



Board of Commissioners of Cook County

Minutes of the Criminal Justice Committee

Tuesday, June 30, 2015

10:30 AM

**Cook County Building, Board Room, 569
118 North Clark Street, Chicago, Illinois**

ATTENDANCE

Present: Chairman García, Vice Chairman Moore, Commissioners Boykin, Daley, Fritchey, Gainer, Gorman, Murphy, Silvestri, Sims, Steele and Suffredin (12)

Absent: Commissioners Arroyo, Butler, Goslin, Schneider, and Tobolski (5)

PUBLIC TESTIMONY

Chairman García asked the Secretary to the Board to call upon the registered public speakers, in accordance with Cook County Code.

1. George Blakemore, Concerned Citizen

15-4175

COMMITTEE MINUTES

Approval of the minutes from the meeting of 3/10/2015

A motion was made by Commissioner Silvestri, seconded by Commissioner Murphy, that this Committee Minutes be approved. The motion carried by the following vote:

Ayes: Chairman García, Vice Chairman Moore, Commissioners Boykin, Daley, Fritchey, Gainer, Gorman, Murphy, Silvestri, Sims, Steele and Suffredin (12)

Absent: Commissioners Arroyo, Butler, Goslin, Schneider and Tobolski (5)

15-3794

Sponsored by: RICHARD R. BOYKIN, County Commissioner

PROPOSED RESOLUTION

RESOLUTION RECOGNIZING CALLING UPON THE CHICAGO POLICE DEPARTMENT TO COMMUNICATE AND COORDINATE WITH THE COOK COUNTY SHERIFF'S POLICE TO ADDRESS ISSUES RELATED TO THE PRACTICE OF "STOP AND FRISK," BY REVIEWING THE POLICIES OF THE SHERIFF RELATED TO MOTOR VEHICLE STOPS, SEARCHES AND SEIZURES, SUPERVISORY RANK AND RESPONSIBILITY AND DETENTIONS

WHEREAS, despite the fact that the nation's attention has turned to police practices because of high profile killings, concerns about policing extend beyond the use of force and into the everyday interactions of police with community members; and,

WHEREAS, in black and Latino communities, these everyday interactions are often a “Stop and Frisk”; and,

WHEREAS, under the U.S. Supreme Court decision in Terry v. Ohio, 392 U.S. 1 (1968), officers are allowed to stop you if the officer has reasonable suspicion that you have been, are, or are about to be engaged in criminal activity. Once you are stopped, if an officer has reasonable suspicion that you are dangerous and have a weapon, the officer can frisk you, including ordering you to put your hands on a wall or car, and running his or her hands over your body; and,

WHEREAS, a report on “Stop and Frisk” police practices by the American Civil Liberties Union (ACLU) of Illinois, published this past Spring, contains troubling signs that the Chicago Police Department has a current practice of unlawfully using stop and frisk; and,

WHEREAS, “Stop and Frisk” is disproportionately concentrated in the black community. Last month’s ACLU Report found that black Chicagoans were subjected to 72% of all stops, though they constitute just 32% of the city’s population; and,

WHEREAS, the ACLU of Illinois, comparing stops to population, found that Chicagoans were stopped more than four times as often as New Yorkers at the height of New York City’s stop and frisk practice; and,

WHEREAS, the abuse of stop and frisk is a violation of individual rights, but it also poisons police and community relations and directly impacts the bottom line for Cook County taxpayers by leading to arrests that would not have otherwise occurred, thereby burdening Cook County Courts and the Cook County Jail; and,

WHEREAS, the Cook County Sheriff operates pursuant to four specific policies that govern the procedures of the Cook County Sheriff’s Police related to “stop and frisk,” namely the following: Section 500 of the Cook County Sheriff’s Police Supplemental Manual dealing with Motor Vehicle Stops; Section 312 of the Cook County Sheriff’s Police Policy Manual dealing with Searches and Seizures; Section 201 of the Cook County Sheriff’s Police Policy Manual on Supervisory Rank and Responsibilities; and Section 421 of the Cook County Sheriff’s Police Policy Manual on Detentions; and,

WHEREAS, all units of county and local government stand to benefit by exchanging information regarding best practices;

NOW, THEREFORE, BE IT RESOLVED, by the Cook County President and the Board of Commissioners that the Chicago Police Department be urged to review the above-referenced policies of the Cook County Sheriff’s Police, and meet with the Chief of the Cook County Sheriff’s Police to discuss the manner in which these policies are implemented and whether these policies might be directly transferable to the work of the Chicago Police Department, particularly regarding “Stop and Frisk.”

Legislative History: 6/10/15 Board of Commissioners referred to the Criminal Justice Committee

A motion was made by Commissioner Boykin, seconded by Commissioner Steele, that this Resolution be accepted as substituted. The motion carried by the following vote:

Ayes: Chairman García, Vice Chairman Moore, Commissioners Boykin, Daley, Fritchey, Gainer, Gorman, Murphy, Silvestri, Sims, Steele and Suffredin (12)

Absent: Commissioners Arroyo, Butler, Goslin, Schneider and Tobolski (5)

15-3794

Sponsored by: RICHARD R. BOYKIN and LARRY SUFFREDIN, County Commissioners

PROPOSED SUBSTITUTE- CRIMINAL JUSTICE COMMITTEE ITEM #15-3794

RESOLUTION URGING ALL UNITS OF COUNTY AND MUNICIPAL LAW ENFORCEMENT TO COMMUNICATE AND COORDINATE WITH THE COOK COUNTY SHERIFF'S POLICE TO ADDRESS ISSUES RELATED TO THE PRACTICE OF "STOP AND FRISK," BY REVIEWING THE POLICIES OF THE SHERIFF RELATED TO MOTOR VEHICLE STOPS, SEARCHES AND SEIZURES, SUPERVISORY RANK AND RESPONSIBILITY, AND DETENTIONS

Sponsored by: RICHARD R. BOYKIN, County Commissioner

WHEREAS, despite the fact that the nation's attention has turned to police practices because of high profile killings, concerns about policing extend beyond the use of force and into the everyday interactions of police with community members; and,

WHEREAS, in black and Latino communities, these everyday interactions are often a "Stop and Frisk"; and,

WHEREAS, under the U.S. Supreme Court decision in Terry v. Ohio, 392 U.S. 1 (1968), officers are allowed to stop you if the officer has reasonable suspicion that you have been, are, or are about to be engaged in criminal activity. Once you are stopped, if an officer has reasonable suspicion that you are dangerous and have a weapon, the officer can frisk you, including ordering you to put your hands on a wall or car, and running his or her hands over your body; and,

WHEREAS, a report on "Stop and Frisk" police practices by the American Civil Liberties Union (ACLU) of Illinois, published this past Spring, contains troubling signs that the Chicago Police Department has a current practice of unlawfully using stop and frisk; and,

WHEREAS, "Stop and Frisk" is disproportionately concentrated in the black community. Last month's ACLU Report found that black Chicagoans were subjected to 72% of all stops, though they constitute just 32% of the city's population; and,

WHEREAS, the ACLU of Illinois, comparing stops to population, found that Chicagoans were stopped more than four times as often as New Yorkers at the height of New York City's stop and frisk practice; and,

WHEREAS, the abuse of stop and frisk is a violation of individual rights, but it also poisons police and community relations and directly impacts the bottom line for Cook County taxpayers by leading to arrests that would not have otherwise occurred, thereby burdening Cook County Courts and the Cook County Jail; and,

WHEREAS, the Cook County Sheriff operates pursuant to four specific policies that govern the procedures of the Cook County Sheriff's Police related to "stop and frisk," which includes best practices for Law Enforcement; and,

WHEREAS, all units of county and local government stand to benefit by exchanging information regarding best practices;

NOW THEREFORE BE IT RESOLVED by the Cook County President and the Board of Commissioners that all units of county and municipal law enforcement throughout the County of Cook be urged to review the above-referenced policies of the Cook County Sheriff's Police, and to consider adoption of the above-referenced policies as best practices in the implementation of the procedure known as "Stop and Frisk."

A motion was made by Commissioner Boykin, seconded by Commissioner Steele, that this Resolution be recommended for approval as substituted. The motion carried by the following vote:

Ayes: Chairman García, Vice Chairman Moore, Commissioners Boykin, Daley, Fritchey, Gainer, Gorman, Murphy, Silvestri, Sims, Steele and Suffredin (12)

Absent: Commissioners Arroyo, Butler, Goslin, Schneider and Tobolski (5)

15-3813

Sponsored by: JESÚS G. GARCÍA, County Commissioner

PROPOSED ORDINANCE AMENDMENT

AMENDING THE COOK COUNTY CODE OF ORDINANCE RELATING TO THE OFFICIAL SEAL OF COOK COUNTY TO PROHIBIT FRAUDULENT AND DECEPTIVE USE BY PRIVATE PERSONS AND ENTITIES

WHEREAS, the County of Cook is a Home Rule Unit of Government pursuant to the 1970 Illinois Constitution, Article VII, Section 6; and,

WHEREAS, pursuant to its home rule power, the County of Cook may exercise any power and perform any function relating to its government and affairs, including the power to regulate for the protection of the public health, safety, morals and welfare; and,

WHEREAS, the official seal of Cook County (“County Seal”) is an important symbol of the government of Cook County which is used by Cook County government officials, departments and agencies to convey, and does convey, the official imprimatur of the Cook County government; and

WHEREAS, when members of the public see the County Seal on any communication or object, they are likely to believe, and do reasonably believe, that the person or entity displaying the County Seal is a Cook County government official, department or agency, and that the communication or object has been approved by a Cook County government official, department or agency; and thus the display of the County Seal communicates official approval by Cook County government and an association with official Cook County government business; and

WHEREAS, from time to time, private persons or entities have displayed the County Seal on various communications and objects with the intent and/or the effect of misleading and confusing members of the public into believing that the private person or entity is acting as a representative of the Cook County government and/or acting on official Cook County business; and

WHEREAS, examples of potential fraudulent misuse of the County Seal include, but are not limited to, the use of the County Seal on letters from non-government entities offering property tax appeal assistance under the ruse of gathering sensitive personal financial information and the use of the County Seal by private persons to gain entry to the residences and workplaces of people living and doing business in Cook County under the false pretense of being Cook County government officials or employees; and

WHEREAS, such fraudulent use of the County Seal puts the most vulnerable members of the public at financial and physical risk and creates a public safety danger;

NOW, THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners, that Part I General Ordinances, Chapter 2 - Administration, Article I - In General, Section 2-1 of the Cook County Code is hereby amended as follows:

Sec. 2-1. - Official Seal.

(a) Establishment and use. The seal hereinafter described, and used with or without colors, shall be and is hereby established, created and declared to be the official seal of the County. For general use, the plain impression on white containing the figures and symbols hereinafter described shall be sufficient.

(b) Description. The seal shall be circular having within its center an outline of the map of the County across which is a scroll bearing the legend "January, 1831" marking the time the County was created by the State legislature; in the lower left portion of the design there appears an illustration of a ship sailing on Lake Michigan, symbolic of the County's geographical location, shipping port and, in a broad sense, all forms of transportation; in the upper right portion there appears a group of diversified buildings, symbolical of government, schools, churches, fine arts, dwellings, business and industry; with the entire design being encircled by a border upon which appears the printed words "Seal of Cook County, Illinois."

(c) Coloration. The colors of the official seal shall be as follows:

- (1) The outline map of the County, occupying the central portion of the design, shall be in gold, with its border a thin black line;
- (2) The scroll across the face of the map shall be white, bordered by a thin black line, the date within the scroll - "January, 1831" - shall be lettered in maroon;
- (3) The sky shall be a light blue, the lake a turquoise green;
- (4) The ship shall be in maroon, except for the superstructure, which is white;
- (5) The group of diversified buildings shall be maroon;
- (6) The broad circular border, encompassing the group of symbols shall be in cobalt (blue), edged on both the inner and outer sides with a fine line of gold;
- (7) The lettering - "Seal of Cook County, Illinois" - which appears on the cobalt border, shall be in gold.

(d) No person, as defined by §1-3 of this Chapter of the Cook County Code of Ordinances, shall use or display any image or likeness of the seal described in this section for the purpose of conveying, or in a manner that is reasonably likely to convey, the false impression of endorsement, sponsorship or approval by the government of Cook County or by any official, department, agency or instrumentality thereof. Any person violating this provision shall be ordered to cease and desist in such use and shall be subject to a fine as set forth by the Cook County Board of Commissioners in Chapter 32, section 32-1 of this Code. The determination as to the imposition of penalties under this Section shall be determined in the Cook County Department of Administrative Hearings pursuant to Chapter 2, Article IX, of the Cook County Code of Ordinances. Nothing herein prohibits a duly authorized Cook County official, or a person acting under his or her direction, from using or displaying any image or likeness of the seal described in this section.

~~(d)~~(e) Custody. The official seal shall be kept in the custody of the County Clerk to be used by the County Clerk when required.

NOW, THEREFORE, BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Part I General Ordinances, Chapter 32 - Fees, Sec. 32-1-Fee Schedule, Chapter 2-Administration, 2.1, of the Cook County Code is hereby amended as follows:

If any person violates this provision, in addition to such other equitable remedies, the penalties shall be:

1.For a first violation, such person shall be subject to a fine of not less than \$50 nor more than \$250;

2.For any subsequent violation, such person shall be subject to a fine of not less than \$250 or nor more than \$500.00

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

Legislative History: 6/10/15 Board of Commissioners referred to the Criminal Justice Committee

A motion was made by Vice Chairman Moore, seconded by Commissioner Boykin, that this Ordinance Amendment be recommended for deferral. The motion carried by the following vote:

Ayes: Chairman García, Vice Chairman Moore, Commissioners Boykin, Daley, Fritchey, Gainer, Gorman, Murphy, Silvestri, Sims, Steele and Suffredin (12)

Absent: Commissioners Arroyo, Butler, Goslin, Schneider and Tobolski (5)

ADJOURNMENT

A motion was made by Vice Chairman Silvestri, seconded by Commissioner Steele, that this meeting be adjourned. The motion carried by the following vote:


Ayes: Chairman García, Vice Chairman Moore, Commissioners Boykin, Daley, Fritchey, Gainer, Gorman, Murphy, Silvestri, Sims, Steele and Suffredin (12)

Absent: Commissioners Arroyo, Butler, Goslin, Schneider and Tobolski (5)

Respectfully submitted,



Chairman



Secretary

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