

Chicago Defender (Chicago, Illinois)

CHICAGO DEFENDER

May 4, 2007 - May 6, 2007

Daley plan would sever discipline office from CPD

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SECTION: OUR CITY; Pg. 3 Vol. 101 No. 205 ISSN: 0745-7014

LENGTH: 1404 words

ABSTRACT

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"If you make a diverse group, the more the merrier," [Hal Baskin] said. "The three judges would be in charge in looking at all of the information and would make the final say so. If you listened at the press conference, you would've realized that they were really unclear on who would have the final say so. I'll applaud the efforts of all those involved, but it has got to be a total separation from the Chicago Police Department."

"I have the greatest respect for these police officers, and I know the people of Chicago do, as well," Daley said. "I believe the people of Chicago will have even more respect for our police officers under this new system, because they'll no longer associate the vast majority of good officers with the few bad ones. They'll be confident that officers who misbehave are being dealt with fairly and appropriately."

FULL TEXT

Mayor Richard M. Daley announced Thursday that it is time to separate the Office of Professional Standards from the controls of the Chicago police.

Daley said that he will propose to the City Council on Wednesday an ordinance that would make OPS its own separate department in city government with the department's chief administrator reporting directly to the mayor.

The administrator currently reports to the police superintendent.

"I've made it clear that misconduct in the department cannot and will not be tolerated in the City of Chicago," Daley said at a City Hall news conference. "It's why I named a panel of prominent Chicagoans, headed by former Police Superintendent Terry Hillard last fall to lead the search for a new head of the Office of Professional Standards. And it's why I asked my staff to develop other reforms in the OPS process, including the fundamental reform we're announcing

"Since then we've learned about disturbing instances of misconduct by Chicago police officers. They've angered me and they've angered almost everyone else in our city.

"We must assure every Chicagoan that we are doing everything possible to prevent abuse by police."

The new independent OPS department reforms were crafted by Hillard; Ald. Isaac Carothers (29th), chair of the City Council's Police and Fire Committee; and leaders of community organizations and faith-based groups, according to a press release from the Mayor's Office.

The new OPS plan, if approved, will allow the mayor to appoint the chief administrator with approval of the selection from City Council. Daley said he intends to choose a chief administrator from among three candidates who will be recommended by a screening panel led by Hillard.

Unlike the current OPS, the new department will have subpoena power. In addition, if an OPS investigation is not completed within six months, the chief administrator must give an explanation to Daley and the City Council's Police and Fire Commission.

After recommendations are made by the OPS board, the police superintendent must act within 90 days of receiving a disciplinary recommendation. If he doesn't follow the OPS recommendation, the police superintendent must explain why in writing. If no disciplinary action takes place within 90 days, the OPS decision would take effect without the superintendent's approval.

There are currently no laws in place to set an OPS deadline on disciplinary recommendations.

Daley also is proposing that summary OPS reports be open to public inspection as permissible by the Freedom of Information Act and collective bargaining agreements.

Critics of the mayor's plan wasted no time voicing their opinions after the conference.

Rev. Jesse Jackson, president of the Rainbow/PUSH Coalition, said in a press conference shortly after Daley's that the proposed OPS reforms don't go far enough, and he wants to see an independent police review board that includes civilian members.

"The OPS does not have the depth, the credibility or the power to address this crisis in the police department," Jackson said. "The level of police corruption, beatings and torture and cover-ups over a long period of time requires an independent review board with subpoena power."

"The Mayor's Office, over a 20-year period, the State's Attorney Office and the former police chief must be subjected to sworn testimony," Jackson continued.

"The Jon Burge case, for example, is our own (scandal) of people who have now been proven by DNA tests and testimony to have been innocent and have been tortured into confession. And over a 20-year period, there must be no stone unturned as to who is subjected to investigation."

Hal Baskin, activist and CEO of the People Educated Against Crime in Englewood, told the Defender Thursday that he's also disappointed in the Daley's proposal.

"It's a great gimmick," Baskin said. "I was one of the first to tell you weeks ago that this city needs an independent citizens' review board."

What the mayor said, it's a good first step, but it's a flawed first step in that the board is not truly independent."

"Of those who put this plan in place, you really haven't had anyone (on that committee) from the community who has dealt with OPS. If it's a union situation, they need to work that with that out with the union. They need to have one independent person who decides if an officer is fired."

Baskin said he would like to see a review board with as many as 24 people, including three former judges - one African American, one white and one Hispanic - who would review all the information and make a final determination on any type of disciplinary action taken upon an officer. He said if two judges voted no on an action, and one vote yes, the majority votes should rule.

"If you make a diverse group, the more the merrier," Baskin said. "The three judges would be in charge in looking at all of the information and would make the final say so. If you listened at the press conference, you would've realized that they were really unclear on who would have the final say so. I'll applaud the efforts of all those involved, but it has got to be a total separation from the Chicago Police Department."

Jackson wants to see an independent review board mixed with citizens, some former police officers and lawyers, he said. Any official who may have had knowledge about the Jon Burge case and did nothing about it shouldn't be allowed to serve on the board in any capacity, he added. The Jon Burge Report, released in July of last year, indicated that nearly 200 African American men were allegedly tortured in the '80s into making false confessions in a South Side precinct by former Chicago police Lt. Jon Burge and some officers under his command.

"The make up (of the board) must be of public people who are not seen aligned with the mayor," Jackson said "...It does not go far enough... We (African Americans and other minorities) have not had good experiences with OPS."

On an independent board, Jackson said he would want to see a board member such as Lawrence C. Marshall, co-founder of the Center on Wrongful Convictions at Stanford Law School in Palo Alto, Calif., and who helped overturn many wrongful convictions as a professor at Northwestern University School of Law.

"Where we stand at Operation/PUSH, we need a credible independent review board," Jackson said.

Daley emphasized that he believe that the majority of police officers are honest, hard working and ethical.

"I have the greatest respect for these police officers, and I know the people of Chicago do, as well," Daley said. "I believe the people of Chicago will have even more respect for our police officers under this new system, because they'll no longer associate the vast majority of good officers with the few bad ones. They'll be confident that officers who misbehave are being dealt with fairly and appropriately."

Other members of OPS screening panel include Rita Fry, former Cook County Public Defender; Rev. Michael Pfleger, pastor of St. Sabina Church; attorney Andre Grant; and Juan Rangel, executive director of the **United Neighborhood Organization**.

LOAD-DATE: August 25, 2007

LANGUAGE: ENGLISH

ACC-NO: 29382

GRAPHIC: IMAGE PHOTOGRAPH, Mayor Daley

DOCUMENT-TYPE: General Information

PUBLICATION-TYPE: Newspaper

JOURNAL-CODE: BNCD