



AGENDA

Human Services Committee

Monday, October 7, 2024

Lorraine H. Morton Civic Center, James C. Lytle City Council Chambers, Room 2800
5:00 PM

Page

(I) **CALL TO ORDER/DECLARATION OF A QUORUM: COUNCILMEMBER REVELLE**

(II) **APPROVAL OF MINUTES OF THE REGULAR MEETING**

HS1. **Approval of the Minutes of the Regular Meeting of September 16, 2024**

Staff recommends approval of the minutes of the regular meeting of September 16, 2024

For Action

(III) **PUBLIC COMMENT**

Those wishing to make public comments at the Human Services Committee meetings may submit written comments in advance or sign up to provide public comment by phone or video during the meeting by completing the City Clerk's Office's online form at <https://www.cityofevanston.org/government/city-clerk/public-comment-sign-up> or by calling/texting 847-448-4311.

Community members may watch the Human Services meeting online at www.cityofevanston.org/channel16 or on Cable Channel 16.

(IV) **ITEMS FOR CONSIDERATION**

- HS2. **Variation Request for Ordinance 15-O-23 Protection of Trees on Private Property** 4 - 8
- Staff requests that the Human Services Committee determine the approval or denial of a request for variation for the removal of a privately owned tree at 3439 Park Place, Evanston.
- For Action**
- [Variation Request for Ordinance 15-O-23 Protection of Trees on Private Property](#)
- HS3. **Resolution 50-R-24 Approval of an Honorary Street Name Sign Designation** 9 - 16
- Staff requests that the Human Service Committee recommend to the City Council the adoption of Resolution 50-R-24, designating that portion of Hartrey Avenue between Emerson Street and Lyons Street with the Honorary Street Name Sign, “Donald Michelin, Sr. Way.”
- Funds for the honorary street name sign program are budgeted in the Public Works Agency, Public Service Bureau - Traffic Operations' materials fund (Account 100.40.4520.65115), which has a fiscal year budget of \$68,000 and a year-to-date balance of \$34,011. The approximate cost to create the street name signs is \$200.
- For Action**
- [Resolution 50-R-24 Approval of an Honorary Street Name Sign Designation](#)
- HS4. **Ordinance 90-O-24, Specifically Allowing Building Permit Fee Waiver for Income-Eligible Seniors** 17 - 21
- The Human Service Committee recommends creating Ordinance 90-O-24, which waives permit fee payments for income-eligible seniors and seniors experiencing hardship. If approved, this item will be presented to the City Council.
- For Action**
- [Ordinance 90-O-24, Specifically Allowing Building Permit Fee Waiver for Income-Eligible Seniors](#)
- HS5. **Ordinance 87-O-24, Amending the Noise Ordinance to Prohibit Amplified Music on the Public Way** 22 - 26
- Councilmember Revelle recommends the Human Services Committee approve and send to City Council Ordinance 87-O-24 Amending the Noise Ordinance to Prohibit Amplified Music or Sounds on the Public Way.

For Action

[Ordinance 87-O-24, amending the Noise Ordinance to prohibit amplified music on the public way](#)

- HS6. **Ordinance 17-O-24, Amending the City Code to Restrict the Use of Horse-Drawn Carriages in the City** 27 - 31

The Animal Welfare Board recommends the adoption of Ordinance 17-O-24, Amending the City Code to Restrict the Use of Horse-Drawn Carriages in the City.

For Action

[Ordinance 17-O-24, Amending the City Code to Restrict the Use of Horse-Drawn Carriages in the City](#)

(V) ITEMS FOR DISCUSSION

- HS7. **Modifications to the General Assistance Program** 32 - 33

This topic was discussed at a previous meeting and tabled to the October meeting. Staff needs more time to provide information and is requesting it be tabled again at the next Human Services Meeting.

For Discussion

[Modifications to the General Assistance Program.](#)

(VI) ITEMS FOR COMMUNICATION

- HS8. **Review of Evanston Police Complaints and Comments Report** 34 - 76

Staff recommends the Human Service Committee accept and place on file the Evanston Police Complaints and Comments Report.

For Action: Accept and Place on File

[Review of Evanston Police Complaints and Comments Report](#)

(VII) ADJOURNMENT



Memorandum

To: Members of the Human Services Committee
From: Angela Levernier, Tree Preservation Coordinator
CC: Noel Rodriguez, Public Services Bureau Chief
Subject: Variation Request for Ordinance 15-O-23 Protection of Trees on Private Property
Date: October 7, 2024

Recommended Action:

Staff requests that the Human Services Committee determine the approval or denial of a request for variation for the removal of a privately owned tree at 3439 Park Place, Evanston.

CARP:

N/A

Committee Action:

For Action

Summary:

Staff received a tree preservation permit request on August 12, 2024, for a 15.2" DBH (diameter at breast height) elm (*Ulmus* sp.) at 3439 Park Place. It was assessed on August 20, 2024, by a City arborist who did not observe any decay, structural defects, or other conditions that would indicate the tree is at risk of failure at this time. It should be noted that a full risk assessment was not completed by the City. Per City code, tree removal permits are approved only when there is evidence that the tree poses a significant risk to people and/or property, and therefore, a permit was not issued. The property owner, Kristina Pierce, has applied for a variation to remove the tree.

If the Human Services Committee approves the removal, the tree would be subject to replacement and/or mitigation fee-in-lieu requirements, as outlined below.

Tree Replacement Mitigation Calculation:

DBH of removed tree= 15.2"

Coefficient (Group A) = 125% (1.25)

Caliper inch of replacement trees = 2"

$15.2" \times 1.25 / 2 = 9.5$ trees

OR

Fee-in-lieu of Trees:

Coefficient (Group A) = 125% (1.25)

Caliper inch of replacement trees = 2"

Cost of planting one replacement tree per Policy = \$200

$15.2'' \times 1.25 \times 200 / 2 = \mathbf{\$1900.00}$

Photos taken 8/20/2024 by City Arborist:



Tree in the background, partial canopy over the garage



Trunk close-up of the tree next to the fence, garage to the left

Attached is the property owner's request and explanation for the tree removal.

Legislative History:

Ordinance 15-O-23, Protection of Trees on Private Property, was passed by the City Council and went into effect on June 1, 2024. Per this ordinance, trees on private property are permitted for removal when they are dead, imminently dying, at risk of failure, hazardous to life or property, or otherwise incompatible with site use (including proposed construction).

Attachments:

[Tree Variation 10_02_24](#)

Applicant's Explanation Request for Tree Removal:

I am writing a letter to explain my hope for a variation to remove an elm tree from my backyard. I purchased my house, 3439 Park Place, from my parents in 2018 so I am very familiar with the property. There are two grown trees in the backyard, a maple tree and an elm tree. The trees are approximately 21 feet in distance from each other and both were seedlings that grew in the yard, thus not strategically planted to allow them to grow successfully in tandem once reaching maturity. It is recommended that large trees be spaced 30-50 feet apart to allow room to branch out and grow. As both trees have grown the Maple has taken over most of the backyard, leaving the elm to reach out westward to get sunlight. This has caused the elm tree to lean at a roughly 45 degree angle. This is now causing the tree to reach out over my neighbors garage. The tree is still very young, 15 inches in diameter. My neighbor and I feel it is best to remove the tree while it is young, as it will continue to reach out over her garage for sunlight as it continues to grow. Four arborists, including the City of Evanston's tree preservation coordinator, have agreed this is the case.

Upon inspection from the City of Evanston arborist while getting a tree removal permit, the arborist stated they do not feel the tree is a CURRENT threat to anyone or anything, including my neighbor's garage. While this is true, there is no uprooting, we know that in the future the tree will continue to lean in an attempt to reach for sun, thus the threat will become greater. The tree is 7 feet from the neighbors garage. Currently the price to remove this tree is around \$1000 dollars. The cost to remove it in 5-7 years will double, or likely triple due to the fast rate of growth for Elm trees. The arborist recommended trimming back the larger limbs so that we stunt the growth of the side limbs and cause the larger branch to grow faster. This will cause the larger branch to continue to increase its lean over my neighbors garage. In addition, due to the danger of Dutch Elm Disease, Elm trees can only be trimmed when dormant in the winter. Making it difficult to trim the tree to protect my neighbor's garage on an as-need basis.

I understand, value, and applaud the City of Evanston's ordinance to protect our tree canopy. Two years ago an entire row of trees was removed across the street, decimating the treescape. It was disheartening to see trees removed, and habitats destroyed. I have worked in my six years living at my property to make sure there is a plethora of homes and habitats for birds and animals. In addition to the two trees in the backyard, there are also two hedges of large arborvitae that are home to a number of cardinals and other species of birds including the rare to see blue jays! There is also a large red maple in the front yard home to squirrels, and a maple on my parkway property. Additionally, I have planted the following trees, strategy so that they can grow straight, and give them the best success in my yard. There is an apple tree, rosebud, and a jane magnolia I have planted in the front yard. There is a fig tree I planted on the

east side of the property. In the backyard there is dogwood, cherry tree, and a white oak that have been planted in addition to an arborvitae hedge that was planted when ComEd removed an oak tree two years ago when replacing power poles. That is nine trees in total (counting the hedge as one). While not directly impacting our tree canopy, I have planted a number of native perennial plants throughout my property. This provides shelter for rabbits, food for birds such as yellow finches, and limits my water use since perennials are drought hardy plants.

My point of all of this is to show you, I value our environment, and the reason for removing this Elm is because with due time, it will indeed become a hazard. I would like to remove it preemptively before damage is done to my neighbor's property and before it becomes too large and incredibly expensive to remove. Removing it now will allow birds and other critters to find homes in the nearby maple, or arborvitae trees. Soon the other trees on the property will grow large and they will find shelter there as well. As you can see I have already begun my work planting new trees and creating habitats for animals moving forward. I am happy to take all of you on a tour of my property so you can see the three I am trying to have removed as well as all the other trees and gardens I have planted. I kindly ask that you accept my request to remove the elm tree from my backyard.

Thank you,
Kristina Pierce

Ps. I have pictures and infographics of all the trees and gardens I have planted, please email me and I am happy to provide the pictures.



Memorandum

To: Members of the Human Services Committee
From: Audrey Thompson, Parks & Recreation Director
Subject: Resolution 50-R-24 Approval of an Honorary Street Name Sign Designation
Date: October 7, 2024

Recommended Action:

Staff requests that the Human Service Committee recommend to the City Council the adoption of Resolution 50-R-24, designating that portion of Hartrey Avenue between Emerson Street and Lyons Street with the Honorary Street Name Sign, "Donald Michelin, Sr. Way."

Funding Source:

Funds for the honorary street name sign program are budgeted in the Public Works Agency, Public Service Bureau - Traffic Operations' materials fund (Account 100.40.4520.65115), which has a fiscal year budget of \$68,000 and a year-to-date balance of \$34,011. The approximate cost to create the street name signs is \$200.

Committee Action:

For Action

Summary:

The Honorary Street Name Sign program was established in 1996 to allow citizens the opportunity to honor living individuals or groups that have contributed significantly to the City of Evanston through cultural, historical, or humanitarian acts.

The Parks and Recreation Board administers the program through the Parks and Recreation Department. Requests for an honorary street name sign designation have to originate with a Councilmember, and each Councilmember may have one honorary designation approved each year.

Attached is an application submitted by Councilmember Bobby Burns. If approved, three street name signs will be made. One sign will be installed at each end of the designated one-block area, and the third sign will be given to the honoree. The honorary designation expires ten years after its passage by the City Council, at which time the signs will be removed (Resolution 52-R-01).

Legislative History:

At its September 19, 2024, meeting, the Parks and Recreation Board recommended that the honorary street name sign application for Donald Michelin, Sr., be approved.

Attachments:

[Resolution 50-R-24](#)

[Honorary Street Name Sign Application](#)

50-R-24

A RESOLUTION

Designating that portion of Hartrey Avenue between Emerson Street and Lyons Street with the Honorary Street Name Sign, "Donald Michelin, Sr. Way"

WHEREAS, Donald Michelin, Sr. ("Mr. Michelin") has been a community leader, coach, and mentor in Evanston since at least 1972, when his life of community service began as a physical education teacher at Haven Middle School under former mayor Lorraine Morton, and since has been a key facilitator in a substantial number of organizations and initiatives bettering the lives of the youth of Evanston, his neighborhood, his Ward, and the City of Evanston; and

WHEREAS, Mr. Michelin has served on numerous boards and committees; however his greatest humanitarian impact is seen in his daily life of service to the young people of Evanston as a teacher, mentor, and coach; and

WHEREAS, Mr. Michelin completed his undergraduate and graduate education at Northwestern University and went on to become Principal at Haven Middle School until his retirement in 2006; and

WHEREAS, Mr. Michelin's positions and roles in Evanston include from 1985 through 2003 working as the Evanston Township High School (ETHS) Boys' Cross Country Coach, then returning to ETHS from 2009 through 2017 when he took on the role as Assistant Coach; and

WHEREAS, Mr. Michelin, during his time with District 65, was chosen to lead the Alternative School program at Family Focus because of his love for the

community and the respect he garnered from students; Mr. Michelin is currently on the Board of Kuumba Sports and the City of Evanston Parks & Recreation Board; and

WHEREAS, Mr. Michelin was loved and respected by his students at Haven Middle School, known to visit them at home, bring meals, drive around town to ensure students arrived home safely, and sit in the lunch room with students; it was apparent to all that he cared deeply about his students' lives and their academic and personal development; and

WHEREAS, Mr. Michelin would be seen at ETHS daily, checking on students' grades and homework, helping them develop leadership skills, supporting their post-graduation plans, teaching life skills, and holding free training sessions to support students; and

WHEREAS, Mr. Michelin competed in track events in 1968 and 1969 and his speed and accolades on the field earned him the nickname "Flash" – from a 100- and 200-yard dash as an Evanston Wildkit, to Suburban League Champion, to teacher and mentor, to decorated coach, Donald "Flash" Michelin always had a stake in building the Evanston Wildkit sports legacy; and

WHEREAS, Mr. Michelin was inducted to the Illinois High School Association Cross Country Track and Field Hall of Fame in 2013 and became a member of the ETHS distinguished Alumni Society in 2016; and

WHEREAS, Mr. Michelin lives in a home in Evanston built by his father and grandfather, who were builders in Evanston responsible for the construction of many homes in the Fifth Ward, including homes on each side the Michelin residence; Mr. Michelin has lived on the 1800 Block of Hartery for 72 years, always surrounded by

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his family; Mr. Michelin and his wife Jeree raised their four children on that very block and have eagerly opened their home to many others to visit, stay, provide wise counsel, or share a meal.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are hereby found as fact and incorporated herein by reference.

SECTION 2: On behalf of the entire citizenry of the City of Evanston, the City Council hereby expresses appreciation for Donald Michelin, Sr. by designating that portion of Hartrey Avenue between Emerson Street and Lyons Street with the Honorary Street Name Sign, "Donald Michelin, Sr. Way."

SECTION 3: This Resolution 50-R-24 will be in full force and effect from and after the date of its passage and approval in the manner provided by law.

Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza, City Clerk

Alexandra B. Ruggie, Corporation Counsel

Adopted: _____, 2024



Parks and Recreation Department
2100 Ridge Avenue
Evanston, Illinois 60201
T 847.448.4311
TTY 847.866.5095
www.cityofevanston.org

City of Evanston Honorary Street Name Sign Application Form

PURPOSE OF PROGRAM: The Honorary Street Name Sign program was established to allow citizens the opportunity to honor people who have contributed greatly to the City of Evanston through cultural, historic, or humanitarian acts. Request for an honorary designation has to originate with an Alderman and each Alderman may have one honorary designation approved each year. Honorary street name signs are displayed for a period of ten-years and the portion of a street so designated is one block long. The program is administered by the Parks and Recreation Board through the Parks and Recreation Department. Final approval is granted by the Evanston City Council. The honorary designation expires ten years after its passage by City Council, at which time the signs will be removed (Resolution 52-R-01).

PLEASE FILL OUT THE APPLICATION BELOW:

NAME OF HONOREE: Donald Michelin Sr. Way
(as it would appear on the street sign)

PROPER STREET NAME: Hartrey Ave

INTERSECTING STREETS AT EACH END OF THE ONE BLOCK AREA:
Emerson St. to Lyons St.

PLEASE CHECK ALL THAT APPLY, AND GIVE A BRIEF EXPLANATION FOR EACH OF THE APPLICABLE CRITERIA. A STREET CAN BE NAMED FOR AN INDIVIDUAL, OR GROUP/DESIGNATION.

CULTURAL IMPACT TO CITY: _____

HISTORICAL IMPACT TO CITY: _____

HUMANITARIAN EFFORTS: Donald has served on numerous boards and committees; however his greatest humanitarian impact can be seen in his daily life of service to the young of Evanston. While serving at Haven Middle School, Donald was loved (and feared) by his students; known to visit you at home, bring you meals, drive around town to make sure everyone made it home, and sit in the lunch room. Everyone knew that he cared. As the ETHS Track Coach, Donald is at school daily, checking on students' grades, developing their leadership skills, supporting post-graduation plans, teaching life skills, and holding free training sessions to support his students.

__X__ CLOSE ASSOCIATION WITH EVANSTON: Donald Michelin competed in track in 1968 and 1969 and his speed and accolades earned him the nickname "Flash". From an Evanston Wildkit 100 and 200 yard dash, to Suburban League Champion, to teacher and mentor, to decorated Coach, Donald "Flash" Michelin has always had a stake in building the Evanston Wildkit Sports Legacy. He was inducted in the Illinois High School Association Cross Country Track and Field Hall of Fame in 2013 and became a member of the ETHS distinguished Alumni Society in 2016.

__X__ DISTINGUISHED CAREER BROUGHT TO THE CITY: Donald's career began as a Physical Education teacher at Haven Middle School in 1972 under (Former) Mayor Lorraine Morton. After completing his undergraduate and graduate education at Northwestern, he went on to become the Principal at Haven Middle School until his retirement in 2006. From 1985 - 2003 he was the ETHS Boys Cross Country Coach, then returned to coach from 2009-2017 when he took on the role as Assistant Coach. During his time with District 65, Donald was chosen to lead the Alternative School program at Family Focus because of his love for the community and the respect he garnered from the students. Donald is currently on the Board of Kuumba Sports and the City of Evanston Parks & Recreation Board.

__X__ GEOGRAPHICAL RELATIONSHIP OF STREET TO FOCUS OF INTEREST
Donald lives in a home built by his father and Grandfather. His father (and Grandfather) were home builders in Evanston responsible for many homes in the 5th ward, including the ones on each side of Donald. He has been on the 1800 Block of Hartery for 72 years, always surrounded by his family. Donald & his wife Jeree raised their 4 children on that same block and opened their home to many others.

__X__ A LIVING INDIVIDUAL (EXCLUSIVE OF CITY OF EVANSTON STAFF)

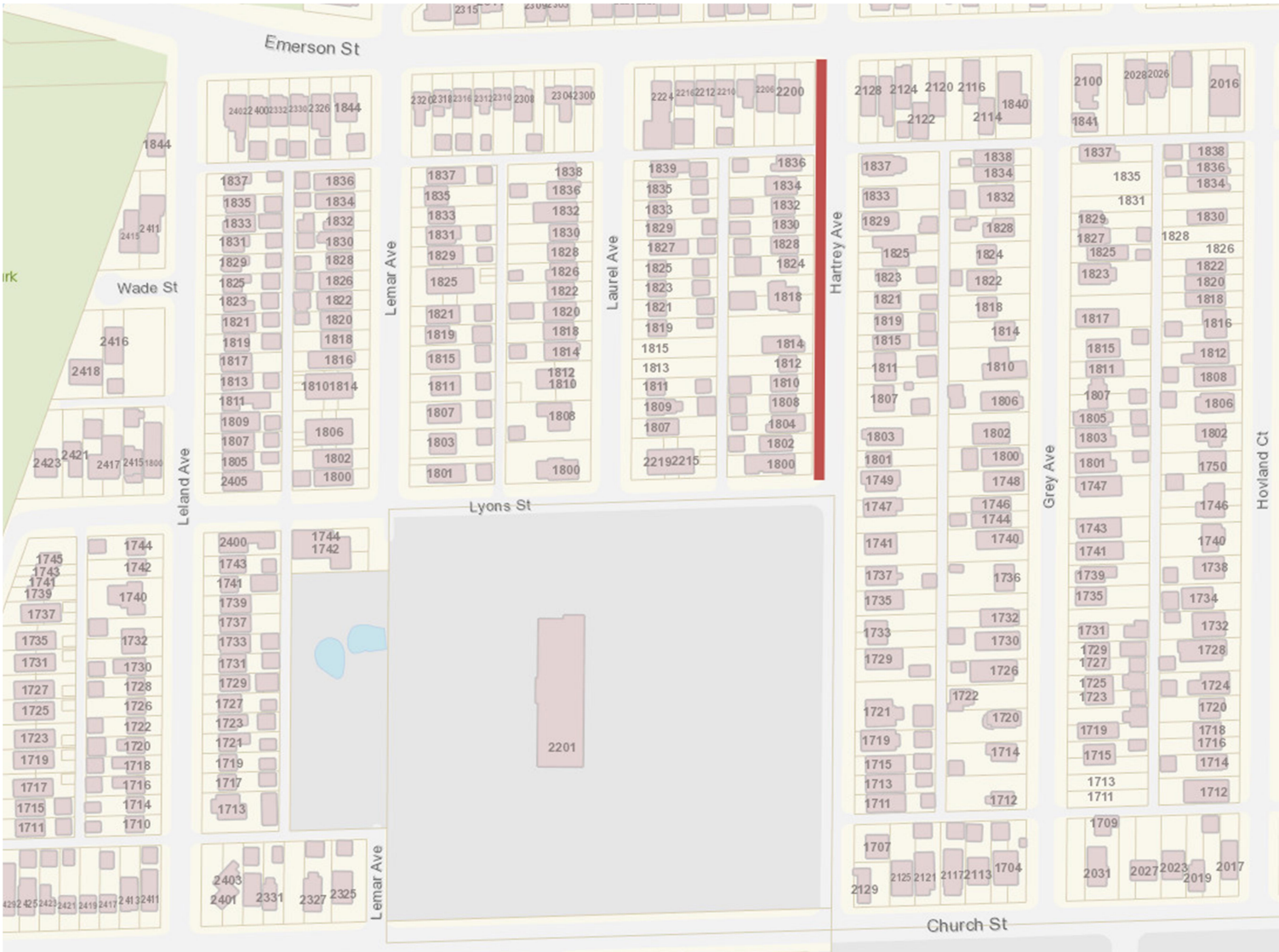
Signature of Applicant: Bobby Burns Date: 8-7-24
(Councilmember)

Applicant's Address: _____ Phone _____
Email: bburns@cityofevanston.org

Signature of Applicant:  Date: 8.6.24

Applicant's Address: 1423 Kirk, Evanston Phone 310-980-4778
Email: cicely.fleming@gmail.com

Submit completed form to:
City of Evanston Parks and Recreation Department
2100 Ridge Ave., Evanston, IL 60201
Fax: 847-448-8051
pbelcher@cityofevanston.org





Memorandum

To: Members of the Human Services Committee
From: Ike Ogbo, Health & Human Services Director
CC: Sarah Flax, Community Development Director, Andrew San Roman,
Building & Services Development Manager, Elizabeth Williams,
Planning and Zoning Manager
Subject: Ordinance 90-O-24, Specifically Allowing Building Permit Fee Waiver
for Income-Eligible Seniors
Date: October 7, 2024

Recommended Action:

The Human Service Committee recommends creating Ordinance 90-O-24, which waives permit fee payments for income-eligible seniors and seniors experiencing hardship. If approved, this item will be presented to the City Council.

CARP:

Vulnerable Populations

Committee Action:

For Action

Summary:

Councilmember Geracaris' referral is to create an Evanston waiver process for income-eligible seniors when they apply for building permits. The impetus for this proposal is to assist low-income eligible seniors who are primarily living on fixed incomes to save money that they can use for payments toward addressing repairs in their homes. The City of Chicago has a waiver program for its seniors that could be a resource for the development of a similar program for Evanston. The program will likely be similar to that of Chicago by establishing a permit waiver system for seniors who have lived in Evanston for ten years or more and whose household income does not exceed 80% of the area median income (AMI).

The City of Chicago's program established a number of requirements to determine eligibility, such as age, household income not exceeding 80% of AMI, and ownership of the building, including living in the building for at least 10 years. Chicago's program waives 100% of the building permit fees for eligible seniors. Documents to prove eligibility include birth certificates, social security cards, income tax returns, deeds, utility bills, and tax paperwork.

According to the most recent Census data, slightly over 17% of the Evanston population is 65 years or older.

Waiving permit fees for eligible seniors will have some City revenue implications, the significance of which has not been calculated and will be challenging to calculate based on the fact that age and income information is not currently gathered for building permit applications. The Community Development Department is currently evaluating the fees charged for building plan reviews and permits and is simplifying the fee structure; this has not been evaluated since 2018. What permit types would be included in the waived fees should also be considered. In addition to building fees, zoning analysis, preservation, and other Community Development fees are being evaluated, with the goal of instituting the new fee structure in 2025.

Staff proposes that the cost implications of waiving building permits and related fees for seniors be considered as part of this process. Consideration could be given to related fees charged by the Fire and Public Works Departments. Implementing a permit waiver for the seniors program would require income certification of applicants for the waiver, which is not a function that Community Development provides. To undertake a program of this magnitude, deciding which Department would carry out income and eligibility verification, including additional staffing and other resources needed, would need to be determined as part of the evaluation.

In addition, staff proposes including consideration of waiving building permit fees for income-eligible senior homeowners in the Strategic Housing Plan to help address the displacement of lower-income residents from our city. As part of that evaluation, additional research needed to estimate what proportion of the 65-and-older population would qualify as income-eligible homeowners would be undertaken.

Ordinance 136-O-18 was created to address permit fees by pinpointing appropriate fees for various work projects that were derived based on industry standards in 2018. The Community Development Department plans on revisiting this Ordinance in 2025 to establish uniformity based on current industry fee standards and the needs of the Department. Ordinance 136-O-18, Section XIX, already exists and establishes an allowance for a fee waiver for any applicant experiencing financial hardship. The applicant must present their request in writing to the Planning and Development Committee by outlining the degree of hardship created. Until a comprehensive review of the fee structure is reviewed in 2025, the fee waiver option in Ordinance 136-O-18 might be considered and explored.

Attachments:

[90-O-24 amending 5-1-3 to provide fee waivers for building permits for seniors](#)

90-O-24

AMENDING BUILDING PERMIT FEE ORDINANCE

**Amending Title 5, Chapter 1, Amendments,
Administration**

WHEREAS, the City of Evanston’s current building permit fee schedule was established by Ordinance 136-O-18 on November 19, 2018 and establishes an allowance for a fee waiver for an applicant experiencing financial hardship; and

WHEREAS, the Human Services Committee of the City of Evanston recommends creating an Ordinance waiving building permit fee payments specifically for income-eligible senior citizen residents experiencing financial hardship; and

WHEREAS, the proposed amendment would assist low-income eligible senior citizens who are residents of Evanston and who are primarily living on fixed incomes to save money they can use towards repairs or improvements in their homes, thereby improving the Evanston community housing stock and making for more desirable living space.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: Title 5, Chapter 1, “Property Maintenance Code” of the Evanston City Code of 2012, as amended (“City Code”), is hereby amended as follows:

5-1-3 – AMENDMENTS.

Chapter 1. Administration.

Section 105 Duties and Powers of the Code Official

105.11 Permits Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the International Building Code, International Residential Code, International Fire Code, International Mechanical Code, International Fuel Gas Code, NFPA 70 National Electrical Code, State of Illinois Plumbing Code or any other applicable code or ordinance adopted by the City of Evanston and any other applicable legislation or regulation or to cause any such work to be done, shall first make application to the building official and obtain the required permit. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Evanston Zoning Ordinance, Title 6 of the Evanston City Code, as amended.

105.12 Waiver of Building Permit Fees. The City Manager or their designee shall waive building permit fees as established in the current City of Evanston Permit Fee Schedule if the following requirements are shown to be met by the building permit applicant:

1. The permit sought by the applicant is for alterations or repairs to a single dwelling unit or to a residential building.
2. The permit applicant owns and has owned the building or dwelling unit identified in the permit application for a period of not less than ten (10) years.
3. The permit applicant occupies and has occupied one of the dwelling units located in the building identified in the permit application for a period of not less than ten years.
4. The permit applicant's household income does not exceed 80 percent of the Evanston area median family income as calculated by the U.S. Department of Housing and Urban Development.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect

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without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

Introduced: _____, 2024

Approved:

Adopted: _____, 2024

_____, 2024

Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza, City Clerk

Alexandra B. Ruggie, Corporation
Counsel



Memorandum

To: Members of the Human Services Committee
From: Ike Ogbo, Health & Human Services Director
Subject: Ordinance 87-O-24, Amending the Noise Ordinance to Prohibit Amplified Music on the Public Way
Date: October 7, 2024

Recommended Action:

Councilmember Revelle recommends the Human Services Committee approve and send to City Council Ordinance 87-O-24 Amending the Noise Ordinance to Prohibit Amplified Music or Sounds on the Public Way.

Committee Action:

For Action

Summary:

Councilmember Revelle proposes to amend the Noise Ordinance to disallow amplified music or sound in the public way. Amplified noise shall mean speech, music, or other sound projected or transmitted by electronic equipment, including amplifiers, loudspeakers, microphones, or similar devices; or combinations of devices which are powered by electricity, battery, or combustible fuel which interferes with the peace, comfort and quiet enjoyment of any person in the City. These electronic equipment or devices have the ability to be operated to increase the volume, range, and intensity of music, sound, or speech.

Two sections of the City Code already address noise at food establishments. Section 8-6-24(C) of the municipal code does not allow unnecessary noise at food establishments. Additionally, Section 7-2-6, 5 (o) prohibits amplified music, whether live or recorded, on sidewalk café premises. Violations of both ordinances are punishable by fines.

The amendment prohibiting amplified music or sound in public ways seeks uniformity in approaching the matter. The City's current code bans amplified music at outdoor cafés but does not have the same application for businesses without outdoor seating that are allowed to play amplified music. City Ordinance 9-5-20 (F) allows the operation of loudspeakers and amplifiers but only when the City issues a permit. With the approval of this amendment, the interested party will have to receive a city permit prior to the issuance of the permit.

Attachments:

[87-O-24 Amending Noise Ordinance 9-5-20 to prohibit amplified music on the public way](#)

87-O-24

NOISE ON PUBLIC WAYS ORDINANCE

Amending Title 9, Chapter 5, Noises Prohibited

WHEREAS, two City of Evanston Municipal Ordinances already exist which address noise at food establishments: Evanston City Code Section 8-6-24(C) does not allow unnecessary noise at the premises of food establishments and Section 7-2-6, 5 (o) prohibits amplified music whether live or recorded on sidewalk café premises; and

WHEREAS, the City's current code bans amplified music at outdoor cafés but does not have the same application for businesses without outdoor seating that play amplified music; the amendment to prohibit amplified music or sound onto public ways seeks uniformity in approaching the matter and prohibit excessive noise and disturbance of the peace on public ways within the City.

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: Title 9, Chapter 5, "Noises Prohibited" of the Evanston City Code of 2012, as amended ("City Code"), is hereby amended as follows:

CHAPTER 5 – GENERAL OFFENSES.

9-5-20. – NOISES PROHIBITED.

(G) Radios, Phonographs:

1. Time and Use Restrictions: The playing, using, operating or permitting to be played, used or operated, any radio receiving set, musical instrument,

phonograph, television receiving set or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or with louder volume than is necessary for the convenient hearing of the persons who are in the room, chamber, vehicle or outdoor area within the City limits in which or where such machine or device is played, used or operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of 10:00 p.m. and 7:00 a.m. from Sunday evening through Friday morning, and between 11:00 p.m. and 7:00 a.m. from Friday evening through Sunday morning and on those evenings preceding national holidays and legal school holidays enumerated in 105 ILCS 5/24-2 in such a manner as to be plainly audible at a distance of fifty (50) feet from the location of such set, instrument or device, shall be prima facie evidence of a violation of this Section.

2. Amplified Music on a Public Way: No person may use or operate or permit to be operated any mechanical device or loudspeaker in a fixed or movable position exterior to any building, so that the sound therefrom is plainly audible and causes a noise disturbance beyond the property boundary or which is mounted or placed within a building or any stand, platform, patio, deck, or other structure so that the sound therefrom is plainly audible and causes a noise disturbance upon a public way. Emergencies are exempt from this subsection.

~~2.~~ 3. Permit Required: Any person, group, association, organization, business or other similar entity desiring to use in an outdoor area any machine or device specified in this Section for producing or reproducing sound must first obtain a permit for said use. Application for such permit shall be made to the office of the City Manager or his/her designee on a form provided by that office. The City Manager or his/her designee shall provide notice to ward aldermen of applications. No permits for any machine or device specified in this Section may be issued for block parties. Violation of this Section shall subject the unauthorized user to a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00).

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

~2~

Introduced: _____, 2024

Approved:

Adopted: _____, 2024

_____, 2024

Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza, City Clerk

Alexandra B. Ruggie, Corporation
Counsel



Memorandum

To: Members of the Human Services Committee
From: Kristi Bachmann, Chair of the Animal Welfare Board
CC: Schenita Stewart, Chief of Police; Audrey Thompson, Director of Parks and Recreation
Subject: Ordinance 17-O-24, Amending the City Code to Restrict the Use of Horse-Drawn Carriages in the City
Date: October 7, 2024

Recommended Action:

The Animal Welfare Board recommends the adoption of Ordinance 17-O-24, Amending the City Code to Restrict the Use of Horse-Drawn Carriages in the City.

Committee Action:

For Action

Summary:

At the August 19, 2024, Human Services Committee meeting, Councilmember Reid requested additional language regarding permit costs and fines related to horse-drawn carriage operations. Title 10, Chapter 3 of the Evanston City Code of 2012, as amended, is hereby further amended to add Subsection 10-3-14, "Horses and Horse-Drawn Carriages," as follows:

- A. It shall be unlawful for any person to operate or ride a horse or horse-drawn carriage on City streets without a permit. It shall be unlawful for any person to operate or ride a horse or horse-drawn carriage in violation of proper traffic control procedures.
- B. All applicants for a horse-drawn carriage permit shall be required to appear before the Special Events Committee for approval of a one-day permit, in addition to route planning and coordination with City police and parking services.
- C. There shall be a non-refundable application fee of fifty dollars (\$50) in order to secure a horse-drawn carriage permit.
- D. Any person who violates Subsection (A) of this section shall be subject to a fine of three hundred seventy-five dollars (\$375).

This ordinance underscores the critical importance of animal and traffic safety in regulating horse-drawn carriages within city limits. The amendments aim to ensure the safety of animals and residents, mitigate risks, and promote responsible practices in accordance with traffic regulations and permitting requirements.

Attachments:

[Ordinance 17-O-24 Amending the City Code to Regulate Horse Drawn Carriages 10.7.24](#)

17-O-24

AN ORDINANCE

**Amending the City Code to Restrict the Use of Horse-Drawn Carriages
in the City**

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: Title 10, Chapter 3 of the Evanston City Code of 2012, as amended, is hereby further amended to add Subsection 10-3-14, "Horses and Horse-Drawn Carriages" as follows:

10-3-14. – HORSES AND HORSE-DRAWN CARRIAGES.

- A. It shall be unlawful for any person to operate or ride a horse or horse-drawn carriage on City streets without a permit. It shall be unlawful for any person to operate or ride a horse or horse-drawn carriage in violation of proper traffic control procedures.
- B. All applicants for a horse-drawn carriage permit shall be required to appear before the Special Events Committee for approval of a one-day permit, in addition to route planning and coordination with City police and parking services.
- C. There shall be a non-refundable application fee of fifty dollars (\$50) in order to secure a horse-drawn carriage permit.
- D. Any person who violates Subsection (A) of this section shall be subject to a fine of three hundred seventy-five dollars (\$375).

SECTION 2: Subsection 7-10-8 "Permits" of the Evanston City Code of 2012, as amended, is hereby further amended as follows:

7-10-8. – PERMITS.

(C) *Permit Requirement.*

1. *General.* No person shall, without a permit:
- a. Conduct a public assembly, parade, picnic, or other event involving more than thirty (30) individuals;
 - b. Conduct any exhibit, music or dramatic performance, fair, circus, concert, play, church service, radio or television broadcast, other than a news transmission;
 - c. Exhibit or display any motion picture, television program, light or laser light display, or similar event;
 - d. Operate a vehicle, except upon a publicly dedicated street, alley, watercourse or other thoroughfare which may abut or traverse a park;
 - e. Create or emit any amplified sound, except from a radio, recorder or other device possessed and used by an individual for his/her own enjoyment and operated in such a manner so as not to interfere with the use and enjoyment by another person;
 - f. Station or erect any building, tent, canopy, stand, bandstand, stage, tower, scaffold, sound stage, platform, rostrum or other structure for longer than three (3) hours;
 - g. Station or use any electrical or electronic device or equipment that would require outdoor auxiliary power;
 - h. Display, post or distribute any placard, handbill, pamphlet, circular, book or other writing containing commercial advertising matter within the park system (as described in Title 4, Chapter 12, "Sign Regulations," and Section 3-4-2-2 of this Code);
 - i. Conduct an organized sporting event;
 - j. Ride any horse or horse-drawn carriage on any driveway, roadway, path or trail, park property; or
 - k. Bring onto park property or any city roadway, a tame, nondomestic supervised and controlled animal for limited noncommercial or promotional purposes.

2. *Permits For Activities Involving More Than Five Hundred Individuals.* No activity involving more than five hundred (500) individuals shall be held within two thousand five hundred (2,500) feet of the boundaries of another such event, nor within two (2) hours of any other activity involving more than five hundred (500) individuals.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

~2~

SECTION 4: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 5: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: _____, 2024

Approved:

Adopted: _____, 2024

_____, 2024

Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza, City Clerk

Alexandra Ruggie, Corporation Counsel



Memorandum

To: Members of the Human Services Committee
From: Ike Ogbo, Health & Human Services Director
CC: Indira Perkins, Human Services Manager, HHS
Subject: Modifications to the General Assistance Program
Date: October 7, 2024

Recommended Action:

This topic was discussed at a previous meeting and tabled to the October meeting. Staff needs more time to provide information and is requesting it be tabled again at the next Human Services Meeting.

CARP:

Vulnerable Populations

Committee Action:

For Discussion

Summary:

At the September Human Services Committee meeting, Committee members supported the motion to engage in further discussions regarding the possibility of modifying the General program. The recommendation was also a proposal to establish a system that makes General Assistance (GA) flexible enough to accommodate funding for some basic needs that are most important for the participant(s) for a particular month(s). The current system is structured to render payment to the most important need based on a needs analysis instead of allowing the GA participant to select the most pressing need.

The General Assistance program is a locally administered program mandated by the State and funded primarily through a dedicated property tax levy. The GA Program operates according to the adopted and written standards set forth by the GA Program. As stipulated in Section 9.03 of the General Assistance Policy, which focuses on Payment Levels and Disbursement, specifically states that "General Assistance may be disbursed only for the following specified basic maintenance needs: (a) Shelter (or shelter with utilities included), (b) Utilities, (c) Food, (d) Clothing, (e) Household Supplies, (f) Personal Essentials, (g) Laundry. The recipient may use General Assistance totaling the basic maintenance grant amount for one or any combination of the foregoing permissible disbursement categories."

Recommendations stemming from allowing participant selection- flexibility by allowing to select how the stipends should be apportioned or disbursing a surplus in a payment level for another basis need will result in the complete deviation of the program protocols and create issues of accountability within the program. Specifically, Section 9:06 of the GA policy disallows such recommendations. The Section is provided below.

- Section 9.06- Prohibition against disbursing surplus in a payment level for another basic maintenance need. " if a recipient is or will be incurring financial expenses with regard to a basic maintenance need during the General Assistance payment period in an amount less than the maximum monthly payment level, the surplus or unused portion of the General Assistance related to such basic maintenance need shall not be disbursed for another basic maintenance need." The above Section applies to Evanston due to its designation as a needs-based program.

A review by the Law Department and their input is necessary to ascertain whether the City has the authority to make revisions to a State-mandated program through its Home- Rule powers. Staff convened a meeting with the Law Department, and it remains unclear whether the City has the power to make modifications to the GA policies. More time is needed by the Law Department to review this matter thoroughly and to provide insight, including all unintended consequences that might result if the City has the power to modify the GA policy.



Memorandum

To: Members of the Human Services Committee
From: Jennifer Levi, Administrative Assistant
Subject: Review of Evanston Police Complaints and Comments Report
Date: October 7, 2024

Recommended Action:

Staff recommends the Human Service Committee accept and place on file the Evanston Police Complaints and Comments Report.

Committee Action:

For Action: Accept and Place on File

Summary:

I have attached 4 (four) complaint summaries and 5 (five) compliments since our last meeting.

Enclosed summaries include:

DI # 23-04
DI # 23-06
DI # 23-09
DI # 23-13

Attachments:

[Review of Evanston Police Complaints and Compliments October 07, 2024](#)

Police Complaints

EVANSTON POLICE DEPARTMENT
Office of Professional Standards
Complaint Register

CR # 24-04

Initiated: April 18, 2024

Completed: September 30, 2024

Allegation

On April 18, 2024, the OPS Commander received a voicemail from the Complainant regarding three Evanston Police Officers. The Complainant alleged that on April 13, 2024, during a domestic disturbance incident between him and his girlfriend, the responding Evanston Police Officers mistreated him. Additionally, the Complainant stated the Officers showed a lack of communication, used threatening gestures, restricted his movements, and accused him of agitating his girlfriend. The OPS Sergeant classified this complaint as a Complaint Register.

If the allegations are true, the Accused Officers may have violated the following:

- Rule 1:** Violation of any federal, state, or local law or ordinance, or any rule, regulation, standard operating procedure, policy, directive, training or order of the department, either written or oral. In the event of improper action, breach of discipline, or violation of law, it will be presumed that the employee was familiar with the law, rule, regulations, policy, training, or order in question.
- Rule 2:** Any action or conduct, on or off duty, which impedes the department's efforts to achieve its goals, mission or values, or which degrades or brings disrespect upon any member or the department as a whole; or any action that impedes the operation or efficiency of the department and its members.
- Rule 18:** Disrespectful behavior, willful maltreatment or abusive language towards any person, whether a citizen or a member of the department.
- Rule 20:** Failure to provide prompt, correct, or courteous service.

The Incident,

Per OPS Sergeant

On April 13, 2024, at approximately 1956 hours, the Accused Officers and an Officer in Training (OIT) responded to a domestic disturbance that led to a traffic accident at Oakton and Wesley. The initial caller, the Complainant, made three 911 calls requesting police assistance for his girlfriend, expressing that she had bipolar disorder and exhibiting signs of a mental crisis. He reported, "She walked in traffic and threw objects at my car," and added that she accused him of stealing her vehicle. The Complainant later informed dispatch that his girlfriend had gained possession of the car and had been involved in a crash.

Both the Complainant and his girlfriend called 911 regarding the incident. Upon arrival, officers observed a traffic crash involving a Jeep and a Lexus belonging to the Complainant's girlfriend, who appeared upset and had difficulty answering questions. She denied being injured or having any mental health diagnosis, asserting, "I don't take any medications." However, the Complainant requested an ambulance for her evaluation, and officers informed him that one was already dispatched.

Officers separated the couple for interviews related to the incident. The Complainant displayed a defensive attitude, yelling at the officers and attempting to approach his girlfriend. When obstructed, he shouted, "You don't control the public," to which Accused Officer One replied, "No, that is my job." The Complainant's girlfriend expressed concern over the separate interviews, telling her mother on the phone, "He called the police on me, and I don't know what he's saying," while she continued to cry.

The Complainant's girlfriend signed a medical treatment refusal form and rejoined him as her mother arrived on the scene. The Complainant, persistent in his behavior, requested a supervisor advise him on filing a formal complaint. When the Patrol Supervisor responded to the scene, she provided the Complainant with the Officers' names, badge and incident report numbers, her contact information, and the Office of Professional Standard's contact information.

In addition to addressing the domestic disturbance, officers were involved in other tasks at the scene, including arresting the second driver (due to a suspended license), arranging for a vehicle tow, and ensuring medical transport for passengers needing care. At the hospital, both the Complainant and his girlfriend arrived for her evaluation due to reported back pain. The Complainant then attempted to initiate a fight with an occupant of the other vehicle, prompting hospital security to separate him and his girlfriend for safety. The hospital security team documented the incident.

Actions, OPS Sergeant

On April 24, 2024, at 10:40 hours, the Complainant responded to the Evanston Police Station to speak with the Office of Professional Standards (OPS). The OPS Sergeant and Commander conducted an unrecorded interview.

During the interview, the Complainant stated that he and his girlfriend had an argument that led him to call 911 for police assistance. After the argument, he witnessed his girlfriend getting rear-ended in traffic.

When police arrived, the Complainant spoke with Accused Officer Three and requested a physical examination for his girlfriend. As he tried to approach her, Accused Officer One stated he was agitating his girlfriend and making her uncomfortable. The Complainant denied this, claiming his girlfriend wanted him with her. The Complainant believed the presence of multiple police and fire personnel contributed to his girlfriend's discomfort.

Despite his attempts to join his girlfriend in the ambulance, Accused Officers Two and Three stopped him twice. The Complainant asked if he was being detained and was told no, leading to confusion about why he couldn't go to her. He complied when a firefighter asked him to wait.

The Complainant stated he felt threatened when Accused Officer Two put on gloves and warned him about potential aggressive responses. Frustrated, he requested a supervisor, who spoke with him. While he found the Patrol Supervisor cordial, he noted that their conversation was not recorded.

The Complainant stated that he was upset with how he was treated by the officers, particularly for:

- Accused Officer One allegedly lying about him agitating his girlfriend, which he believed to be false, and;
- she instructed the other officers to limit his movements while not being detained.
- Perceptions of "lying" from Accused Officers Two and Three regarding his behavior.
- Accused Officer Two's actions were being interpreted as threatening, and he stated he would get an aggressive response.

The OPS Sergeant explained the complaint process, and the Complainant expressed his desire to file a formal complaint.

Review of Accused Officer One's BWC footage:

The OPS Sergeant reviewed the footage of Accused Officer One's BWC. Upon arriving at the scene as a field training officer with an OIT, Accused Officer One greeted the Complainant and inquired about the incident. The Complainant indicated that his girlfriend was driving, which prompted his 911 call.

Accused Officer One then spoke with the second driver (of the Jeep, who reported no injuries) and asked the other driver to stand near her vehicle, to which she complied.

After Accused Officer One confirmed that the Complainant and his girlfriend had no injuries, the Complainant requested help and claimed his girlfriend was "super flush." Accused Officer One then asked Accused Officer Three to call for an ambulance.

Next, Accused Officer One approached the Complainant's girlfriend, who was on the phone crying and struggling to find her insurance details. The Complainant's girlfriend explained that she and the Complainant had argued, which led the Complainant to drive off in her car, but she asked him to come back. When he did, she asked the Complainant to exit her vehicle so she could drive. Subsequently, she was involved in a crash. During the conversation, the Complainant's girlfriend told her mother that "he (the Complainant) called the police on me" and denied she called anyone regarding a stolen vehicle.

As Evanston Fire Department (EFD) arrived to assist the Complainant's girlfriend, the Complainant approached, prompting Accused Officer One to instruct him to stay back. When the Complainant yelled, "She's looking at me," Accused Officer One replied, "I need you to stay over there." The Complainant protested, "You don't control the public," to which Accused Officer One responded, "No, that is actually my job."

Accused Officers Two and Three then positioned themselves to block the Complainant's path. The Complainant yelled about not being allowed to see his girlfriend. Accused Officer One explained that they needed to determine what happened first. The Complainant's girlfriend was taken to the ambulance.

Accused Officer One returned to speak with the Complainant and informed him that the paramedics were with his girlfriend and were being separated so that the responding officers could assess the situation. Despite the Complainant's claims that the situation was resolved, Accused Officer One reiterated that the girlfriend did not wish to speak with him. Accused Officer One then disengaged from the Complainant to confer with the occupants of the other

vehicle (the Jeep) and EFD. At the end of the call, the Fire Captain of EFD thanked Accused Officer One for ensuring the safety of their ambulance.

Review of Accused Officer Two's BWC footage:

The OPS Sergeant noted that Accused Officer Two was present with Accused Officer Three during interactions with the Complainant, which made the footage consistent with other accounts of the incident.

Review of Accused Officer Three's BWC footage:

The OPS Sergeant reviewed Accused Officer Three's body-worn camera footage. Accused Officer Three was asked by Accused Officer One to speak with the Complainant while she spoke with the Complainant's girlfriend. He informed the Complainant that he was being audio and video recorded. The Complainant stated that they were arguing, and his girlfriend was driving away when she was rear-ended. He mentioned he exited the vehicle to "de-escalate the situation" and wanted to ensure his girlfriend was OK. When asked about her well-being, the Complainant clarified, "Just her physical wellbeing. No psych, none of that shit."

As EFD personnel arrived, the Complainant indicated he was having them check on his girlfriend. He moved toward her, but Accused Officer Three advised him to "stay over there," stating that he believed the Complainant was agitating the situation. The Complainant responded that she was looking at him and asked his girlfriend if she needed him, to which she nodded yes. Accused Officer Two then began putting on search gloves.

The Complainant asked the officers to take two steps back while Accused Officer Three told him not to make it worse and that they needed to control the scene. The Complainant insisted he was not agitating his girlfriend, who confirmed this. He accused the officers of lying and asked for a supervisor.

Accused Officer Three radioed for a supervisor as the Complainant approached his girlfriend and the ambulance. Accused Officer One informed the Complainant that his girlfriend did not want to speak with him, to which he responded, "Stop lying." The Complainant explained that he should dictate the scenario since he was the one who called and accused the officers of abusing their power. He asked, "Am I being detained for anything?" to which Accused Officer Three replied, "No."

The Complainant tried to go toward the ambulance but was stopped by EFD personnel, who stated he could not interfere with the paramedics. Accused Officer Two warned the Complainant about obstructing the process. He claimed the patient requested him and thus had the right to be in the ambulance, but Accused Officer Two stated that was not true. The officers agreed that he could see his girlfriend after she exited the ambulance.

Accused Officer Two told the Complainant that his behavior was elevated, and the Complainant explained it was due to being surrounded by officers. Accused Officer Two advised him to take a deep breath, saying, "The more calm you are, the more calm we're gonna be."

EFD resumed duties, and the Complainant's girlfriend approached her vehicle. Accused Officer Three reiterated that they were focused on caring for the girlfriend, and now that the initial

investigation was complete, they would switch to the crash investigation. The Complainant expressed understanding but was upset with Accused Officer One.

The Patrol Supervisor arrived, and Accused Officer Three pointed out the Complainant. The Complainant explained his frustration with Accused Officer One, who claimed he was agitating his girlfriend and blocking him from her. The Complainant stated he was not doing anything criminal and felt surrounded.

The Patrol Supervisor explained that the situation sounded like a domestic disturbance, which is why the officers needed to separate them to investigate. The Patrol Supervisor apologized for how it appeared, noting that police are responsible for protecting everyone on the scene. The Complainant agreed but stated he did not feel protected. He acknowledged that Accused Officer Three and Accused Officer Two showed professionalism, but he believed Accused Officer One did not.

Review of OIT's BWC footage:

The OPS Sergeant noted that the OIT moved around the scene between the two vehicles involved in the crash and interacted separately with the Complainant. The OIT's BWC footage is consistent with all the other responding officers' BWC footage and conversations. The only distinction was that the OIT accompanied the Complainant's girlfriend into the ambulance. While in the ambulance, the OIT inquired about the Complainant's girlfriend's mental health, specifically asking if she had bipolar disorder and if she took any medications. The girlfriend responded that she did not have bipolar disorder and did not take any medications. She also signed a release form from the fire department.

Review of the Patrol Supervisor's BWC footage:

The OPS Sergeant noted that the conversation between the Patrol Supervisor and the Complainant was consistent with what was recorded on Accused Officer Three's body-worn camera. However, the Patrol Supervisor's camera stopped recording after 2:46 minutes, limiting the conversation captured; therefore, more interaction details were visible in Accused Officer Three's BWC footage.

Actions, Patrol Sergeant

911 Audio:

The Patrol Sergeant reviewed the 911 audio for this incident and noted the Complainant called 911 multiple times regarding his girlfriend, stating she had bipolar disorder and was experiencing a mental health crisis. He reported that she walked into traffic and threw objects at his car as he drove away. In a second call, he mentioned that she followed him and accused him of stealing her car, which was registered to her. He expressed a desire for police assistance, stating that his girlfriend "was freaking the fuck out" and that a police response would be "more of a deterrent to help her act more calmly." In his third call, he informed 911 that his girlfriend had taken possession of the car and was involved in an accident. The Complainant's girlfriend also called 911 to report that she had been rear-ended by another vehicle.

The Patrol Sergeant advised the Accused Officers of this complaint and directed them to submit a memorandum delineating their recollection of this incident. The Accused Officers complied.

Accused Officer One's Memorandum: Upon arriving at the scene, Accused Officer One stated that she spoke briefly with the Complainant, who requested a welfare check on his girlfriend's mental state. She called for the EFD to respond and directed Accused Officers Two and Three to remain with the Complainant to gather his statements. Accused Officer One did not instruct any officers to detain the Complainant; instead, she requested that he and his girlfriend remain separated while the investigation was conducted.

Accused Officer One also noted that the Complainant's girlfriend appeared visibly upset and confirmed that a domestic disturbance had taken place. As the Complainant became irate over the officers' efforts to keep the parties apart, Accused Officer One attempted to explain EPD procedures to him. After determining that the Complainant was uncooperative, she disengaged from him and focused on other aspects of the investigation (dated 5/21/2024).

Accused Officer Two's Memorandum: Accused Officer Two noted that while assisting Accused Officer One and the OIT, he recognized that the incident began as a domestic disturbance, which led to a traffic crash. He was informed that the Complainant's girlfriend would be evaluated by EFD paramedics in an ambulance, accompanied by the OIT. This development triggered an aggressive reaction from the Complainant, who became infuriated and exhibited aggressive behavior, pacing, and yelling at both officers and toward his girlfriend.

Accused Officer Two expressed concern for officer safety; he feared that the Complainant might attempt to batter officers or force his way into the ambulance. As a precaution, Accused Officer Two put on protective search gloves. Accused Officer Two stated he continued to secure the scene around the ambulance. After EFD cleared the girlfriend and confirmed that a battery had not occurred, the Complainant was allowed to rejoin her. Following this, Accused Officer Two disengaged from the Complainant and assisted with traffic control (dated 5/21/2024).

Accused Officer Three's Memorandum: Accused Officer Three stated that he assisted at the scene of the domestic disturbance and traffic crash and worked to keep both parties separated for investigation purposes. He observed that the Complainant was agitated and made several attempts to calm and de-escalate his aggressive behavior.

When these efforts proved unsuccessful, Accused Officer Three requested a supervisor to respond to the scene (dated 5/21/2024).

Findings / Recommendation, Patrol Sergeant

After reviewing all relevant reports and information, the Patrol Sergeant determined that the Accused Officers did not violate any rules during the incident. The Complainant originally requested police assistance to check on his girlfriend but later attempted to interfere with the investigation. Both the Complainant and his girlfriend confirmed that a domestic disturbance occurred before the traffic accident.

The Complainant exhibited agitated behavior when he was denied the chance to interfere with the evaluation of his girlfriend. He alleged that officers "lied" to him, but they clarified that he

was not detained, although he could not enter the ambulance, which follows standard practices in domestic violence cases.

The Complainant also claimed that Accused Officer Two made threatening gestures by putting on gloves, which was a safety measure. The Patrol Sergeant found all allegations of lying, threats, and detention to be unfounded. *Evanston Police Department Policy 310.3* emphasizes the importance of officer safety in emotionally charged environments and states that officers must exercise caution. Separating parties involved in domestic incidents is standard practice to ensure safety.

The Patrol Sergeant further recommended that the accused Officer receive shift-level counseling to enhance communication regarding potential detention. Officers need to be aware that individuals suspected of domestic violence can be detained for investigative purposes, and this information should be clearly communicated to the suspect involved.

Overall, the Patrol Sergeant emphasized that the officers acted appropriately, adhered to department procedures, and tried to de-escalate the situation without displaying disrespectful behavior.

The Patrol Sergeant **FOUND** that the Accused Officers **DID NOT VIOLATE RULES 1, 2, 18 & 20**. The Patrol Sergeant classified these rules as **UNFOUNDED** and **RECOMMENDED SHIFT LEVEL COUNSELING** for the officers to improve communication about potential detention (dated 05/29/2024).

Findings / Recommendation, Patrol Commander

After reviewing all reports, memoranda, and videos associated with this complaint, the Patrol Commander stated that he concurred with the Patrol Sergeant's recommendation to close this investigation as *unfounded* for all potential rule violations related to the Accused Officers. The Patrol Commander also stated that the Accused Officers acted within the legal parameters, followed standard operating procedures, and displayed patience with added efforts to de-escalate the situation.

The Complainant's allegation that the Patrol Supervisor did not record their conversation was found to be true. The Patrol Supervisor's camera stopped recording due to a battery issue, but their conversation was still captured on Accused Officer Three's BWC despite the malfunction.

The Patrol Commander **FOUND** that the Accused Officers **DID NOT VIOLATE RULES 1, 2, 18, & 20** and classified these rules as **UNFOUNDED**. However, the Patrol Commander recommended that the Accused Officers receive **SHIFT LEVEL COUNSELING** to ensure clear communication in the future to aid in the detection of potential domestic violence offenders for investigation purposes (dated 06/13/2024).

Findings / Recommendation, Deputy Chief

After reviewing all reports, memoranda, and information associated with this complaint, the Deputy Chief stated he agreed with the conclusions of the Patrol Sergeant and the Patrol Commander. The Deputy Chief further stated that no evidence offered by the complainant nor

discovered in this investigation would support the allegations or the potential rule violations. All officers acted appropriately by policy while interacting with the complainant.

The Deputy Chief **FOUND** that the Accused Officers **DID NOT VIOLATE RULES 1, 2, 18, & 20** and classified these rules as **UNFOUNDED**. The Deputy Chief recommended that the Accused Officers receive **SHIFT LEVEL COUNSELING** to ensure clear communication in the future, which will aid in detecting potential domestic violence offenders for investigation purposes (dated 06/26/2024).

Findings / Recommendation, CPRC

In the review of **CR # 24-04**, the members of the Commission discussed the investigation and agreed the findings and recommendations set forth in the investigation and summary report were complete, thorough, objective, and fair. The Commission voted **5-0** to move this complaint to the Human Services Committee for final review.

Findings / Recommendation, Chief of Police

After reviewing all reports, memoranda, and video associated with this complaint, the Chief of Police **FOUND** that the Accused Officers **DID NOT VIOLATE RULES 1, 2, 18, & 20** and classified these rules as **UNFOUNDED**. The Chief of Police also **RECOMMENDED** that the Accused Officers receive **SHIFT LEVEL COUNSELING** (dated 09/30/2024).

EVANSTON POLICE DEPARTMENT

Office of Professional Standards

CPRC Report

CR 24-04

Summary of Facts:

- The Complainant called 911 multiple times regarding his girlfriend, stating she had bipolar disorder and was experiencing a mental health crisis.
- The Complainant reported that his girlfriend walked into traffic and threw objects at his car.
- In a second call, the Complainant stated his girlfriend accused him of stealing her car.
- The Complainant informed 911 that the girlfriend had taken possession of the car and was involved in an accident.
- Upon police arrival, it was determined that a domestic disturbance had occurred prior to the traffic accident, confirmed by both the Complainant and his girlfriend.
- Accused Officer Three informed the Complainant that his behavior was agitating the situation and instructed him to stay back from his girlfriend.
- The Complainant asserted he was not agitating his girlfriend, who stated he was not causing her distress.
- The Complainant asked for a supervisor, expressing feelings of restricted movement and rights.
- Officers explained that the paramedics needed to evaluate the girlfriend without interference from the Complainant.
- The Complainant was told he was not being detained but could not enter the ambulance temporarily.
- The Complainant expressed frustration with Accused Officer One for allegedly lying about his behavior.
- The Patrol Supervisor confirmed that officers needed to separate the parties involved for safety and necessary investigation.

Allegations:

The Complainant alleged that during a domestic disturbance involving his girlfriend, he was treated unfairly by the responding officers. He claimed that the officers restricted his movement and stated that he was agitating her. The Complainant stated he was trying to ensure his girlfriend's well-being and believed he was not causing her distress. He expressed feeling threatened by the officers' actions and requested a supervisor, feeling that he was being wrongfully prevented from approaching her. The Complainant expressed frustration that Accused Officer One claimed he was a problem and felt he should have been able to dictate the situation since he was the one who called for assistance.

Recommended Adjudications:

Accused Officer One, Two, & Three

Patrol Sergeant Recommendations

Rules

1, 2, 18, & 20

**Unfounded
Shift Level Counseling**

Patrol Commander Recommendations

Rules 1, 2, 18, & 20

**Unfounded
Shift Level Counseling**

Deputy Chief Recommendations

Rules 1, 2, 18, & 20

**Unfounded
Shift Level Counseling**

CPRC Vote

In the review of **CR # 24-04**, the members of the Commission discussed the investigation and agreed the findings and recommendations set forth in the investigation and summary report were complete, thorough, objective, and fair. The Commission voted **5-0** to move this complaint to the Human Services Committee for final review.

Chief of Police Recommendations

Accused Officer One, Two, & Three

Rules 1, 2, 18, & 20

**Unfounded
Shift Level Counseling**

EVANSTON POLICE DEPARTMENT
Office of Professional Standards
Complaint Register

CR # 24-06

Initiated: April 22, 2024

Completed: September 30, 2024

Allegation

On April 22, 2024, the OPS Sergeant received a Police Employee Complaint Form regarding a traffic stop at Simpson and Brown on April 13, 2024. The Complainant alleged harassment by two Evanston police officers, claiming he was being targeted with unwarranted traffic stops. Furthermore, the Complainant reported a confrontation with Accused Officer Two during the same stop, alleging that Officer Two challenged him to a fight. The OPS Sergeant classified this complaint as a Complaint Register.

The Incident,

Per OPS Sergeant

The OPS Sergeant reviewed and summarized the following BWC footage

A review of the Body body-worn camera (BWC) footage from Accused Officer One revealed that he pulled over a white Mercedes and approached the driver's side window. The Complainant immediately began shouting obscenities, demanding a supervisor and for the officer to remove his badge, calling him derogatory names such as "bitch," "bitch ass nigga," "stupid ass bitch," and "stupid ass nigga." The Complainant also threatened to spit on the officer and stated, "I swear to GOD I will catch you outside your badge." Accused Officer One called for a supervisor and did not re-engage until the supervisor arrived.

The BWC footage from Accused Officer Two, the passenger in the squad car, showed that after pulling the vehicle over near the intersection of Dodge and Simpson, he approached the passenger side and observed an unknown female in the front seat. He witnessed the Complainant yelling at Accused Officer One and tried to de-escalate the situation, but the Complainant continued to insult Accused Officer One, calling him a "Stupid bitch." Accused Officer Two informed the Complainant that he was pulled over for having his bright lights on and offered to show him. Still, the Complainant refused, stating he would only provide his driver's license to a supervisor and telling the officer to remove his badge. Accused Officer Two responded, "I'll be in court; you are not going to do shit," and waited for the supervisor.

The Patrol Supervisor arrived approximately 10 minutes into the stop, was briefed by Accused Officer Two, and identified himself to the Complainant, stating he was recording. The Complainant claimed Accused Officer One was harassing him, alleging that all his traffic history involved Accused Officer One and that he was pulled over for a false reason, insisting he was using regular lights, not high beams. The Patrol Supervisor explained the lights might still be illegal even if factory-installed and allowed the Complainant to demonstrate. The Supervisor verified with Accused Officer Two that the high beams were activated and issued an incident card to the Complainant that included the names of the officers, their badge numbers, and the Office of Professional Standards phone number, remaining present until the traffic stop concluded.

If the allegations are found to be true and accurate, then Accused Officer One may have violated the following rules:

CR # 24-06

Page 1 of 5

- Rule 1:** Violation of any federal, state, or local law or ordinance or of any rule, regulation, standard operating procedure, policy, directive, training or order of the department, either written or oral. In the event of improper action, breach of discipline, or violation of law, it will be presumed that the employee was familiar with the law, rule, regulation, policy, training or order in question.
- Rule 2:** Any action or conduct, on or off duty, which impedes the department's efforts to achieve its goals, mission or values, or which degrades or brings disrespect upon any member or the department as a whole; or any action that impedes the operation or efficiency of the department and its members.
- Rule 74:** Subject any person or group, or allow any person or group to be subjected, to any form of harassment, discrimination, prejudice or bias on the basis of race, ethnic background, sex, age, religion or any other personal characteristic, belief or affiliation.

If the allegations are found to be true and accurate, then Accused Officer Two may have violated the following rules:

- Rule 1:** Violation of any federal, state, or local law or ordinance, or of any rule, regulation, standard operating procedure, policy, directive, training or order of the department, either written or oral. In the event of improper action, breach of discipline, or violation of law, it will be presumed that the employee was familiar with the law, rule, regulations, policy, training or order in question.
- Rule 2:** Any action or conduct, on or off duty, which impedes the department's efforts to achieve its goals, mission or values, or which degrades or brings disrespect upon any member or the department as a whole; or any action that impedes the operation or efficiency of the department and its members.
- Rule 18:** Disrespectful behavior, willful maltreatment or abusive language towards any person, whether a citizen or a member of the department.

Actions, OPS Sergeant

On April 22, 2024, during a phone call with the OPS Sergeant, The Complainant expressed several concerns and allegations. He stated that Accused Officer One had been harassing him since the summer of 2022, targeting him during traffic stops because of his involvement in a car club. The Complainant believed that Accused Officer One recognized his car and sought him out to issue multiple citations. He mentioned feeling unsafe and claimed that the officer smirked at him during the recent traffic stop on April 13, 2024, suggesting intentional harassment. The Complainant explained that he had taken steps to avoid detection by removing car club decals and using different vehicles.

The Complainant also recounted an aggressive interaction with Accused Officer Two during the stop, alleging that Officer Two wanted to fight him. The Complainant expressed frustration with the repeated stops and numerous tickets and requested an investigation into the alleged harassment by Accused Officer One. He also advised that he wanted Accused Officer One to leave him alone and to stay away from his home. The OPS Sergeant informed the Complainant

that she could not control where the officer would be dispatched. The Complainant insisted that the harassment be looked into thoroughly.

The OPS Sergeant identified two additional traffic stops in the Evanston Police local records involving Accused Officer One and the Complainant. On August 5, 2022, the Complainant received two citations for failure to display tow truck plates and not properly wearing a seatbelt. On April 8, 2023, Accused Officer One issued two citations for an expired license plate sticker and an expired registration sticker.

On April 29, 2024, the OPS Sergeant informed the Complainant that his history with Accused Officer One had been reviewed, revealing prior two traffic stops since August 5, 2022. The OPS Sergeant clarified that a total of three traffic stops, did not constitute harassment. The Complainant expressed his belief that he was being harassed because Accused Officer One often issues multiple tickets during a single stop rather than just one. In response, the OPS Sergeant explained that officers have discretion in determining which violations to issue; some may issue more tickets than others.

Actions, Patrol Sergeant

Accused Officer One's interview by Patrol Sergeant:

On May 21, 2024, the Patrol Sergeant interviewed Accused Officer One regarding this incident. Accused Officer One stated that while on a routine patrol with Accused Officer Two, he observed a vehicle with high beam lights that momentarily blinded him and made excessive exhaust noise. Due to these infractions, Accused Officer One conducted a traffic stop. He noted the vehicle had a 5% limo tint, darker than the 35% limit allowed. As he approached, the driver (The Complainant) shouted obscenities and threatened to spit on him. The Complainant refused to provide his license and insurance, requesting a supervisor to appear instead. Accused Officer One called for a supervisor and waited. Upon the supervisor's arrival, The Complainant identified himself but lacked a driver's license. Accused Officer One issued citations for excessive noise, failure to dim headlights, illegal window tint, and failure to carry a driver's license, then allowed The Complainant to leave without further incident.

Accused Officer Two's interview by Patrol Sergeant:

On May 2, 2024, the Patrol Sergeant interviewed Accused Officer Two regarding this incident. Accused Officer Two's interview was consistent with Accused Officer One's interview. In addition, Accused Officer Two stated once they pulled the vehicle over, The Complainant began to shout threatening language and obscenities towards Accused Officer One. Accused Officer Two stated that the Complainant claimed that the Officers had no valid reason to pull him over and refused to provide identification. The Complainant asked for a supervisor to come to the scene. Accused Officer One requested a supervisor.

Accused Officer Two stated that while waiting for a supervisor, the Complainant continued to shout obscenities and threaten to spit on Accused Officer One. Accused Officer Two advised that the Patrol Supervisor arrived on scene, and the Complainant was issued four vehicle citations.

The Patrol Sergeant advised the Accused Officers of this complaint and directed them to submit a memorandum delineating their recollection of this incident. The Accused Officers complied.

Accused Officer One's Memorandum: Accused Officer One's memorandum was consistent with the aforementioned incident. However, it did not include the verbal altercation between the Complainant and Accused Officer Two.

Accused Officer Two's Memorandum: The Accused Officer's memorandum was consistent with the aforementioned incident. The Accused Officer did state that the Complainant told him, "If he catches us outside of the badge, just watch."

Findings / Recommendation, Patrol Sergeant

After reviewing all reports, memoranda, videos, and information associated with this complaint, The Patrol Sergeant **FOUND** that Accused Officer One **DID NOT VIOLATE RULES 1, 2, & 74**. The Patrol Sergeant concluded that Accused Officer One had probable cause to pull over the vehicle and found insufficient evidence to support the Complainant's claim of racial profiling. Accused Officer One cited the high beam lights and tinted windows as reasons for the stop, noting he couldn't see inside the vehicle. Accused Officer One maintained his composure throughout the encounter and displayed professionalism despite being verbally insulted. The Patrol Sergeant classified these rules as **NOT SUSTAINED** and **RECOMMENDED NO FURTHER ACTION**.

As for Accused Officer Two, the Patrol Sergeant **FOUND** that Accused Officer Two **DID NOT VIOLATE RULE 1** and classified this rule as **NOT SUSTAINED**. However, he also **FOUND** that Accused Officer Two **DID VIOLATE Rules 2 & 18**. The Patrol Sergeant concluded that Accused Officer One used inappropriate language towards the Complainant, which could impede the department's operation or efficiency. Using profanity and provocation towards the Complainant was deemed unacceptable as a de-escalation technique. The Patrol Sergeant classified these rules as **SUSTAINED** and **RECOMMENDED SHIFT-LEVEL COUNSELING** and **DE-ESCALATION POLICY TRAINING** (dated 05/22/2024).

Findings / Recommendation, Patrol Commander

After reviewing all reports, memoranda, and videos associated with this complaint, the Patrol Commander **FOUND** that Accused Officer One **DID NOT VIOLATE RULES 1, 2, & 74** and **RECOMMENDED** these rules be classified as **UNFOUNDED** with **NO FURTHER ACTION**.

In addition, the Patrol Commander **FOUND** Accused Officer Two **DID NOT VIOLATE RULE 1** and **recommended** this rule be classified as **UNFOUNDED**. However, the Patrol Commander also **FOUND** Accused Officer Two **DID VIOLATE RULES 2 & 18**. The Patrol Commander classified these rules as **SUSTAINED**. The Patrol Commander that Accused Officer Two's use of profanity and provocation towards the Complainant was unacceptable as a de-escalation technique. The Patrol Commander recommended **SHIFT-LEVEL COUNSELING** and **DE-ESCALATION POLICY TRAINING** (dated 06/19/2024).

Findings / Recommendation, Deputy Chief

After reviewing all reports, memoranda, and video associated with this complaint, the Deputy Chief **FOUND** that Accused Officer One **DID NOT VIOLATE** any departmental rules and recommended **Rules 1, 2, & 74** be classified as **UNFOUNDED** with **NO FURTHER ACTION**.

The Deputy Chief also **FOUND** that Accused Officer Two **DID NOT VIOLATE RULE 1** and recommended this rule be classified as **UNFOUNDED**. However, the Deputy Chief also **FOUND** Accused Officer Two **DID VIOLATE RULES 2 & 18**. The Patrol Commander classified these rules as **SUSTAINED**. The Deputy Chief recommended **SHIFT-LEVEL COUNSELING** and **DE-ESCALATION POLICY TRAINING** (dated 06/19/2024).

Findings / Recommendation, CPRC

In the review of **CR # 24-06**, the members of the Commission discussed the investigation and agreed the findings and recommendations set forth in the investigation and summary report were complete, thorough, objective, and fair. The Commission voted **5-0** to move this complaint to the Human Services Committee for final review.

Findings / Recommendation, Chief of Police

After reviewing all reports, memoranda, and video associated with this complaint, the Chief of Police **FOUND** that Accused Officer One **DID NOT VIOLATE** any departmental rules and recommended **Rules 1, 2, & 74** be classified as **UNFOUNDED** with **NO FURTHER ACTION**.

The Chief of Police also **FOUND** that Accused Officer Two **DID NOT VIOLATE RULE 1** and recommended this rule be classified as **UNFOUNDED**. However, the Chief of Police also **FOUND** Accused Officer Two **DID VIOLATE RULES 2 & 18**. and classified these rules as **SUSTAINED**. The Chief Of Police **RECOMMENDED SHIFT-LEVEL COUNSELING** and **DE-ESCALATION POLICY TRAINING** (dated 09/30/2024).

EVANSTON POLICE DEPARTMENT
Office of Professional Standards
CPRC Report
CR 24-06

Summary of Facts:

- A white Mercedes was pulled over near the intersection of Simpson and Brown for using high beams. Accused Officer One approached the driver's side and introduced himself.
- The Complainant recognized Officer One and began shouting obscenities, accusing him of harassment and claiming the stop was unjust. The Complainant threatened to spit on Officer One if a supervisor was not called.
- Officer One called for a supervisor and refrained from further engagement until the supervisor arrived.
- Accused Officer Two approached the passenger side in an attempt to de-escalate the situation, explaining the reason for the stop. He requested the Complainant's driver's license and insurance, but the Complainant insisted he would only provide them to a supervisor and yelled threats at Officer One.
- Officer Two suggested that the headlights might be a manufacturing issue but emphasized that it was the Complainant's responsibility. The Complainant then insulted Officer Two, calling him a "bitch," to which Officer Two noted the Complainant's hostility.
- The Complainant claimed he was pulled over because Officer One knew him personally (03:20), accused Officer One of harassment, and expressed a desire to call his older brother. He repeatedly asked to demonstrate his headlights, asserting they were brighter than normal.
- - Tensions escalated when the Complainant demanded Officer Two remove his badge, leading Officer Two to challenge him, stating, "I'll be in court; you are not going to do shit," while waiting for the supervisor.
- The Patrol Supervisor arrived about 10 minutes into the stop, was briefed by Officer Two, identified himself, and recorded the interaction.
- The Complainant reiterated his claims of harassment against Officer One and insisted he was using regular lights, not high beams. The Patrol Supervisor informed him that even factory-installed lights could be illegal and allowed him to demonstrate.
- The Supervisor confirmed with Officer Two that the high beams were activated. and issued the Complainant an incident card with officer details and the Office of Professional Standards contact information. concluded.
- Officer Two provided the Complainant with copies of four citations and explained their reasons, but the Complainant took the tickets from Officer Two's hand and drove away. The Supervisor remained until the stop

Allegations:

The Complainant alleged harassment by two Evanston police officers, claiming he was being targeted with unwarranted traffic stops. Furthermore, the Complainant reported a confrontation with Accused Officer Two during the same stop, alleging that Officer Two challenged him to a fight.

Recommended Adjudications:

Accused Officer One:

Patrol Sergeant Recommendations

Rules	1, 2, & 74	Not Sustained No Further Action
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Patrol Commander Recommendations

Rules	1, 2, & 74	Not Sustained No Further Action
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Deputy Chief Recommendations

Rules	1, 2, & 74	Not Sustained No Further Action
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Accused Officer Two:

Patrol Sergeant Recommendations

Rules	1	Not Sustained
	2 & 18	Sustained Shift Level Counseling & De-escalation Policy Training

Patrol Commander Recommendations

Rules	1	Not Sustained
	2 & 18	Sustained Shift Level Counseling & De-escalation Policy Training

Deputy Chief Recommendations

Rules	1	Not Sustained
	2 & 18	Sustained Shift Level Counseling & De-escalation Policy Training

CPRC Vote:

In the review of **CR # 24-06**, the members of the Commission discussed the investigation and agreed the findings and recommendations set forth in the investigation and summary report were complete, thorough, objective, and fair. The Commission voted **5-0** to move this complaint to the Human Services Committee for final review.

Chief of Police Chief of Police Recommendations

Accused Officer One

Rules	1, 2, & 74	Not Sustained No Further Action
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Accused Officer Two

Rules	1 2 & 18	Not Sustained Sustained Shift Level Counseling & De-escalation Policy Training
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EVANSTON POLICE DEPARTMENT
Office of Professional Standards
Departmental Inquiry

DI # 23-09

Initiated: August 02, 2023

Completed: June 11, 2024

Allegation

On 08/02/23, the Office of Professional Standards received a Complaint Register from the Complainant. The Complainant stated that on July 29, 2023, she was involved in a physical domestic dispute between her partner/child's father (Father) and the mother of his first child (Mother Two). The Complainant alleged that her attempts to press charges against Mother Two were unsuccessful, alleging that the Accused Patrol Sergeant dismissed her request. The OPS Sergeant classified this complaint as a Departmental Inquiry.

If the allegations are true, the Accused Officer may have violated the following:

- Rule 1** Violation of any federal, state, or local law or ordinance, or of any rule, regulation, standard operating procedure, policy, directive, training, or order of the Department, either written or oral. In the event of improper action, breach of discipline, or violation of law, it will be presumed that the employee was familiar with the law, rules, regulations, policy, training, or order in question.
- Rule 2** Any action or conduct, on or off duty, which impedes the Department's efforts to achieve its goals, mission, or values, or which degrades or brings disrespect upon any member or the Department as a whole; or any action that impedes the operation or efficiency of the Department and its members.
- Rule 6** Incompetency or inefficiency in the performance of a duty or task.
- Rule 18** Disrespectful behavior, willful maltreatment or abusive language towards any person, whether a citizen or a member of the Department.

The Incident, per OPS Sergeant

On July 29, 2023, a disturbance occurred involving an adult male and two adult females. Several callers reported witnessing the fight in the street with children present. Witnesses reported seeing the Father attempting to break the car window and then physically assault the Mother Two, including hitting her head against the car window. It was reported that the Complainant also became involved in the altercation, hitting Mother Two as well. Mother Two's child tried to intervene when her mother was being hit by the Complainant. The Father was subsequently taken into custody after the Responding Officers interviewed witnesses and the other parties involved.

Actions per OPS Sergeant

On August 04, 2023, the OPS Sergeant spoke with the Complainant, who recounted a domestic disturbance on July 29, 2023, involving the arrest of her child's Father. The Complainant stated Mother Two assaulted her during the incident, which included being kicked twice in the stomach. She alleged that although she wished to press charges, she was only allowed to complete a complaint form. The OPS sergeant informed the Complainant that complaints and criminal complaints are not the same.

She alleged that the Accused Patrol Sergeant was sarcastic and dismissive during their interactions. The Complainant said that the Accused Patrol Sergeant was sarcastic because he stated, "You know what? If you can get the tapes from that church, then we'll go ahead and help you out. The cameras are only live, not recorded, so you're out of luck." The OPS Sergeant noted that although the Accused Patrol Sergeant advised the Complainant that the Church cameras did not record, he did not inform her why she could not press charges.

The OPS Sergeant spoke with the Complainant again later that day and advised she followed up with the Detective Supervisor, who confirmed that Mother Two would not be arrested due to corroborating witness statements. Despite knowing one of the witnesses, the Complainant insisted on proceeding with a complaint against the Accused Patrol Sergeant. She described the Accused Patrol Sergeant's manner as rude during a phone call on August 02, 2023. She alleged he told her to stop calling the Department and dismissed her concerns about pressing charges.

Although the OPS Sergeant found a record of her call to the Patrol Supervisor's office, there were no recordings of her conversation with the Accused Patrol Sergeant.

The OPS Sergeant examined the body-worn camera (BWC) footage of the Responding Officers who had been involved in this incident.

Accused Patrol Sergeant: The Accused Patrol Sergeant responded to the incident on the 1900 block of Hartrey. The footage shows the Accused Patrol Sergeant making contact with the victim, identified as Mother Two. According to Mother Two, her daughter had been involved in a fight with an adult woman, later identified as the Complainant. Mother Two stated that while she was speaking with her daughter's Father, the Complainant approached her and physically assaulted her.

Mother Two claimed that the Father and the Complainant attacked her while she was with her children, attempting to go home. She alleged that they tried to break her car windows but couldn't due to tinted glass. She also expressed concern about the Father's Aunt, to which the Accused Patrol Sergeant responded by emphasizing the need for information about whether something happened to the Aunt.

The Patrol Sergeant then moved to where the Father was being interviewed by the other Responding Officers. At this point, the Father denied hitting Mother Two and claimed that Mother Two swung at him, and he pushed her aside. When questioned further by Responding Officer One, he admitted he did not remember how the altercation turned physical.

Responding Officer Two spoke with Mother Two, who alleged that the Father had choked her.

Responding Officer Two and the Accused Patrol Sergeant relocated down the street, where they encountered two adults and two juvenile independent witnesses. These witnesses reported that Mother Two flipped the Father's durag but did not physically strike him. Subsequently, Mother Two walked away to her car, where the Father then banged her head against the car window. The witnesses further stated that the Complainant intervened, and both the Father and the Complainant began to fight Mother Two. During the altercation, Mother Two's 9-year-old child emerged from the car and started hitting the Complainant, pleading for them to stop hitting their mother.

The witnesses informed the Accused Patrol Sergeant that nearby cameras on the church should have captured the incident.

The Accused Patrol Sergeant informed the Responding Officers that the Father would be taken into custody, and the possibility of arresting the Complainant would depend on reviewing nearby surveillance footage. He noted the need to arrange care for the baby if the Complainant were arrested.

While on the front porch, the Complainant began shouting and using profanity towards witnesses regarding the Father's arrest. The Accused Patrol Sergeant questioned if she was attempting to provoke a fight with someone and warned her that she would be arrested next, with her baby potentially taken into the care of DCFS. He also commented, "Out here getting drunk and fucked up and trying to take care of a baby."

Responding Officer One: Responding Officer One responded to the 1900 block of Hartrey and spoke with the Father and the Complainant, who both denied any involvement in or knowledge of a fight and claimed not to have seen one. However, a neighbor identified them as parties involved in a disturbance. The Father then requested to speak with the Officers.

Subsequently, the Complainant began yelling "Snitch in this town" repeatedly and spat in the direction of neighbors, expressing her disdain for informants. Meanwhile, Mother Two returned to the scene.

The Father stated that he was hit in the head, intervened to break up the altercation, and had to fix his durag, though he had no visible marks or bruises. He expressed no desire for a report to be filed.

The Complainant was given the opportunity to provide a statement to Responding Officer One when she mentioned having recently given birth and receiving stitches. The Complainant alleged that Mother Two kicked her twice in the stomach while attempting to fight her, and the Father intervened by pushing Mother Two away, which resulted in Mother Two striking him. The Father intervened, denying any physical altercation with Mother Two.

Responding Officer One then summarized the incident with the Complainant and asked for the sequence of events. The Father began yelling from the porch that he couldn't recall how it started. Responding Officer One advised him to share his perspective before any arrests were made.

Later, Responding Officer One spoke with Mother Two, who claimed that the Father attempted to break her car window and choked her while the Complainant hit her. Mother Two's child tried to intervene, falling out of the car in the process. Mother Two also reported having a headache from the Father banging her head against the window and expressed a desire to file a criminal complaint against him.

Responding Officer Two: In Patrol Officer Two's BWC footage, the Complainant mentioned that she didn't have a vehicle and lived in the city. She then started yelling down the street, directing profanities toward someone and urging them to mind their own business.

Patrol Sergeant Two offered to provide transportation for the Complainant to the CTA purple line, given her living situation in the city. Subsequently, he informed her that he would seek

permission from the Accused Patrol Sergeant to arrange for an Uber to take her home, which he approved.

The OPS Sergeant noted that after reviewing the supplemental report from the Detectives Bureau, it was revealed that Mother Two's child underwent a forensic interview.

The child reported that her Father was hitting the car window and attempting to open the car door. Eventually, her Father succeeded in opening the door and grabbed her mother by the neck, pulling her out of the car. Additionally, the child stated that her Father then proceeded to hit her mother's head against the car window multiple times. The child also mentioned that the Complainant began hitting her mother as well during the altercation, prompting the child to pull the Complainant's hair.

In addition the Communications Event Report showed, multiple callers reported witnessing a couple fighting in the street with children present.

Actions, Patrol Commander

The Patrol Commander advised the Accused Patrol Sergeant of this complaint and directed him to submit a memorandum delineating his recollection of this incident. The Accused Patrol Sergeant complied.

Accused Patrol Sergeant's Memorandum: The Accused Patrol Sergeant stated that on July 29, 2023, he responded to a Domestic Disturbance at the 1900 block of Hartrey to assist the Responding Officers with interviews of independent witnesses. The Accused Patrol Sergeant stated that the witness statements supported Mother Two's account of the incident. During the investigation, the Complainant, who is the Father's girlfriend, was alleged to have been involved as a possible second offender. However, it was determined that her role may have been minimal, pending video footage review.

After the Father was taken into custody, the Accused Patrol Sergeant observed the Complainant arguing loudly with neighbors while holding a newborn baby. The Accused Patrol Sergeant stated he intervened to prevent escalation, reminding her of the baby's presence and warning of potential consequences if she continued. The Accused Patrol Sergeant expressed concern for her well-being, given her apparent intoxication.

Upon discovering that the Complainant had no place to stay in Evanston, the Accused Patrol Sergeant authorized an Uber ride for her to return home.

Subsequently, the Complainant called to file a complaint against Mother Two for battery, which the Accused Patrol Sergeant addressed by explaining the findings of the investigation and the lack of evidence supporting her allegations. Despite repeated calls from the Complainant, the Accused Patrol Sergeant reiterated the conclusions reached and provided her with relevant case information.

In summary, the allegations against Mother Two could not be substantiated based on witness statements, and no further action was taken (dated 02/18/2024).

Findings / Recommendation, Patrol Commander

In the Patrol Commander's original memorandum he noted that the Accused Patrol Sergeant was promoted by the time he received this complaint. In the memo he referred to the Accused Patrol Sergeant as "Commander".

After reviewing all data, reports, and memoranda associated with this complaint, the Patrol Commander stated the Accused Patrol Sergeant responded to a domestic battery call where witnesses contradicted the Complainant's account. There was potential for the Complainant herself to be arrested based on statements. The Accused Patrol Sergeant intervened when the Complainant confronted neighbors while holding her newborn, raising his voice to gain compliance, though the use of explicit language was inappropriate.

Subsequently, the Sergeant spoke with the Complainant over the phone, and no audio recordings were available. Conversations with citizens in the Supervisor's office are typically not recorded on body cameras. The Accused Patrol Sergeant informed the Complainant that her statement was documented and that Mother Two wouldn't be arrested.

Despite efforts, church cameras weren't recording during the incident. The Sergeant arranged an Uber for the Complainant and her newborn, which is an accommodation beyond the requirement.

The Patrol Commander **FOUND** that the Accused Patrol Sergeant **DID NOT VIOLATE RULES 1, 2, & 6** and classified them as **UNFOUNDED**. However, the Accused Patrol Sergeant should not have used explicit language toward the Complainant while trying to get her attention. The Patrol Commander **FOUND** that the Accused Patrol Sergeant **DID VIOLATE RULES 18** and classified this rule as **SUSTAINED**. The Patrol Commander recommended the Accused Sergeant receive an **ORAL REPRIMAND** (dated 02/28/2024).

Findings / Recommendation, Deputy Chief

After reviewing all data, reports, and memoranda associated with this complaint, the Deputy Chief stated the Deputy Chief **FOUND** that the Accused Patrol Sergeant **DID NOT VIOLATE RULES 2 & 6** and classified them as **UNFOUNDED**. However, the Deputy Chief stated that it was evident that the Accused Patrol Sergeant became frustrated with the Complainant's behavior in public, particularly her intoxication while caring for a newborn. However, the Accused Patrol Sergeant's tone, manner of speaking, and use of profanity were deemed inappropriate and in violation of policy. The Deputy Chief **FOUND** that the Accused Patrol Sergeant **DID VIOLATE RULES 1 & 18** and classified this policy violation as **SUSTAINED**. The Deputy Chief recommended the Accused Patrol Sergeant receive an **ORAL REPRIMAND** (dated 03/18/2024).

Findings / Recommendation, CPRC

In the review of **DI # 23-09**, the members of the Commission discussed the investigation and agreed the findings and recommendations set forth in the investigation and summary report were complete, thorough, objective, and fair. The Commission voted **5-0** to move this complaint to the Human Services Committee for final review.

Findings / Recommendation, Chief of Police

After reviewing all reports, memoranda, and video associated with this complaint, the Chief of Police **FOUND** that the Accused Patrol Sergeant **DID NOT VIOLATE RULES 2 & 6** and classified them as **UNFOUNDED**. However, the Chief of Police also **FOUND** that the Accused Patrol Sergeant **DID VIOLATE RULES 1 & 18** and classified them as **SUSTAINED**. The Deputy Chief **RECOMMENDED** the Accused Patrol Sergeant receive an **ORAL REPRIMAND** (dated 06/11/2024).

EVANSTON POLICE DEPARTMENT
Office of Professional Standards
CPRC Report
DI 23-09

Summary of Facts:

- On July 29, 2023, a domestic disturbance occurred at the 1900 block of Hartrey, involving an adult male and two adult females. Several callers reported witnessing the fight in the street with children present.
- Responding Officers arrived at the scene and interviewed Independent witnesses and Mother Two. They reported the Father attempted to break the car window, and he physically assaulted Mother Two.
- Mother Two explained that the Father grabbed her by the neck and repeatedly hit her head against the car window.
- The Father denied touching Mother Two and couldn't recall how the incident began.
- It was reported that the Complainant also began hitting Mother Two during the altercation with the Father. Mother To's Daughter attempted to intervene by pulling the Complainant's hair.
- The Accused Patrol Sergeant facilitated communication between involved parties and Responding Officers to gather information and achieve resolution.
- The Accused Patrol Sergeant observed the Complainant display aggressive behavior toward the neighbors in the area while she was holding her newborn baby. The Accused Patrol Sergeant intervened to prevent further escalation.
- He advised the Complainant to stop yelling and using profanity towards witnesses. The Accused Patrol Sergeant told the Complainant, "Out here getting drunk and fucked up and trying to take care of a baby."
- Subsequently the Father was arrested for battery.
- Mother Two was not arrested. She was later transported to the Hospital for head pain.
- The Complainant was not arrested. The Accused Patrol Sergeant approved the Complainant and her born baby's transportation home via Uber.

Allegations:

The Complainant alleged that her attempts to press charges against Mother Two were unsuccessful. She alleged that the Accused Patrol Sergeant dismissed her request.

Recommended Adjudications:

Accused Patrol Sergeant

Patrol Commander Recommendations

Rules	1, 2, & 6,	Unfounded
	18	Sustained
		Oral Reprimand

Deputy Chief Recommendations

Rules	2 & 6	Not Sustained
	1 & 18	Sustained
		Oral Reprimand

CPRC Vote

In the review of **DI # 23-09**, the members of the Commission discussed the investigation and agreed the findings and recommendations set forth in the investigation and summary report were complete, thorough, objective, and fair. The Commission voted **5-0** to move this complaint to the Human Services Committee for final review.

Chief of Police

Rules	2 & 6	Not Sustained
	1 & 18	Sustained
		Oral Reprimand

EVANSTON POLICE DEPARTMENT
Office of Professional Standards
Departmental Inquiry

DI # 23-13

Initiated: October 20, 2023

Completed: July 29, 2024

Allegation

On September 29, 2023, the Office of Professional Standards received a formal complaint from the Complainant. The Complainant alleged that the Accused Officers and the Accused Patrol Sergeant exhibited racial bias and unprofessional behavior in handling her son's traffic crash report. She claims the Accused Officers dismissed her son's account of the incident because he is a young black man and documented him as the at-fault driver due to their prejudiced views. The Complainant also alleged that Officers made condescending remarks. She believes the officers' actions were racially motivated and that the report was not accurately completed, which could unjustly impact her son's life. In addition, the Complainant further alleged that the Accused Patrol Sergeant minimized her concerns about the report, playing into racial stereotypes. The OPS Sergeant classified this complaint as a Departmental Inquiry.

If these allegations are true, Accused Officer One and Accused Officer Two may have violated the following:

- Rule 1** Violation of any federal, state, or local law or ordinance, or of any rule, regulation, standard operating procedure, policy, directive, training, or order of the Department, either written or oral. In the event of improper action, breach of discipline, or violation of law, it will be presumed that the employee was familiar with the law, rules, regulations, policy, training, or order in question.
- Rule 2** Any action or conduct, on or off duty, which impedes the Department's efforts to achieve its goals, mission, or values, or which degrades or brings disrespect upon any member or the Department as a whole; or any action that impedes the operation or efficiency of the Department and its members.
- Rule 6** Incompetency or inefficiency in the performance of a duty or task.
- Rule 18** Disrespectful behavior, willful maltreatment or abusive language towards any person, whether a citizen or a member of the Department.
- Rule 74** Subject any person or group, or allow any person or group to be subjected, to any form of harassment, discrimination, prejudice, or bias on the basis of race, ethnic background, sex, age, religion, or any other personal characteristic, belief, or affiliation.

If the allegations are true, the Accused Patrol Sergeant may have violated the following:

- Rule 1** Violation of any federal, state, or local law or ordinance, or of any rule, regulation, standard operating procedure, policy, directive, training, or order of the Department, either written or oral. In the event of improper action, breach of discipline, or violation of law, it will be presumed that the employee was familiar with the law, rules, regulations, policy, training, or order in question.

Rule 2 Any action or conduct, on or off duty, which impedes the Department's efforts to achieve its goals, mission, or values, or which degrades or brings disrespect upon any member or the Department as a whole; or any action that impedes the operation or efficiency of the Department and its members.

Rule 18 Disrespectful behavior, willful maltreatment or abusive language towards any person, whether a citizen or a member of the Department.

The Incident, per OPS Sergeant

On September 6, 2023, a traffic crash occurred at the Dunkin Donuts at Dempster and Dodge, involving the Complainant's son and another driver (Driver Two). Both parties reported the crash in the lobby of the Evanston Police Department (EPD). Accused Officer One and his trainee, Accused Officer Two responded to take the report. Both drivers provided consistent accounts: the Complainant's son was traveling west through the parking lot, stopped at a stop sign, and was inching out to make a left turn when Driver Two, traveling north without a traffic control device, went around a car in the drive-thru lane and struck the other driver's car. A third vehicle obstructed the view of both drivers. The officers confirmed the facts with both parties and completed a traffic crash report without issuing citations, as the crash occurred on private property. Based on the statements and the presence of the stop sign, the Complainant's Son was determined to be at fault (Unit 1). It is noted that the Complainant was not present at the scene. As the officers concluded their work, Driver Two wished the Complainant's son "good luck."

Actions per OPS Sergeant

On 09/29/23, the OPS Sergeant met with the Complainant at the Evanston Police Station accompanied by the Accused Patrol Sergeant for an interview. The Complainant reported that she spoke with a Patrol Sergeant who reviewed body camera footage and assured her that a corrected supplemental report would be completed on 09/29/23, which she had not yet received. She stated that Driver Two admitted fault immediately after the accident. Both drivers told the Accused Officers what happened, but the officers allegedly dismissed her son's account due to racial bias, documenting him as causing the accident. The Complainant claimed that her son was condescendingly told, "Yeah, good luck" by the officers despite being hit. She also alleged that Accused Officer Two racially profiled her son and she expressed concerns about the Officer's ability to create prejudiced reports that could significantly impact lives.

The Complainant stated she spoke with the Accused Patrol Sergeant on 09/29/23, who allegedly minimized her concerns about Accused Officer Two making prejudiced reports. She expressed that officers should not need to review body camera footage and should report incidents accurately. She was concerned that Accused Officer Two's biased reports could ruin lives.

The Complainant wanted to file a complaint against the Accused Officers and the Accused Patrol Sergeant, who she described as "nasty." She felt triggered by the Accused Patrol Sergeant, who accused her of yelling, which she perceived as playing into stereotypes. The Complainant, who is light-skinned Nigerian and Portuguese, felt her background was disregarded by the Accused Patrol Sergeant. She stated that Patrol Sergeant Two was kind and helpful, as he had reviewed body camera footage and promised a follow-up call.

She primarily wanted her traffic crash report to get her car fixed, believing the Officer unfairly blamed her son, a young black Nigerian with dreads, for the accident. She stated that Accused Officer Two was supposed to correct the report to reflect that her son did not cause the accident.

On 10/03/23, Patrol Sergeant Two emailed to report that the Complainant had visited the EPD, expressed dissatisfaction with the supplementary report and alleged racial motivation by the Accused Officers who authored the original and supplementary reports. The Complainant was unhappy that Patrol Sergeant Two did not have the traffic crash report rewritten to her satisfaction and was given a complaint register form. Patrol Sergeant Two clarified that he did not promise a new traffic crash report. He had emailed Accused Officer Two to contact the Complainant about changes to the narrative via a supplementary report. The OPS Sergeant instructed Patrol Sergeant Two to include Accused Officer Two's supervisor in the communication to ensure timely completion. The OPS Sergeant also spoke to the Complainant, who agreed to visit the EPD on 10/04/23 with her son to review body camera footage and provide a verbatim statement about the traffic crash.

Interview of the Complainant's Son

On 10/04/23, The Complainant's Son responded to the Evanston Police Department for an interview with the Office of Professional Standards. The OPS Sergeant and the OPS commander Conducted the interview. The Complainant was also in attendance via her son's cell phone on speaker phone during the interview. The Complainant's Son was allowed to review the Accused Officer's BWC footage. He provided a written statement to account for his perspective of the traffic crash, which was later documented in a supplementary report.

On 10/04/23, the OPS Sergeant emailed the Complainant and provided the officers' names, the case number, and a link to the Accused Officer's BWC footage online.

Review of Accused Officer One's BWC

Accused Officer One and OIT Accused Officer Two responded to the Evanston Police Station vestibule. Accused Officer One spoke with the Complainant's son, who reported that while he was stopped at a stop sign, an unknown driver traveling on the wrong side turned into the parking lot. Driver Two swerved around this unknown driver and struck his vehicle. The Complainant's son used Google Maps on his phone to show the direction of his travel before the crash. He stated that while inching out to make a left turn, he saw Driver Two and stopped, but Driver Two accidentally struck him. The Complainant's son did not have his license but provided his permit number, a picture of his insurance information, and a photocopy of his ID.

The OPS Sergeant noted that Accused Officer One made no racist, derogatory, or disrespectful statements towards the Complainant's son, and no citations were issued as the incident occurred on private property.

Review of Accused Officer Twos BWC

Accused Officer Two, accompanied by Field Training Officer Accused Officer One, responded to the vestibule of the Evanston Police station. Driver Two reported colliding with the Complainant's son's car in the Dunkin Donuts parking lot at Dodge and Dempster. Driver Two mentioned that they exchanged information, but he did not obtain the Complainant's son's

insurance details. Outside, Driver Two showed Officer Two the vehicle damage and explained that he was traveling northbound in the parking lot when the Complainant's son, initially out of sight behind a car in the drive-through line, struck his vehicle.

Accused Officer One gathered the Complainant's son's account and advised Officer Two that the person making a left turn must yield despite Driver Two being the striking vehicle. Officer Two returned the Complainant's son's ID and gave both drivers the traffic crash report number. As Officer Two started down the stairs, Driver Two appeared to say "Good luck" to the Complainant's son, which the Complainant later described as condescending.

The OPS Sergeant noted that Officer Two made no racist, derogatory, or disrespectful statements toward the Complainant's son.

Actions, Patrol Sergeant

The Patrol Sergeant advised the Accused Officers of this complaint and directed him to submit a memorandum delineating his recollection of this incident. Accused Officer One complied. It is noted that Accused Office Two resigned in November of 2023 there, and he authored no memo.

Accused Officer One's Memorandum: Accused Officer One stated that on 09/29/2023, he and Accused Officer Two responded to the front entrance of the Evanston Police Department for a walk-in crash report. Accused Officer One spoke with the Complainant's son, who reported making a left-hand turn (west, then southbound) from the Dunkin Donuts parking lot. The Complainant's son stated that he inched his way due to the backup of vehicles in the drive-through, then proceeded to turn when Driver Two, traveling northbound towards Dempster Street, collided with his vehicle.

Accused Officer One stated he had the Complainant's son use Google Maps to confirm both vehicles' location and direction of travel. He observed a stop sign at the Dunkin Donuts parking lot exit/entrance from which the Complainant's son exited and noted that Driver Two traveled on a through road with no traffic signs or signals. Both drivers agreed with Accused Officer One's interpretation of events. Since the crash occurred on private property, no traffic citations were issued. Accused Officer One relayed the facts to Accused Officer Two, who completed the crash report. Accused Officer One then went to the crash location to confirm the stop sign was still present at the parking lot entrance/exit (dated 03/07/2024).

Findings / Recommendation, Patrol Sergeant

After reviewing all data, reports, and memoranda associated with this complaint, the Patrol Sergeant stated she found that the Complainant's son was correctly determined to be the at-fault driver. According to the facts given by the Complainant's son, he was stopped at a stop sign in a parking lot and inched forward to make a left turn while the other vehicle was driving northbound with the right of way. Despite a vision obstruction from drive-through vehicles, the Complainant's son was responsible for ensuring no oncoming traffic before proceeding. The Patrol Sergeant also observed that neither Officer made disrespectful or racist comments, and both maintained a consistent and professional tone when speaking with both parties.

The Patrol Sergeant **FOUND** that Accused Officer One and Accused Officer Two

DID NOT VIOLATE RULES 1, 2, 6, 18 & 74 and classified them as **UNFOUNDED** with

NO FURTHER ACTION (dated 04/12/2024).

Actions, Patrol Commander

The Patrol Commander advised the Accused Patrol Sergeant of this complaint and directed her to submit a memorandum delineating her recollection of this incident. The Accused Officer Sergeant complied.

Accused Patrol Sergeant's Memorandum: The Accused Patrol Sergeant stated she accompanied the OPS Sergeant on 9/29/23 to speak with the Complainant in the Evanston Police Department vestibule as a witness. During the meeting, the Complainant claimed the Accused Patrol Sergeant had a prior phone conversation with her, accused her of yelling and cussing and minimizing a traffic accident report. Due to the time elapsed, the Accused Patrol Sergeant stated she did not recall this phone conversation but reviewed body-worn camera footage of the in-person discussion. In the footage, the Complainant accused the Accused Patrol Sergeant of saying the Complainant was yelling and cussing, to which the Accused Patrol Sergeant replied that she had asked the Complainant to stop yelling so they could talk. The Complainant called the Accused Patrol Sergeant "nasty," claiming she lacked brain cells, and requested that she be added to the complaints list. Consequently, the Accused Patrol Sergeant refrained from further conversation and remained silent during the interview.

Findings / Recommendation, Patrol Commander

After reviewing all data, reports, and memoranda associated with this complaint, the Patrol Commander stated despite indications that the Accused Officer was likely the Officer involved in the alleged incident, the complaint lacked sufficient evidence to sustain the recommended rule violations due to some mediating factors.

The Patrol Commander **CONCURRED** with the Patrol Sergeant and **FOUND** that the Accused Officers **DID NOT VIOLATE RULES 1, 2, 6, 18, & 27** and classified them as **UNFOUNDED**.

As for the Accused Patrol Sergeant, There were no recordings of the phone conversation, and the Accused Patrol Sergeant did not recall the specific call due to the time elapsed and the volume of calls handled daily. The Complainant's main complaint was that her son was unfairly blamed for the accident due to racial bias, not the Sergeant's behavior.

The investigation found no evidence of rude or unprofessional behavior by the Accused Patrol Sergeant. The complaint of the Accused Patrol Sergeant being "nasty and rude" was also unsupported by the evidence. The Patrol Commander **FOUND** the Accused Patrol Sergeant **DID NOT VIOLATE RULES 1, 2, & 18**. The Patrol Commander classified these rules as **UNFOUNDED** and recommended **NO FURTHER ACTION** (dated 04/25/2024).

Findings / Recommendation, Deputy Chief

After reviewing all data, reports, and memoranda associated with this complaint, the Deputy Chief **CONCURRED** with the Patrol Sergeant and the Patrol Commander and **FOUND** that the Accused Officer **DID NOT VIOLATE RULES 1, 2, 6, 18, & 74** and classified them as **UNFOUNDED**. The Deputy Chief stated that the Accused Officers interviewed both parties separately and obtained consistent facts. The Complainant's son admitted he was at a stop sign

and attempted a left turn. The officers correctly determined that the Complainant's son was responsible for yielding to traffic and ensuring it was safe to proceed. The investigation found no evidence that the officers' determination was influenced by anything other than the facts of the incident.

Additionally, the Deputy Chief **CONCURRED** with the Patrol Commander and **FOUND** the Accused Patrol Sergeant **DID NOT VIOLATE RULES 1, 2, & 18** and classified these Rules as **UNFOUNDED**. The Deputy Chief stated that the investigation found no evidence supporting the Complainant's claim that the Patrol Sergeant was rude. The Complainant also accused the Sergeant of fabricating claims of her hollering and cursing, but BWC showed the Sergeant merely asked her to stop yelling to facilitate a conversation (dated 06/04/2024).

Findings / Recommendation, CPRC

In the review of **DI # 23-13**, the members of the Commission discussed the investigation and agreed the findings and recommendations set forth in the investigation and summary report were complete, thorough, objective, and fair. The Commission voted *5-0* to move this complaint to the Human Services Committee for final review.

Findings / Recommendation, Chief of Police

After reviewing all data, reports, and memoranda associated with this complaint, the chief of Police **FOUND** that the Accused Officer **DID NOT VIOLATE RULES 1, 2, 6, 18, & 74** and classified them as **UNFOUNDED**. The Chief of Police recommended **NO FURTHER ACTION**.

Additionally, the Chief of Police also **FOUND** that the Accused Patrol Sergeant **DID NOT VIOLATE RULES 1, 2, & 18** and classified these rules as **UNFOUNDED** with **NO FURTHER ACTION** (dated 07/29/2024).

EVANSTON POLICE DEPARTMENT
Office of Professional Standards
CPRC Report
DI 23-13

Summary of Facts:

- On 09/06/23, the Complainant's son reported a traffic crash to the Evanston Police Department.
- The crash involved the Complainant's son and another driver (Driver Two) in the Dunkin Donuts parking lot at Dempster and Dodge.
- The Complainant's son stated he was stopped at a stop sign, inching forward to make a left turn, and was struck by Driver Two, who was traveling northbound.
- The Accused Officers interviewed both parties and determined the Complainant's son was at fault for not yielding at a stop sign. Both drivers confirmed the events, and Google Maps was used to verify the direction of travel.
- The crash occurred on private property; no traffic citations were issued. Accused Officer Two completed the traffic crash report under Accused Officer One's supervision.
- The OPS Sergeant reviewed body camera footage and found no evidence of disrespectful or racist comments from the officers.
- The Accused Patrol Sergeant accompanied the OPS Sergeant during the Complainant's visit on 09/29/23. The Complainant claimed the Accused Patrol Sergeant accused her of yelling and cussing during a phone call.
- The Accused Patrol Sergeant did not recall the phone conversation due to the elapsed time but reviewed body camera footage of the in-person meeting.
- During the meeting, the Complainant called the Accused Patrol Sergeant "nasty" and stated she lacked brain cells, leading the Accused Patrol Sergeant to remain silent for the rest of the interview.

Allegations:

The Complainant alleged that Accused Officer One and Accused Officer Two dismissed her son's account because he is a young black man and that the officers' actions were racially motivated and the report was inaccurate. The Complainant further claimed Accused Officer Two made a condescending remark, "Yeah, good luck," to her son.

The Complainant also accused the Accused Patrol Sergeant of minimizing the traffic report and being rude and prejudiced during a phone conversation.

The Complainant's primary concern was correcting the crash report to reflect that her son was not at fault due to perceived racial bias in the initial report.

Recommended Adjudications:

Accused Officer One and Two

Patrol Sergeant Recommendations

Rules	1, 2, 6, 18, & 27	Unfounded
		No Further Action

Patrol Commander Recommendations

Rules	1, 2, 6, & 27	Unfounded
		No Further Action

Deputy Chief Recommendations

Rules	1, 2, 6, & 27	Not Sustained
		No Further Action

Accused Patrol Sergeant

Patrol Commander Recommendations

Rules	1, 2, & 18	Unfounded
		No Further Action

Deputy Chief Recommendations

Rules	1, 2, & 18	Not Sustained
		No Further Action

CPRC Vote

In the review of **DI # 23-13**, the members of the Commission discussed the investigation and agreed the findings and recommendations set forth in the investigation and summary report were complete, thorough, objective, and fair. The Commission voted 5-0 to move this complaint to the Human Services Committee for final review.

Chief of Police Recommendations

Accused Officer One and Two

Rules **1, 2, 6, 18, & 27** **Unfounded**
No Further Action

Accused Patrol Sergeant

Rules **1, 2, & 18** **Unfounded**
No Further Action

DISPOSITIONS

- Unfounded** - Allegations false; no creditable evidence to support them
- Withdrawn** - Complainant withdrew complaint
- Not Sustained** - Insufficient evidence to prove or disprove the allegations
- Exonerated** - Incident occurred, but was lawful or proper
- Policy Failure** - Allegation true, but the officer acted in conformance with policy resulting in harm to the complainant
- Not City Related** - Outside the jurisdiction of the City
- Sustained** - Allegations supported by sufficient evidence to justify a reasonable conclusion of guilt
- SOL (Unresolved)** - The complainant failed to cooperate further

LETTERS

&

INFORMATION

OCTOBER 2024

Evanston Police



Kudos

Comments & letters from the public and
fellow Police Departments

THE FOLLOWING ARE SUMMARIZED CALLS, TEXTS, AND EMAILS TO THE EVANSTON POLICE DEPARTMENT. SOME OF THE NOTES WERE EDITED FOR CLARITY, ANONYMITY, AND/OR GRAMMATICAL ERRORS - JEL

OCTOBER 2024



ROUND LAKE PARK POLICE DEPARTMENT

INTEGRITY ★ EXCELLENCE ★ HONOR

DANIEL BURCH
Chief of Police

June 13, 2024
Chief of Police –
Evanston Police Department
1454 Elmwood Ave
Evanston, IL 60201

Dear Chief Schenita Stewart,

On April 16, 2024, at about 8:39 PM Round Lake Park Officers were dispatched to [REDACTED] Round Lake Park, for a suicidal subject / domestic disturbance in progress. Upon Officers' arrival on scene, they observed a young woman running from the home followed by a gunshot. Round Lake Park Officers secured the scene perimeter, and the decision was made to call NIPAS EST.

NIPAS personnel, including your Officer, Slava Leontiev, assisted the Round Lake Park Police Department in bringing the event to a conclusion. Though unfortunately it was later discovered through the efforts of NIPAS and Round Lake Park personnel that the subject chose to take his own life with a high caliber rifle, it was the efforts of your officer and other NIPAS personnel that allowed for a safe response.

Please extend my personal appreciation to Officer, Slava Leontiev, for the assistance provided during this incident. Also, thank you for allowing your officers to respond to Round Lake Park as well as to be a part of the NIPAS EST. Having highly trained personnel capable of responding to these types of events in a professional manner is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Burch".

Daniel Burch
Chief of Police

215 East Main Street • Round Lake Park, Illinois 60073 • Records: 847-546-7275 • Fax 847-546-7291

OCTOBER 2024



WILMETTE POLICE DEPARTMENT

KYLE MURPHY, CHIEF OF POLICE

May 30, 2024

Chief Schenita Stewart
Evanston Police Department
1454 Elmwood Avenue
Evanston, IL 60201

Dear Chief Stewart,

Please extend my thanks to Officer Random Johnson and Aston for their participation at our Open House on May 5th.

Officer Johnson's demonstration with Aston is always among the most popular attractions. Officer Johnson's vast knowledge of Police K-9 handling was incredibly informative for our attendees. I hope that they will be able to join us again next year.

The Wilmette Police Open House has always been an important and popular event within the community. Your continued support and effort mean a lot to us at Wilmette PD. Your presence and contribution significantly enhanced the experience for our community members and helped make the event a resounding success.

Sincerely,

Kyle Murphy, Chief of Police

An Internationally Accredited Law Enforcement Agency
710 Ridge Road, Wilmette, IL 60091 • P: 847-256-1200 • www.Wilmette.gov/police

AUGUST 2024

AUGUST 31, 2024

Email from an **Evanston Resident**

Many thanks to the Evanston Police Department for all that you do to keep our town and citizens safe— frequently risking your own safety to do your work. As a longtime resident of the North Shore and now Evanston, I am saddened to read about the incidents of crime in our community and the other lovely towns in our area. This is certainly not the way I remember things from earlier years. I am sure there are multiple factors contributing to these situations.

Thank you again for your weekly reports, as well. Everything that you do is much appreciated.

-J.A.

JUNE 04, 2024

Email from an **Evanston Resident**

My husband and I were walking to our car in front of the Xfinity Store on Sherman. A Patrol car was parked next to us, and the officer exited the vehicle to speak with an individual on Sherman. We are unaware of the circumstances. My husband and I noted this officer's professionalism and courtesy during this conversation. He showed genuine concern for this individual. This made us proud of our Evanston Police Officers.

APRIL 29, 2024

Email from a **Citizen**

To the **Evanston Police Department,**

As a resident of the North Shore and the mother of a NU senior, I would like to thank you for all that you do and all that you will do these next days/weeks in and around NU. My daughter also appreciates your efforts in managing this situation. I want you to know how grateful we are for what you do day in and day out. While some people can be loud, rude, and disrespectful, there are many who appreciate all that you do!