

POLICE BOARD
CITY OF CHICAGO

PROPOSED AMENDMENTS TO ARTICLE VIII
OF THE RULES AND REGULATIONS OF THE CHICAGO POLICE DEPARTMENT

VIII. SUSPENSION FOR LEGAL INABILITY TO CARRY A FIREARM

As a condition of remaining entitled to the salary and benefits of a police officer who is fit for duty, all sworn members of the Department must be legally able to fully exercise the police powers of a police officer, which of necessity includes being able to lawfully carry a firearm. Any time a member is precluded from lawfully carrying a firearm, whether by judicial order, including as a condition of bond, or by applicable law or ordinance, such member is legally unable to perform as a police officer and shall be either: (1) relieved of police powers but shall retain benefits and medical coverage provided the member has passed fitness for duty and is working with the Illinois State Police to regain his or her Firearm Owner's Identification (FOID) card; or (2) administratively placed on suspension without pay during the entire period of such legal disability. A member may be relieved of police powers but retain benefits in situations where the member has been found fit for duty and is actively working with the Illinois State Police to obtain his or her FOID card. This shall include, but is not limited to, submission of requested documentation by the Illinois State Police. Placement in a no-pay status shall be effective immediately upon the Department's notification of a member's legal inability to carry a firearm.~~receipt of charges under this Article. The Police Board shall conduct a hearing within 30 days after the suspension, unless the hearing is continued with the agreement of the member, which hearing will follow the same procedures as a hearing for a suspension in excess of 30 days. The substance of that hearing by the Police board or its hearing officer shall be limited to the issue of whether the member has been precluded from lawfully carrying a firearm— whether by judicial order, including as a condition of bond, or by applicable law or ordinance— and shall not include any findings or review regarding the underlying felony or misdemeanor or other legal infraction giving rise to the legal prohibition on the member's carrying a firearm.~~ A suspension under this Article is non-disciplinary and shall not preclude the filing of charges and imposition of disciplinary actions against a member

[DRAFT: 12/17/2020—PROPOSED REVISIONS ARE IN RED]

found guilty of violating any other Department rule or regulation. The Superintendent may allow the member to use compensatory time earned and/or accumulated vacation/furlough time prior to placement of the member into a no-pay status. At such time as the legal prohibition on a member's carrying a firearm ends, the member may apply to the ~~Department~~Police Board for reinstatement, subject to the Superintendent's determination that the member is otherwise fit for duty.

(Adopted by the Police Board on 7 May 1998)