



March 1, 2016

## Police Disciplinary Records

For the city of Chicago to move forward, trust needs to be rebuilt between people in our communities and the Chicago Police Department. People have to feel that they are being treated fairly, and that those few police men and women who have abused the trust we have placed in them receive justice. Previous conduct in the line of duty is relevant in cases of police misconduct, and old records should not be destroyed.

The Chicago police contract negotiated with the unions contains a portion – **Section 8.4: Use and Destruction of File Material** – which states:

“All disciplinary investigation files, disciplinary history card entries, IPRA (Independent Police Review Authority) and IAD (Internal Affairs Division) disciplinary records and any other disciplinary record or summary of such record other than records related to Police Board cases, will be destroyed five (5) years after the date of the incident or the date upon which the violation is discovered, whichever is longer, except that not sustained files alleging criminal conduct or excessive force shall be retained for a period of seven (7) years after the date of the incident or the date upon which the violation is discovered, whichever is longer, and thereafter, cannot be used against the Officer in any future proceedings in any other forum, except as specified below ...”

Working with leaders of the West Side NAACP, President Carl Brinson and Vice-President Phyllis Logan, who are helping to lead the charge with this issue, I introduced House Bill 6266. This legislation amends the Illinois Public Labor Relations Act and provides that matters of inherent managerial policy over which employers are not required to bargain include the deletion or destruction of employee disciplinary reports, letters of reprimand, or other records of disciplinary action. It provides that nothing in the Act shall be construed to take precedence over the Personnel Record Review Act with regard to deletion or destruction of disciplinary reports, letters of reprimand, or other records of disciplinary action of peace officers. It also amends the Local Records Act and provides that all records related to complaints, investigations, and adjudications of police misconduct shall be permanently retained and may not be destroyed. It also amends the Personnel Record Review Act and provides that an employer shall not delete or destroy peace officer disciplinary reports, letters of reprimand, or other records of disciplinary action.

How does it protect us against police misconduct if official records about known misconduct are destroyed after a short period of time of only 5 or 7 years? Such a destruction of records is almost a cover-up of the misconduct. People in the city of Chicago need to feel that important records about police disciplinary actions are not destroyed. This is a simple bill that moves us all to greater justice and will help to increase the trust between our police department and the people they serve.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Ford', with a stylized flourish at the end.

La Shawn K. Ford  
State Representative-Eighth District