



**Board of Commissioners of Cook County
Board of Commissioners**

Minutes of the Legislation and Intergovernmental Relations Committee

9:00 AM

Wednesday, December 13, 2017

**Cook County Building, Board Room,
118 North Clark Street, Chicago, Illinois**

ATTENDANCE

Present: Suffredin, Fritchey, Arroyo, Boykin, Daley, Deer, Gainer, García, Goslin, Moore,
Morrison, Sims and Tobolski (13)

Absent: Butler, Moody, Schneider and Silvestri (4)

PUBLIC TESTIMONY

There were no public speakers

18-1052

COMMITTEE MINUTES

Approval of the minutes from the meeting of 11/15/2017

A motion was made by Commissioner Daley, seconded by Commissioner Gainer, to approve 18-1052. The motion carried by the following vote:

Ayes: Suffredin, Fritchey, Arroyo, Boykin, Daley, Deer, Gainer, García, Goslin, Moore,
Morrison, Sims and Tobolski (13)

Absent: Butler, Moody, Schneider and Silvestri (4)

17-6208

Sponsored by: JOHN A. FRITCHEY, LUIS ARROYO JR, RICHARD R. BOYKIN, DENNIS DEER, BRIDGET GAINER, JESÚS G. GARCÍA, EDWARD M. MOODY, STANLEY MOORE, SEAN M. MORRISON, DEBORAH SIMS, LARRY SUFFREDIN and JEFFREY R. TOBOLSKI,
Cook County Board Of Commissioners

PROPOSED RESOLUTION

REQUESTING TO PRESENT AN ADVISORY PUBLIC QUESTION VIA A COUNTYWIDE

REFERENDUM TO COOK COUNTY VOTERS ON WHETHER THE STATE OF ILLINOIS SHOULD LEGALIZE, REGULATE AND TAX RECREATIONAL MARIJUANA USE FOR ADULTS 21 AND OVER

WHEREAS, Pursuant to the Illinois Election Code, 10 ILCS 5/28-1, et seq., and the Counties Code, 55 ILCS 5/5-1005.5, the corporate authorities of a county have the authority to submit a public question to the electors of the county by means of a referendum; and

WHEREAS, despite spending more than \$1 Trillion over the last 40 years, the efforts of the “War on Drugs”, the health and social costs of drugs increase every year, drugs are no less available than before, and treatment is not available to the vast majority of people who need it; and

WHEREAS, existing evidence from other states and countries show there is no indication that decriminalization or legalization of marijuana leads to a measurable increase in its use; and

WHEREAS, eight states and Washington D.C. have already legalized the recreational use of marijuana; and

WHEREAS, marijuana-related arrests in every Cook County municipality, including Chicago, result in staggering costs to Cook County government by virtue of the necessary involvement of the County jail, Sheriff’s department, State’s Attorney, Clerk of the Court, judiciary, and often times, the Public Defender, annually costing Cook County taxpayers tens of millions of dollars; and

WHEREAS, most arrests for marijuana possession do not lead to trials or prison terms. Instead, a large number of these arrests are plea-bargained, continued without a finding, dismissed, or otherwise handled in a manner that places unnecessary burdens on already-limited criminal justice system resources; and

WHEREAS, as Illinois and Cook County continually face severe budget and financial constraints and lawmakers repeatedly face the undesirable choice of deciding between increasing taxes or substantial service cuts, or both, creating an intelligent, practical framework of cannabis legalization, regulation and taxation can help address a myriad of problems such as improved health and public safety, reduced criminal justice and jail costs, law enforcement efficacy, black market drug displacement as well as increased revenue for education and treatment protocols; and

WHEREAS, legalizing, regulating and taxing recreational marijuana use for adults 21 and over and would have an estimated revenue impact of \$350 to \$699 million at the state level and would also have a positive multi-million dollar impact for Cook County via sales tax proceeds and other public and private revenue streams; and

WHEREAS, a recent 2017 Gallup poll has shown that 64% of Americans are in favor of legalizing marijuana; and

WHEREAS, a recent 2017 poll conducted by the Paul Simon Public Policy Institute finds that two-thirds of Illinois voters, support or strongly support legalization of recreational marijuana if it is taxed and regulated like alcohol, and in Chicago, 74 percent of voters support or strongly support legalization of marijuana while in suburban Cook and the collar counties support or strong support is at 70 percent; and

WHEREAS, 55 ILCS 5/5-1005.5 states, “By a vote of the majority of the members of the county board, the board may authorize an advisory question of public policy to be placed on the ballot at the next

regularly scheduled election in the county.”; and

WHEREAS, the Cook County Board of Commissioners seeks to place an advisory public question before the electorate via a referendum on the March 20, 2018, countywide ballot seeking to ask Cook County residents if they are in favor of legalizing, regulating and taxing recreational marijuana use for adults 21 and over in Illinois, as follows:

“Shall the State of Illinois legalize the cultivation, manufacture, distribution, testing, and sale of marijuana and marijuana products for recreational use by adults 21 and older subject to state regulation, taxation and local ordinance?”

Yes

No

NOW, THEREFORE BE IT RESOLVED by the Cook County Board of Commissioners that this Board present the aforementioned question to the electorate via a countywide advisory referendum on the March 20, 2018 ballot;

BE IT FURTHER RESOLVED, that the Cook County Clerk shall certify the public question referenced herein and notifies the Secretary of State, and the Attorney General of this request for action in accordance with Article 28 of the Election Code.

Effective Date. This resolution shall take effect immediately upon adoption.

A motion was made by Vice Chairman Fritchey, seconded by Commissioner Boykin, to recommend for approval 17-6208. The motion carried by the following vote:

Ayes: Suffredin, Fritchey, Arroyo, Boykin, Daley, Deer, Gainer, García, Goslin, Moore, Morrison, Sims and Tobolski (13)

Absent: Butler, Moody, Schneider and Silvestri (4)

17-6302

Sponsored by: DENNIS DEER, TIMOTHY O. SCHNEIDER, LARRY SUFFREDIN, BRIDGET GAINER, LUIS ARROYO JR, JESÚS G. GARCÍA, RICHARD R. BOYKIN, EDWARD M. MOODY, DEBORAH SIMS, JOHN P. DALEY, SEAN M. MORRISON and PETER N. SILVESTRI, Cook County Board Of Commissioners

PROPOSED ORDINANCE AMENDMENT

AN AMENDMENT TO PREVENT SEXUAL HARRASSMENT IN COOK COUNTY

WHEREAS, Cook County has zero tolerance for sexual harassment in the workplace; and

WHEREAS, in recent weeks there has been an outpouring of complaints of sexual harassment within Illinois government and political activities; and

WHEREAS, inspired by the #MeToo social media campaign that encouraged individuals to raise awareness about sexual harassment, women in the Illinois Legislature created the #ILSayNoMore hashtag which encouraged individuals to share their experiences of sexual harassment within the State Capitol and Illinois politics ; and

WHEREAS, more than 200 people signed onto an open letter circulated by women involved in Illinois politics that called for “challenging every elected official, every candidate, and every participant in our democratic process who is culpable”; and

WHEREAS, sexual harassment thrives in silence, all stakeholders need to continually work to eliminate all forms of sexual harassment; and

WHEREAS, sexual harassment and abuse of power is toxic and unacceptable in the workplace and will not be tolerated; and

WHEREAS, Cook County is committed to providing a workplace that is free from sexual harassment; and

WHEREAS, all persons have a right to feel safe and work in an environment free from sexual harassment; and

THEREFORE BE IT RESOLVED, that Cook County reinforces its policy of zero tolerance for sexual harassment and the Cook County Board of Commissioners encourages all of the separately elected Cook County offices to adopt a zero tolerance policy for sexual harassment within their own offices; and

NOW THEREFORE BE IT FURTHER RESOLVED, that Cook County recognizes the rights of all employees to be treated with respect and dignity and is committed to providing a work environment free of sexual harassment for all of its employees.

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 42 - Human Relations, Article II. - Human Rights, Section 42-34 - Commission on Human Rights. is hereby amended as follows:

Sec. 42-31. - Definitions.

Religion means all aspects of religious observance and practice, as well as belief, or the actual identification with or perceived identification with a religion.

Sexual Harassment. The term “Sexual Harassment” shall mean unwelcome sexual advances, requests for sexual favors, and other verbal, visual and physical conduct of a sexual nature. Sexual Harassment includes, but is not limited to:

1. Verbal harassment (lewd or suggestive remarks, sexual language, pranks, epithets, derogatory statements, jokes, threats, slurs and/or demands for dates);

2. Physical harassment (touching, patting, pinching or brushing against another’s body);

3. Visual harassment (posters, cartoons, gross or lewd gestures, calendars, pictures, drawings, greeting cards or leering);

4. Sexual innuendo and demands for sexual favors (unwelcome sexual statements or advances);

5. Sexual harassment includes any form of sexually oriented conduct regardless of whether it occurs face-to-face, in writing, on the telephone, by electronic mail, via the Internet, or by some indirect form of communication; or

6. Sexual harassment may involve individuals of the same or different gender and is prohibited whether directed toward men or women.

Sexual orientation means the status or expression, whether actual or perceived, of heterosexuality, homosexuality, or bisexuality.

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BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 44 - Human Resources, Article II. - Personnel Policies. Section 44-58 - Sexual Harassment Training. is hereby established as follows:

Sec. 44-58. - Sexual Harassment Training.

a) Each official and employee of Cook County must complete, at least annually, beginning in 2018, a sexual harassment training program conducted by the Bureau of Human Resources. The sexual harassment training program shall be overseen by the Department of Ethics and the Office of the Independent Inspector General.

b) The Bureau of Human Resources shall submit to the Board quarterly reports that summarize sexual harassment training that was completed during the previous quarter, the number of participants in those training and lays out the plan for the sexual harassment training programs in the coming quarter.

c) A person who fills a vacancy in any position in the County, including elective and appointed positions, must complete his or her initial sexual harassment training within 30 days after the commencement of his or her office or employment.

d) Sexual Harassment Training shall minimally include but not be limited to; definition of sexual harassment, different types of sexual harassment, harassment by a person in authority towards a subordinate, examples of workplace sexual harassment, steps to filing a complaint, what sexual harassment is not, hostile work environments.

...

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 - Administration, Article VII. - Ethics, Division 3. - Lobbyists, Subdivision II.-Registration, Section 2-640. -

Lobbyist Ethics Education Seminar is hereby amended as follows:

...

Sec. 2-640. - Lobbyist Ethics Education Seminar.

Each Lobbyist shall attend an online ethics education seminar offered on a regular basis by the Cook County Clerk and the Board of Ethics within 120 days of registering as a Lobbyist pursuant to Section 2-633. The seminar shall educate Persons as to their duties and responsibilities under this article. The seminar shall include a program of sexual harassment training in the context of lobbying activities and review pertinent provisions under Article II of the Cook County Code, the Cook County Human Rights Ordinance. The Clerk may partner with the Bureau of Human Resources or other applicable Department of Cook County to facilitate the provision of the sexual harassment training. For purposes of this section, the definition of "Sexual Harassment" includes, but is not limited to, the definitions set forth in the Cook County Human Rights Ordinance, Section 42-30 et. seq. of the Cook County Code.

Effective date: This ordinance shall be in effect immediately upon adoption.

MOTION TO SUSPEND RULES TO TAKE UP 2ND SUBSTITUTE

A motion was made by Commissioner Deer, seconded by Commissioner Morrison, to suspend rules to take up substitute. The motion carried by the following vote:

- Ayes:** Suffredin, Fritchey, Arroyo, Boykin, Daley, Deer, Gainer, García, Goslin, Moore, Morrison, Sims and Tobolski (13)
- Absent:** Butler, Moody, Schneider and Silvestri (4)

A motion was made by Commissioner Deer, seconded by Commissioner Morrison, to accept as substituted 17-6302. The motion carried by the following vote:

- Ayes:** Suffredin, Fritchey, Arroyo, Boykin, Daley, Deer, Gainer, García, Goslin, Moore, Morrison, Sims and Tobolski (13)
- Absent:** Butler, Moody, Schneider and Silvestri (4)

SECOND PROPOSED SUBSTITUTE TO 17-6302

PROPOSED ORDINANCE AMENDMENT

AN AMENDMENT TO PREVENT SEXUAL HARASSMENT IN COOK COUNTY

WHEREAS, Cook County prohibits sexual harassment in the workplace; and

WHEREAS, in recent weeks there has been an outpouring of complaints of sexual harassment within Illinois government and political activities; and

WHEREAS, inspired by the #MeToo social media campaign that encouraged individuals to raise awareness about sexual harassment, women in the Illinois Legislature created the #ILSayNoMore that encouraged individuals to share their experiences of sexual harassment within the State Capitol and Illinois politics; and

WHEREAS, more than 200 people signed an open letter circulated by women involved in Illinois politics that called for “challenging every elected official, every candidate, and every participant in our democratic process who is culpable”; and

WHEREAS, sexual harassment thrives in silence, such that all stakeholders need to continually work to eliminate all forms of sexual harassment; and

WHEREAS, sexual harassment and abuse of power are toxic and unacceptable in the workplace and will not be tolerated; and

WHEREAS, Cook County is committed to providing a workplace that is free from sexual harassment; and

WHEREAS, all persons have a right to feel safe and work in an environment free from sexual harassment; and

WHEREAS, Illinois Public Act 100-554 requires the timely adoption of an ordinance or resolution by all units of government in Illinois establishing a policy to prohibit sexual harassment; and

WHEREAS, Cook County’s existing policies prohibiting sexual harassment should be expanded to include additional protections and codified in an ordinance;

THEREFORE BE IT ORDAINED, that Cook County reinforces its policy of prohibiting sexual harassment and the Cook County Board of Commissioners encourages all of the separately elected Cook County offices to adopt a policy addressing the prohibition of sexual harassment within their own offices; and

NOW THEREFORE BE IT FURTHER ORDAINED, that Cook County recognizes the rights of all employees of Cook County government to be treated with respect and dignity and is committed to providing a work environment free of sexual harassment.

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 44 - Human Resources, Article II -Personnel Policies, Section 44-53 - Nondiscrimination is hereby amended as follows:

Section 44-53 - ~~Nondiscrimination~~ - Prohibition of Discrimination and Harassment.

(a) No person shall discriminate against any County employee or applicant for County employment because of race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, housing, or any other protected category established by law, statute or ordinance.

(b) Each Cook County Agency (Office of the President/Board of Commissioners; Cook County Assessor; Cook County Board of Review; Cook County Clerk; Clerk of the Circuit Court of Cook County; Cook County Recorder of Deeds; Cook County Sheriff; Cook County State’s Attorney; Office of the Chief Judge;

Cook County Treasurer; Cook County Land Bank; Cook County Health and Hospitals System; Office of the Independent Inspector General; and Public Administrator) shall adopt policies that prohibit discrimination and harassment, including the prohibition of sexual harassment.

1. The nondiscrimination and anti-harassment policy(ies) adopted shall include, at minimum: (i) a prohibition on discrimination based upon one's race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, housing, or any other protected category established by law, statute or ordinance (ii) a prohibition on Sexual Harassment by officials and employees under their jurisdiction; (iii) details on how an individual can report an allegation of discrimination or Sexual Harassment, including options for making a confidential report to a supervisor, the Cook County Board of Ethics, the Office of the Independent Inspector General, the Equal Employment Opportunity Office, the Cook County Commission on Human Rights or any other appropriate County, State or federal agency; (iv) a prohibition on retaliation for reporting discrimination or Sexual Harassment allegations, including availability of whistleblower protections under the State Officials and Employees Ethics Act, the Illinois Whistleblower Act, the Illinois Human Rights Act, the Cook County Ethics Ordinance, the Cook County Human Rights Ordinance, the Cook County Inspector General Ordinance and any other applicable County, State or federal law; and (v) the consequences of a violation of the prohibition of discrimination or Sexual Harassment and the consequences of knowingly making a false report.
2. The non-discrimination and anti-harassment policy(ies) shall be formulated by each elected or appointed official for the Agency he or she oversees in collaboration with the Cook County Bureau of Human Resources and the Cook County Department of Human Rights and Ethics. Compliance with the implementation and execution of this section shall be monitored by the Office of the Independent Inspector General.
3. Each Agency's elected or appointed official or designee shall submit to the Office of the Independent Inspector General quarterly reports that summarize progress towards formulating a policy(ies) that addresses the prohibition of discrimination and harassment, including the prohibition of Sexual Harassment during the previous quarter. The Office of the Independent Inspector General shall compile these reports and submit them to the Board on a quarterly basis. The Office of the Independent Inspector General shall report to the Board any noncompliance with the obligations set out in this section. The Office of the Independent Inspector General shall inform the Board as to which Cook County Agencies are in compliance with Section 44-53 and upon a determination of compliance by the Office of the Independent Inspector General, the compliant Agency shall no longer be required to submit quarterly updates.

(c) For the purpose of Section 44-53, *Sexual Harassment* means any unwelcome sexual advance, request for sexual favors or other verbal, visual or physical conduct of a sexual nature regardless of gender. Sexual Harassment includes, but is not limited to:

1. Verbal harassment (e.g., lewd or sexually suggestive remarks, pranks, epithets, jokes, threats or slurs);
2. Physical harassment (e.g., touching, patting, pinching or intentionally brushing against another's body);

3. Visual harassment (e.g., leering, making sexual gestures, or displaying or sending lewd or sexually suggestive posters, cartoons, pictures, drawings or objects);
4. Sexual innuendo and demands for sexual favors (e.g., unwelcome sexual statements or advances); or
5. Any form of unwelcome sexual advance, request for sexual favors or other verbal, visual or physical conduct of a sexual nature regardless of whether it occurs face-to-face, in writing, on the telephone, by electronic mail, via the Internet, or by some indirect form of communication.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 44 - Human Resources, Article II. - Personnel Policies. Section 44-58 - Sexual Harassment Training is hereby established as follows:

Sec. 44-58. - Sexual Harassment Training.

(a) Each official and employee of a Cook County Agency (Office of the President/Board of Commissioners; Cook County Assessor; Cook County Board of Review; Cook County Clerk; Clerk of the Circuit Court of Cook County; Cook County Recorder of Deeds; Cook County Sheriff; Cook County State's Attorney; Office of the Chief Judge; Cook County Treasurer; Cook County Land Bank; Cook County Health and Hospitals System; Office of the Independent Inspector General; and Public Administrator) must complete, at least annually, beginning in 2018, a sexual harassment training program. This sexual harassment training program shall be formulated by each Agency in collaboration with the Cook County Bureau of Human Resources and the Department of Human Rights and Ethics. The human resources offices or designee of the appointed or elected Agency official shall deliver this training to officials and employees under the applicable Agency jurisdiction. Compliance with the sexual harassment training program shall be monitored by the Office of the Independent Inspector General.

(b) The human resources offices or designee of the appointed or elected Cook County Agency official shall submit to the Office of the Independent Inspector General quarterly reports that: (1) summarize progress towards formulating a sexual harassment training during the previous quarter, the number of training session(s) delivered, and the number of participants in those training session(s); and (2) lay out the plan for the sexual harassment training programs in the coming quarter. The Office of the Independent Inspector General shall compile these reports and submit them to the Board on a quarterly basis. The Office of the Independent Inspector General shall report to the Board any noncompliance with the training obligations set out in this section.

(c) Any person who fills a vacancy in any position in a Cook County Agency, including elective and appointed positions, must complete his or her initial sexual harassment training within 90 days after the commencement of his or her office or employment.

(d) Sexual Harassment Training shall minimally include but not be limited to: a definition of sexual harassment, various types of sexual harassment, harassment by a person in authority towards a subordinate, examples of workplace sexual harassment, steps to filing a complaint, examples of actions that do and do not constitute sexual harassment and hostile work environments.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 - Administration, Article VII. - Ethics, Division 3. - Lobbyists, Subdivision II.-Registration, Section 2-640. - Lobbyist Ethics Education Seminar is hereby amended as follows:

Sec. 2-640. - Lobbyist Ethics Education Seminar.

Each Lobbyist shall attend an online ethics education seminar offered on a regular basis by the Cook County Clerk and the Board of Ethics within 120 days of registering as a Lobbyist pursuant to Section 2-633. The seminar shall educate individuals regarding their duties and responsibilities under this article. The seminar shall also include a program of sexual harassment training in the context of lobbying activities and review pertinent provisions under Chapter 42, Article II of the Cook County Code, the Cook County Human Rights Ordinance. The Clerk may partner with the Cook County Department of Human Rights and Ethics and/or other applicable Department of Cook County to facilitate the provision of the sexual harassment training. For purposes of this section, the definition of "sexual harassment" includes, but is not limited to, the definitions set forth in Section 44-53 of the Cook County Code of Ordinances.

Effective date: This ordinance shall be effective January 17, 2018.

A motion was made by Commissioner Deer, seconded by Commissioner Morrison, to recommend for approval as substituted 17-6302. The motion carried by the following vote:

Ayes: Suffredin, Fritchey, Arroyo, Boykin, Daley, Deer, Gainer, García, Goslin, Moore, Morrison, Sims and Tobolski (13)
Absent: Butler, Moody, Schneider and Silvestri (4)

LEAVE WAS GRANTED TO ADD ALL PRESENT AS COSPONSORS

ADJOURNMENT

A motion was made by Commissioner Daley, seconded by Commissioner Goslin, to adjourn the meeting. The motion carried by the following vote:

Ayes: Suffredin, Fritchey, Arroyo, Boykin, Daley, Deer, Gainer, García, Goslin, Moore, Morrison, Sims and Tobolski (13)
Absent: Butler, Moody, Schneider and Silvestri (4)

Respectfully submitted,



Chairman



Secretary

A video recording of this meeting is available at <https://cook-county.legistar.com>.