City of Chicago Personnel Rules

All Commission staff are subject to the rules of conduct set forth in the City of Chicago's personnel rules.

ARTICLE VI: AMENDMENTS

These Bylaws may be amended during any regular Commission meeting by written resolution and by a vote of a majority of the Commission.

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