

**SUBSTITUTE PROPOSED ORDINANCE FOR FILE ID 14-1557**

**Sponsored by:** LARRY SUFFREDIN, County Commissioner

**AN ORDINANCE ALLOWING FOR THE CREATION OF A MUNICIPAL OR SPECIAL DISTRICT INSPECTOR GENERAL**

**NOW THEREFORE BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 46 Law Enforcement, Article II, Sheriff, Division 4, Municipal Inspector General of the Cook County Code, Sections 46-93 – 46-101 is hereby enacted as follows:

**Sec. 46-93. Title**

This amendment shall be known and cited as the Cook County Municipal Inspector General Ordinance.

**Sec. 46-94. Definitions**

*Municipality* shall mean any city, village, town or other municipal entity, except the city of Chicago, whether such city, village, town or municipal entity is located partially or wholly within Cook County.

*Compliance Audit* shall have the meaning ascribed to it in the Illinois State Auditing Act and any additional auditing powers declared in Section YY below.

*Financial Audit* shall have the meaning ascribed to it in the Illinois State Auditing Act and any additional auditing powers declared in Section YY below.

*Performance Audit* shall have the meaning ascribed to it in the Illinois State Auditing Act and any additional auditing powers declared in Section YY below.

*Comptroller* means the Comptroller of the State of Illinois.

*Sheriff* means the Cook County Sheriff.

*Special District* includes any

- (1) Cemetery Association established and organized pursuant to 70 ILCS 105/1, *et. seq.*;
- (2) Drainage District established and organized pursuant to 70 ILCS 605/1, *et. seq.*;
- (3) Mosquito Abatement District established and organized pursuant to 70 ILCS 1005/1, *et. seq.*;
- (4) River Conservancy District established and organized pursuant to 70 ILCS 2105/1, *et. seq.*;
- (5) Sanitary District established and organized pursuant to 70 ILCS 2805/0.01, *et. seq.*, 70 ILCS 2405/1, *et. seq.* or 70 ILCS 2805/1 *et. seq.*;

(6) Street Lighting District established and organized pursuant to 70 ILCS 3305/1, *et. seq.*;

(7) Water Commission established and organized pursuant to 65 ILCS-135-1, *et. seq.*;

that operates and is located within the boundaries of Cook County, Illinois and to which the President of the Cook County Board of Commissioners appoints the members of the governing body of the Special District.

**Sec. 46-95. Establishment of a Municipal Inspector General or Special District Inspector General.**

If any Municipality fails to file two consecutive annual audit reports or annual financial reports with the Comptroller as required pursuant to the Governmental Account Audit Act, 50 ILCS 310/01 *et. seq.*, and the Comptroller has not caused an audit of such Municipality's finances to be performed within the twelve months of the close of the fiscal year of the second consecutive unfiled annual audit report or annual financial report, the Cook County Board President may, upon a majority vote of the Cook County Board, create the Office of Municipal Inspector General for such Municipality and appoint the Sheriff to such Office of Municipal Inspector General for a period of at least 90 days; however, the term of Municipal Inspector General may be extended by a majority vote of the Cook County Board.

If any Special District fails to file two consecutive annual The Cook County Board President may, upon a majority vote of the Cook County Board, create the Office of Municipal Inspector General for any Special District that fails to file two consecutive full, complete, unabridged and unedited audited financial statements with the Cook County Treasurer as required pursuant to the Cook County Taxing District Debt Disclosure Act, Sec. 2-243 of the Cook County Code, the Cook County Board President, may upon a majority vote of the Cook County Board, may create the Office of Special District Inspector General for such Special District and appoint the Sheriff to such Office of Special District Inspector General for a period of at least 90 days; however the term of Special District Inspector General may be extended by a majority vote of the Cook County Board.

**Sec. 46-96. Appointment.**

If the Office of Municipal Inspector General or Special District Inspector General is created, the Sheriff shall be appointed as the Municipal Inspector General or Special District Inspector General; however the Sheriff may conduct any investigation or audit in consultation or coordination with the Comptroller, ~~or~~ the Cook County Office of the Comptroller, or the Cook County Treasurer as determined by the Sheriff.

**Sec. 46-97. Powers and Duties.**

In addition to the rights and responsibilities conferred to the Sheriff under Section 3-6021 of the Counties Code as the conservator of the peace for Cook County, the Municipal Inspector General or Special District Inspector General may:

- (a) Exercise a general supervision over all the officers of the subject Municipality or Special District charged in any manner with the receipt, collection, or disbursement of the municipal or Special District revenue, or with the collection and return of the municipal or Special District revenue, or with the collection and return of the municipal or Special District revenue into the treasury.

- (b) Have custody and control of all municipal or Special District documents, books and papers designated by the corporate authorities.
- (c) Have the right to prepare and submit to the Municipality's or Special District's corporate authorities and Cook County Board a report of the Municipal Inspector General's or Special District Inspector General's estimate, as nearly as may be, of the money necessary to defray the expenses of the Municipality or Special District in the current fiscal year. For the purpose of making this report, the Municipal Inspector General or Special District Inspector General is authorized to require all officers to submit statements of the condition and expenses of their respective offices or departments, with any proposed Municipal or Special District improvements and the probable expense of those improvements, all unperformed contracts, and the amount of all unexpended appropriations of the preceding year.
- (d) Prepare an annual audit or annual financial report required under state law or Cook County ordinance for the most recent fiscal year and any proceeding year, and file such audit or financial report with the Comptroller or Cook County Treasurer. For the purpose of making this report, the Municipal Inspector General or Special District Inspector General is authorized to take custody and control of all municipal or Special District documents, books and papers designated by the corporate authorities for the most recent fiscal year or any proceeding years.
- (e) Complete or order any Compliance Audit, Financial Audit, or Performance Audit for the current year or any proceeding years, as deemed necessary, including, but not limited to, an audit of the subject Municipality's or Special District's:
  - 1. Criminal investigation reports;
  - 2. administrative investigation reports;
  - 3. firearm tracing records;
  - 4. officer ethics;
  - 5. the carry and use of weapons;
  - 6. search and seizure procedures;
  - 7. procedures for arrests with and without warrants;
  - 8. alternatives to arrest;
  - 9. the use of officer discretion;
  - 10. strip searches and body cavity searches;
  - 11. profiling;
  - 12. use of reasonable force;
  - 13. use of deadly force;
  - 14. use of authorized less than lethal weapons;
  - 15. reporting uses of force;
  - 16. weapons and ammunition;
  - 17. weapons proficiency and training;
  - 18. crime analysis;
  - 19. purchasing and requisitions;
  - 20. department property;
  - 21. inventory and control;
  - 22. issue and reissue;
  - 23. recruitment;
  - 24. training attendance;
  - 25. lesson plans;
  - 26. remedial training;
  - 27. officer training record maintenance;
  - 28. department animals;

29. response procedures;
30. pursuit of motor vehicles;
31. roadblocks and forcible stops;
32. missing or mentally ill persons;
33. use of equipment;
34. use of vehicle lights and sirens;
35. equipment specifications and maintenance;
36. vehicle safety restraints;
37. authorized personal equipment;
38. protective vests and high risk situations;
39. mobile data access;
40. in-car video and audio;
41. case file management;
42. investigative checklists;
43. informants;
44. cold cases;
45. polygraphs;
46. shift briefings;
47. interviews of witnesses and suspects;
48. line-ups and show-ups;
49. confidential information;
50. juvenile operations;
51. offenders, custody, and interrogation;
52. crime prevention and community interface;
53. critical incident response and planning;
54. hostage negotiation;
55. search and rescue;
56. special events;
57. personnel, equipment, and facility inspections;
58. victim/witness rights, preliminary contact, and follow up;
59. next of kin notification;
60. traffic stops and approaches;
61. speed-measuring devices;
62. DUI procedures;
63. traffic collision reporting and investigation;
64. citation inventory, control and administration;
65. escorts;
66. towing procedures;
67. detainee searches and transportation;
68. search and inventory of vehicles;
69. escape prevention procedures and detainee restraint;
70. sick, injured, and disabled detainees;
71. vehicle safety;
72. holding facility standards;
73. collection and preservation of evidence including but not limited to:
  - i. photos;
  - ii. video;
  - iii. fingerprints;
  - iv. computers;
  - v. records;
  - vi. DNA samples;
  - vii. controlled substances;

- viii. weapons;
- ix. and/or physical evidence;
- 74. police report standards and format;
- 75. submission of evidence to laboratories;
- 76. follow up of outstanding cases; and/or
- 77. application for charges with the State's Attorney, United States Attorney, Attorney General, or other prosecuting authority.

**Sec. 46-98. Audit Expenses.**

The expenses of any audit and investigation conducted or ordered by the Municipal Inspector General or Special District Inspector General pursuant to this Ordinance shall be paid by the subject Municipality or Special District. Payment shall be ordered by the subject Municipality or Special District out of the funds of the Municipality or Special District and such Municipality or Special District authorities shall make provision for payment. Contracts for the performance of audits required by this Ordinance may be entered into without competitive bidding. If the audit is made by a licensed public accountant retained by the Municipal Inspector General or Special District Inspector General or the State Comptroller, the subject municipality or Special District shall pay for the audit.

**Sec. 46-99. Cooperation.**

During the term of the Municipal Inspector General or Special District Inspector General, it shall be the duty of every officer, employee, contractor, subcontractor and licensee of the Municipality or Special District to cooperate with the Municipal Inspector General or Special District Inspector General in the management and day-to-day operations of governmental functions and law enforcement duties and public safety initiatives overseen by the Municipal Inspector General or Special District Inspector General.

**Sec. 46-100. Auditing Duties.**

This Ordinance does not relieve the subject Municipality, Special District, Comptroller, any other governmental entity or any officer of such entity of the duties required by law with respect to the auditing of public funds or the disbursement of public funds.

**Sec. 46-101. Severability.**

If any provision, clause, section, part or application of this chapter to any person or circumstance is declared invalid by any court of competent jurisdiction, such invalidity shall not affect, impair or invalidate the remainder hereof or its application to any other person or circumstance. It is hereby declared to be the legislative intent of the Cook County Board that this chapter would have been adopted had such invalid provision, clause, section, part or application not been included herein.