

OPINION

April 11, 2018

# Chicago Police Department already is controlled by civilians—in City Hall

By: RICHARD DEVINE



There are once again calls for civilian control of the police. But like it or not, Chicago already has that in the mayor and City Council.

These calls are not new; historically, they surface when issues are raised about police performance. In March, two aldermen sponsored **a proposal to create a civilian commission** to oversee the Chicago Police Department. (Since then, other alderman have floated separate proposals on police oversight, **one more radical** than the original and **one less so**.) The first proposal comes from a group called the Grassroots Alliance for Police Accountability, made up of 13 community groups.

What's often forgotten is that civilian control already exists. How that control is exercised may not be to the liking of some, but it is there. Both the mayor and the city council have a large say in how the department is run. The mayor is elected to serve as chief executive, and the police department reports to the mayor, a civilian. Aldermen wield significant influence with the department through the budget process.

Given these realities, the alliance is really proposing a change of civilian control from one group to another. Its plan transfers power from the mayor and council to a commission that would have direct control over policy-making and the tenure of the superintendent. Supporters argue that change is necessary because the mayor and city council have failed to provide effective oversight of the police department.

## OPINION

April 11, 2018

Under the alliance plan, members would be elected to councils in each police district who would then select the seven-member commission to oversee the department. That commission would set policy for the police, as well as direct the work of the Chicago Police Board and the Civilian Office of Police Accountability, commonly known as COPA.

**More:****[Can Chicago reform its police force without an order from the feds?](#)****[Groups sue seeking oversight of Chicago police reforms](#)****[Amid the violence, a police department at the crossroads](#)**

The significant power placed in the commission would apparently have few checks. In effect we would be replacing the current civilian control over the police by elected officials with a commission that would not be directly responsible to the city's residents and would have virtually no restraints on its work.

Moreover, this commission would seriously undercut the power of the superintendent to run the department. If police leadership is to be held accountable for its performance, it should have the ability to set policy for the department. The alliance proposal, in effect, creates a seven-member office of the superintendent. Such an approach blurs both authority and accountability.

Some may argue that the alliance approach is better because it provides for at least indirect community involvement through elections to district councils. The problem is that elections at that level are mostly low profile with small voter turnout, meaning a small group of motivated individuals can control the election outcome. In addition, those elected to district councils will not set policy for the police. Instead, that responsibility will be pushed to commission members selected by the councils.

We are in difficult times in Chicago and must take steps to make sure that the police department is doing all it can to make our community safe while respecting the rights of all our people. That goal will not be achieved by putting the power to make law enforcement policy in the hands of a commission that has little accountability to others for its work.

*Richard "Dick" Devine served as Cook County State's Attorney from 1996 to 2008. He is currently of counsel at Cozen O' Connor.*