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Chicago, IL 60606

May 24, 2021

To: Chairman Scott Waguespack
Chairman Chris Taliaferro
Members of the City Council Finance and Public Safety committees
From: Marie C. Dillon, Director of Policy, Better Government Association
Re: Police misconduct investigations/transparency

Dear Aldermen:

Last month, the Better Government Association submitted written testimony urging you to advance SO2020-3999, which would create a public repository of closed police disciplinary investigations. **The BGA does not support the version before you today and urges a NO vote.** This pretend “compromise” defeats the intent of the previous ordinance and should not become law.

The previous version of the ordinance set out an orderly and cost-effective plan to make completed police misconduct investigations accessible to the public. Courts have repeatedly held that these are public records, but those who try to access them continue to encounter stiff resistance. A vote for this revised ordinance is a vote for more of the same.

[A BGA analysis](#) of 10 years worth of rulings by the Illinois Public Access Counselor found, for example, that the Chicago Police Department failed to respond to Freedom of Information requests more often than any government body in the state. Think about that: Public requests for public documents are ignored routinely. The same analysis found that when CPD did respond to requests with denials, it claimed an improper exemption 46 percent of the time. Improper denials cost taxpayers millions of dollars in legal fees, as [a BGA story](#) detailed this month.

The ordinance before you would perpetuate this costly stonewalling. It would reduce what was envisioned as a comprehensive repository of vital public records to a simple index that includes only a fraction (less than 10 percent) of those records — and not the ones that are most important for the public to see. Any meaningful examination of investigative outcomes will still have to go through the long, expensive and adversarial process that the previous ordinance was meant to address. A vote for the current version is a vote for continued disregard for transparency around police misconduct and the attendant waste of taxpayer dollars.

It is disappointing to have to make this case today given the current state of police-community relations in Chicago, a situation that is the direct result of historic failures of police oversight. We know about those failures largely because the press and public have been willing to fight long and hard for access to these disciplinary records. They shouldn't have to.

I encourage you to enact an ordinance that sets the standard for proactive transparency that this administration promised and the citizens of Chicago deserve. The version before you does nothing of the sort.

Please feel free to contact me with any questions.

Sincerely yours,



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The BGA is a nonprofit, non-partisan watchdog organization, based in Chicago, that focuses on transparency, accountability and efficiency in government.