



**Board of Commissioners of Cook County
Minutes of the Criminal Justice Committee**

1:15 PM

Wednesday, February 20, 2019

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

ATTENDANCE

Present: Moore, Johnson, Anaya, Britton, Daley, Degnen, Gainer, Lowry, Miller, Morrison, Morrison, Silvestri, Sims, Suffredin and Tobolski (15)
Absent: Arroyo and Deer (2)

PUBLIC TESTIMONY

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

- 1. Sheila Bedi, Northwestern Pritzker School of Law**
- 2. Lydia Dana, University of Illinois, Chicago**
- 3. George Blakemore**
- 4. Olivia Albrecht, BPNC**

19-1340

COMMITTEE MINUTES

Approval of the minutes from the meeting of 09/11/2018

A motion was made by Commissioner Silvestri, seconded by Commissioner Suffredin, to approve 19-1340. The motion carried by the following vote:

Ayes: Moore, Johnson, Anaya, Britton, Daley, Degnen, Gainer, Lowry, Miller, Morrison, Morrison, Silvestri, Sims, Suffredin and Tobolski (15)
Absent: Arroyo and Deer (2)

19-0687

Sponsored by: ALMA E. ANAYA, LUIS ARROYO JR, SCOTT R. BRITTON, JOHN P. DALEY, DENNIS DEER, BRIDGET DEGNEN, BRIDGET GAINER, BRANDON JOHNSON, BILL LOWRY, DONNA MILLER, STANLEY MOORE, KEVIN B. MORRISON, SEAN M. MORRISON, PETER N. SILVESTRI, DEBORAH SIMS, LARRY SUFFREDIN and JEFFREY R. TOBOLSKI, Cook County Board Of Commissioners

PROPOSED ORDINANCE

TO REGULATE THE REGIONAL GANG INTELLIGENCE DATABASE

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 46 Law Enforcement, Article II, Sheriff, Division sections 46-37.4 through 46-37.5 of the Cook County Code, is hereby enacted as follows:

Sec. 46-37.4 An Ordinance to regulate the Regional Gang Intelligence Database

(a) The Office of the Sheriff shall be prohibited from finalizing negotiations with any law enforcement agency that would discontinue the Cook County Sheriff's current management of the Regional Gang Intelligence Database (RGID) until any pending investigations or requests pertaining to RGID with the Office of the Independent Inspector General (OIIG) are completed and made public and a public hearing on the matter is held.

(b) The Office of the Sheriff shall be prohibited from designating any individual a gang member and/or inputting any individual's information into any gang database, unless the OIIG concludes that these gang designations have a legitimate law enforcement related purpose that outweighs the harm caused to individuals who are designated as gang members, and in those circumstances the gang designations must be verified in accordance with professionally accepted standards and be submitted to regular audits.

(c) Such designations must also be free from racial discrimination.

(d) The Office of the Sheriff shall provide individuals notification of their designation and an opportunity to challenge this designation. Such an appeal process should be developed with experts and advocates on this topic to ensure it is not costly or burdensome to individuals.

(e) The Office of the Sheriff shall further be prohibited from sharing gang designations and/or information contained in RGID with any third party, except that the OIIG may access RGID for the sole purpose of auditing its policies and practices.

(f) The Office of the Sheriff is required to provide a written notice to every individual who is currently or who has been designated a gang member since 2013 in one or more of databases the Sheriff has access to. The notice will state:

- (1) The date the individual was designated a gang member, associate, and/or affiliate;
- (2) The gang(s) with which the individual is alleged to have been affiliated;
- (3) The basis for the designation and the location where the designation took place;
- (4) The name of the officer(s) who made the initial designation;
- (5) Any external agencies that have access to that designation, and the dates on which any (6) external agency accessed that designation;
- (6) And the most recent date of any audit or assessment of the accuracy of that designation.

(g) On an annual basis, the Office of the Sheriff will publish both a statement detailing the actions it has taken to comply with the requirements of this ordinance, data about the individuals designated as gang affiliated, and data and status on appeals received, disaggregated by:

- (1) Race/ethnicity;
- (2) Gender;
- (3) Age;
- (4) Alleged gang affiliation(s);
- (5) Basis for identifying gang affiliations(s);
- (6) Location of police interaction that led to designation(s);
- (7) Date of first designation(s);
- (8) Number of arrests for serious or violent crime(s);
- (9) Number of individuals added while detained at Cook County Jail;
- (10) Number and status of appeals upon notification and
- (11) Basis for null descriptions.

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

A motion was made by Commissioner Anaya, seconded by Commissioner Suffredin, to accept as substituted 19-0687. The motion carried by the following vote:

Ayes: Moore, Johnson, Anaya, Britton, Daley, Degnen, Gainer, Lowry, Miller, Morrison, Morrison, Silvestri, Sims, Suffredin and Tobolski (15)

Absent: Arroyo and Deer (2)

(REPLACES PREVIOUSLY ISSUED SUBSTITUTE ISSUED ON 2/15/2019)

REVISED PROPOSED SUBSTITUTE TO PROPOSED ORDINANCE #19-0687

CRIMINAL JUSTICE COMMITTEE

FEBRUARY 20, 2019

Sponsored by: ALMA E. ANAYA, LUIS ARROYO JR, SCOTT R. BRITTON, JOHN P. DALEY, DENNIS DEER, BRIDGET DEGNEN, BRIDGET GAINER, BRANDON JOHNSON, BILL LOWRY, DONNA MILLER, STANLEY MOORE, KEVIN B. MORRISON, SEAN M. MORRISON, PETER N. SILVESTRI, DEBORAH SIMS, LARRY SUFFREDIN and JEFFREY R. TOBOLSKI,
Cook County Board of Commissioners

TO PROHIBIT THE USE OF THE TERMINATED REGIONAL GANG INTELLIGENCE DATABASE (RGID) AND AFFILIATED DATA

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 46 Law Enforcement, Article II, Sheriff, Division sections 46-37.4 through 46-37.5 of the Cook County Code, is hereby enacted as follows:

Sec. 46-37.4 An Ordinance to Prohibit the Use of the Terminated Regional Gang Intelligence Database and Affiliated Data

- (a) The Office of the Sheriff is prohibited from maintaining the Regional Gang Intelligence Database effective January 15, 2019. Current records shall remain isolated.

- (b) The Office of the Sheriff will enact the final destruction of Regional Gang Intelligence Database per the State of Illinois Local Records Act (50 ILCS 205). The Office of the Sheriff shall notify the Board of Commissioners upon submission of their Local Records Disposal Certificate for the Regional Gang Intelligence Database.

- (c) The Office of the Sheriff shall be prohibited from recommissioning or otherwise placing Regional Gang Intelligence Database back in service.
- (d) The Office of the Sheriff is prohibited from inputting any individual's information into any external gang designation database.
- (e) The Office of the Sheriff is prohibited from sharing gang designation and information previously contained within the Regional Gang Intelligence Database.
- (f) The Criminal Justice Committee will hold a public hearing to review how Regional Gang Intelligence Database has been used within ninety (90) days after the adoption of this ordinance.

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

A motion was made by Commissioner Anaya, seconded by Commissioner Morrison, to recommend for approval as substituted 19-0687. The motion carried by the following vote:

Ayes: Moore, Johnson, Anaya, Britton, Daley, Degnen, Gainer, Lowry, Miller, Morrison, Morrison, Silvestri, Sims, Suffredin and Tobolski (15)

Absent: Arroyo and Deer (2)

ADJOURNMENT

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

Ayes: Moore, Johnson, Anaya, Britton, Daley, Degnen, Gainer, Lowry, Miller, Morrison, Morrison, Silvestri, Sims, Suffredin and Tobolski (15)

Absent: Arroyo and Deer (2)

Respectfully submitted,



Chairman



Secretary

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