

~~SUBSTITUTE~~
ORDINANCE

SECTION 1: Section 2-56-030 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

2-56-030 Inspector General – Powers and duties.

In addition to other powers conferred herein, the Inspector General shall have the following powers and duties:

(Omitted text is unaffected by this ordinance)

(l) To select, subject to the approval of the City Council, and supervise the Deputy Inspector General for Public Safety established by Sections 2-56-200 through 2-56-280 of this Chapter; and

(m) To receive and address complaints of sexual harassment in violation of Chapter 2-156 in accordance with Section 2-56-050; and, -

(n) To receive and investigate alleged violations of Section 2-152-165.

SECTION 2. Chapter 2-152 of the Municipal Code of Chicago is hereby amended by inserting a new Section 2-152-165, as follows:

2-152-165 Restrictions on Actively Participating in Extremist Activity.

(a) *Definitions.* For the purposes of this section:

(1) "Actively participate" means engaging in any of the following, unless within the scope of a particular officer's or employee's duties, such as conducting confidential or undercover investigations:

(A) advocating or engaging in the use or threat of unlawful violence in support of extremist activities;

(B) advocating for, or providing material support or resources to, individuals or organizations that promote or threaten the unlawful use of violence in support of extremist activities, with the intent to support such promotion or threats;

(C) knowingly communicating any confidential or non-public information obtained by reason of their position or employment in support of extremist activities;

(D) recruiting or training others to engage in extremist activities;

(E) fundraising for, or making personal contributions through donations of any kind, including the solicitation, collection, or payment of fees or dues, to a group or organization that engages in extremist activities, with the intent to support those activities;

- (F) creating, organizing, taking a leadership role, or otherwise being an active member in a group or organization that engages in or advocates for extremist activities, with knowledge of those activities;
- (G) actively demonstrating or rallying in support of extremist activities, but not merely observing such demonstrations or rallies as a spectator;
- (H) attending a meeting or activity with the knowledge that the meeting or activity involves extremist activities, with the intent to support those activities, when the nature of the meeting or activity constitutes a breach of law and order or is otherwise in violation of any applicable provision of federal, state, or local law, rules, or regulations;
- (I) distributing literature or other promotional materials the primary purpose and content of which is to advocate for extremist activities, with the intent to promote that advocacy;
- (J) knowingly receiving material support or resources from a person or organization that advocates or actively participates in extremist activities with the intent to use the material support or resources in support of extremist activities;
- (K) using any City property to support extremist activities, including by knowingly accessing internet web sites or other materials that promote or advocate extremist activities;
- (L) knowingly displaying paraphernalia, words, or symbols in support of extremist activities or in support of groups or organizations that support extremist activities, such as flags, clothing, tattoos, and bumper stickers;
- (M) engaging in electronic and cyber activities regarding extremist activities, or groups that support extremist activities, including posting, liking, sharing, "re-tweeting", or otherwise distributing or publishing content on any personal or public Internet domains, social media sites, blogs, websites, and internet enabled applications, when such action is taken with the intent to promote or otherwise endorse extremist activities; and
- (N) knowingly taking any other action in support of, or engaging in, extremist activities, when such conduct would constitute a breach of the public trust or conduct unbecoming of a City office or employee.

(2) "Active member" means a person who knowingly is a member of any organization that supports, engages in, or advocates for extremist activities, with knowledge of those activities and a specific intent of furthering the aims of, adherence to, or overt participation in such activities.

(3) "Advocacy" means the knowing and intentional recommendation, expression, indoctrination, teaching, publication, promotion, or otherwise furthering by overt act.

(4) "Extremist activities" means advocating, engaging in, or supporting the overthrow of any federal, state, or local government of the United States by violence, or seeking to alter the form of these governments by unconstitutional or other unlawful means, including but not limited to by means of treason, sedition, insurrection, rebellion, or related offenses whether this conduct was individually or in coordination with others. This definition shall apply regardless of political, religious, or ideological motivation.

(b) *Prohibition.* No City officer, contractor, employee, sister agency employee or contractor, member of the police department, supervisory employee, or other employee whose position in City government grants them access to sensitive locations, buildings, infrastructure, systems, or information, shall actively participate in any extremist activities

whether they are an active member of an extremist group or actively participate in extremist activity as an individual.

(c) Administration and Enforcement.

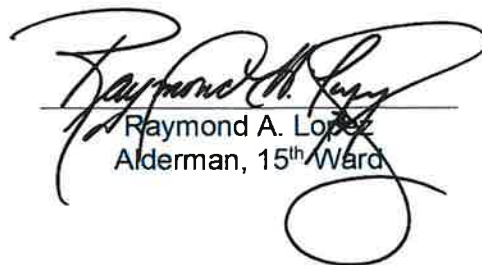
(1) The Commissioner shall issue updated personnel rules, in accordance with Section 2-74-050, as may be necessary to implement this section. The Commissioner, in consultation with the Inspector General and the Superintendent of Police, shall develop and regularly update a list of organizations engaging extremist activity. In implementing this section, the Commissioner may, subject to and in accordance with applicable law, establish procedures to inquire or investigate whether any City officer or employee, or any applicant for employment with the City, has actively participated in any extremist activity.

(2) Complaints of violation of this section shall be referred to the Inspector General. Whenever the Inspector General receives a complaint of violation of this section, the Inspector General shall investigate and determine whether a violation has occurred. The Inspector General shall inform the Commissioner and the head of the applicable department, board, or other City agency of any such violations for discipline in accordance with this section.

(3) Any City officer or employee who actively participates in any extremist activity shall be subject to discipline, including discharge, termination, removal from office under Section 2-152-160, or such other discipline as may be specified in an applicable collective bargaining agreement.

(4) Any decision to discipline or terminate a City officer or employee, or to reject an applicant for employment with the City, pursuant to this section or any rules promulgated hereunder, shall be consistent with such applicant's, officer's, or employee's constitutional rights, as contained in the First, Fifth, and Fourteenth Amendments of the United States Constitution, Article I of the Illinois Constitution, any applicable rights under federal, state, or local law, or any rights under an applicable collective bargaining agreement. Notwithstanding the foregoing, this section shall not apply to the following conduct, each as interpreted by applicable case law: (A) the mere expression, teaching, publication, or other promotion of abstract doctrines or the moral propriety or necessity of using violence without the knowledge or intention to bring about, or that is unrelated to, the incitement of imminent lawless action or any action that would constitute a material and substantial disruption to City government; (B) nominal, inactive, purely technical, expression of agreement or sympathy, or other forms of passive membership in or support of any organization, without the knowledge of, or intent to further, any such organizations activities or other conduct that would be subject to this section; or (C) any lawful activities or conduct by a labor organization or any member thereof.

SECTION 3: This ordinance takes effect 10 days after passage and publication.



Raymond A. Lopez
Alderman, 15th Ward