HUMAN SERVICES COMMITTEE
Monday, October 6, 2014
7:30 p.m.
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Council Chambers

AGENDA

I. CALL TO ORDER / DECLARATION OF QUORUM

II. APPROVAL OF MEETING MINUTES OF SEPTEMBER 3, 2014

   Citizen Comments

III. ITEMS FOR DISCUSSION
   HH 1  November Human Services Funding Summit
   HH 2  Animal Control Board Report

V. ITEMS FOR CONSIDERATION
   HH 3  Tobacco Ordinance
   HH 4  Police Complaints

VI. COMMUNICATION
   HH 5  General Assistance Report
   HH 6  Quarterly Tenant Based Rental Assistance Program Update

VII. ADJOURNMENT

Order & Agenda Items are subject to change. Information about the Human Services Committee is available at: www.cityofevanston.org/humanservices Questions can be directed to Erika Storlie Deputy City Manager at 847-448-8007.

The City of Evanston is committed to making all public meetings accessible to persons with disabilities. Any citizen needing mobility or communications access assistance should contact the Facilities Management Office at 847-859-7886(Voice) or 847-448-8064 (TTY).
HUMAN SERVICES COMMITTEE
Wednesday, September 3, 2014
7:30 p.m.
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Alderman Fiske, Alderman Braithwaite, Alderman Holmes, Alderman Tendam, Alderman Burrus

Members Absent: Alderman Grover

Staff Present: Wally Bobkiewicz, Erika Storlie, Sargent Melvin Collier, Joe McRae, Henry Ford, Kevin Brown, Evonda Thomas-Smith, Jessica Wingader

Presiding Member: Alderman Burrus

I. CALL TO ORDER / DECLARATION OF QUORUM
Alderman Burrus called the meeting to order at 7:30pm.

II. APPROVAL OF MEETING MINUTES OF AUGUST 4, 2014
Alderman Tendam moved approval. Alderman Holmes seconded approval. A voice vote was taken to approve the August 4, 2014 minutes and it was approved 5-0.

III. ITEMS FOR DISCUSSION
Citizen Comments
HH 5 - Sydney Evans spoke in support of Career Pathways
HH3 - Lou Harms spoke in support of Harley Clarke
HH3 - Barbara James spoke about Harley Clarke
HH3 - Linda Damashek spoke about Harley Clarke
HH3 - Junad Rizki spoke about Harley Clarke
HH3 - Jean Lindwell spoke about Harley Clarke

Madeline Ducre spoke about several items including HH1, HH6, HH7, the proposed medical marijuana dispensary, Township property tax review and the potential new YOU headquarters.
Peggy Tar spoke about Revolution Spin and concerns with Evanston Police Department.

HH 1 Human Services Funding Summit
Alderman Burrus stated that the meeting will take place on Monday, November 3, 2014. It will replace the Human Services meeting.
Wally Bobkiewicz stated that the meeting would take place at 6pm.
Alderman Burrus agreed and confirmed that all interested parties could attend.

V. ITEMS FOR CONSIDERATION
HH 2 Police Complaints and HH 6 Citizen Police Academy Admission Criteria
Alderman Burrus called for HH2 Police Complaints and HH6 Police Academy Admission Criteria

There were no questions or comments about HH2 Police Complaints.

Sgt. Collier reviewed the criteria for admission in the adult Citizen Police Academy and the Juvenile Academy. He stated that background checks are performed for adults through LEEDS and for juveniles through the James B. Moran Center for Juvenile Justice. Sgt. Collier also stated that all are admitted and no one is denied admission, regardless of criminal record. He added that only two participants in the history of the program were not allowed to participate. The first individual threatened police officers and had a history of inappropriate behavior. The second individual was also mentally unstable.

Alderman Holmes stated that people were unaware that background checks were performed.

Sgt. Collier clarified that the background check for juveniles was limited to talking to the Juvenile Detective Bureau and Youth Services to understand who is accepted into the program.

Alderman Tendam asked if the information was available on the application.

Sgt. Collier replied that it was and that the information was also listed online and on Facebook.

Alderman Burrus called for other questions. She stated that she participated in the program and that it was fantastic.

Sgt. Collier closed by stating that it was a very positive program.

HH 3 Harley Clarke

Wally Bobkiewicz discussed progress with plans for the Harley Clarke mansion. The Illinois Department of Natural Resources (IDNR) made a presentation in January and has been negotiating for use of the property. The focus of the discussions has been on the conditions of the mansion and included multiple assessments and studies. The State is prepared to provide a full restoration that will cost $5 to 6 million. The State indicated a willingness to purchase the mansion and the coach house because it will be easier to get funding for the proposed projects if the State owns the buildings. Mr. Bobkiewicz reiterated that any sale of the property is not something that the City will consider. The City has proposed the sale of the mansion and coach house with a long term lease of the property. Evanston would retain land ownership. Without an official ordinance or direction from Council, Mr. Bobkiewicz is unable to provide final terms. The State has requested permit parking similar to that used by the Evanston Art Center currently. Restoration would serve the building well and the building would be used for conservancy efforts and no other. Language would be drafted between the State and the City to insure that those uses remain for the purposes of conservation only. Mr. Bobkiewicz offered several options for negotiations and language, and stated that Council would review any proposals and have final say in any negotiations. IDNR does have a relationship with Illinois Historic Preservation officials – another group that is concerned about the building. The City has been very transparent. Mr. Bobkiewicz asked that the Human Services Committee recommend action to adopt resolution and send to City Council and asked for any questions.

Alderman Fiske asked about funding and why it would be easier if the State owned the building.

Mr. Bobkiewicz replied that, in order to obtain the funds necessary to complete renovations, additional revenue sources were needed; those sources would be easier to access if IDNR owned the building.

Alderman Fiske asked if the revenue sources were public or private.

Mr. Bobkiewicz replied that they were public.
Alderman Tendam stated that the purchase price should be settled and funding streams transparent. He is concerned with State funding, but would like to remove the liability of the property. He would also like more information about benefits to Evanston residents including classes; he would additionally like to keep spaces open for public use.

Mr. Bobkiewicz stated that there would be a limited amount of public space for events. IDNR has no interest in renting out the space for private functions, but the space would be available for community gatherings.

Alderman Tendam asked about preservation meetings and meetings around lake issues. Mr. Bobkiewicz replied that IDNR is open to further discussions, but is sensitive to timing, and would like to execute deal. Mr. Bobkiewicz proposed a separate letter of agreement or memorandum of understanding. The State would like to conclude this deal in the next few months.

Alderman Fiske asked about any increase in park land available to citizens. She believes that selling the building is not in the City’s best interest, but still supports leasing the building. She would rather dismantle the building and increase park land and beach land.

Mr. Bobkiewicz stated that the City would need to move forward quickly if deconstruction is still an option. The estimates to deconstruct varied and the City would need to budget and contract with a firm soon. To have the building sit empty as of January would not be good. There is not another entity that will do this.

Alderman Holmes asked about any other entities interested in leasing the property. Mr. Bobkiewicz stated that the only other others are for commercial use.

Alderman Holmes stated that she is comfortable with the sale of the building, not the land. She trusts that the Law Department will include all the necessary language and covenants. She further made a motion to move this to City Council.

There was discussion around the procedures for selling City property and the public nature of this building. There was further discussion about the classes IDNR would like to offer.

Alderman Burrus requested more information and input from a representative of IDNR. She closed by calling for a motion.

Alderman Holmes motioned to move the issue forward to City Council to allow the City Manager to negotiate the sale of the building and its adoption of the ordinance. Alderman Tendam seconded.

A voice vote was taken and the motion passed 3 to 2 with Alderman Fiske and Alderman Burrus not in favor.

**HH 4 Antibiotics in Farm Animals**

Jessica Fujan with Food and Water Watch discussed the importance of resolution 62-R-14, included in the packet, which she hoped the Committee would recommend to City Council. She listed local and federal supporters, similar measures in other countries and their effectiveness.

Alderman Holmes stated that she move to take staff recommendation to adopt the resolution. Alderman Braithwaite seconded. A voice vote was taken and the motion passes 3 to 2 with Alderman Fisk and Alderman Tendam not in favor.

**HH 5 Career Pathways**

Kevin Brown recommends approval of the third agreement between the City of Evanston and the Youth Job Center. He stated that the program has been successful and he introduced the new Executive Director, Karen Tollenaar Demorest. Mr. Brown further stated that the pilot program’s successful results have been consistent with national models, 80% of participants
considered high risk, 70% completed the program, 60% retained employment and certification or credentials. Of the 23 participants who enrolled in the second group, 100% completed the Job Readiness Training Program and 19 participants have been placed in internships.

Alderman Burrus thanked Mr. Brown for his report and called for a motion to accept the report.

Alderman Braithwaite moved approval. Alderman Holmes seconded.

VI. COMMUNICATION
HH 7 General Assistance Report

Alderman Burrus called for questions.

Evonda Thomas Smith stated that she was available to answer questions. She offered additional good news about a recent partnership with Oakton Community College. Oakton now provides GED courses. 10 participants were tested and all will start the program.

Alderman Tendam asked if there had been inquiries about Assessor’s services and referrals. Mr. Bobkiewicz stated that Administration & Public Works put information in e-news which has over 37,000 subscribers and that people are making appointments and receiving services.

There was discussion around how the City is advertising services and how this information is disseminated to residents. Alderman Holmes expressed concern that residents who didn’t have access to the internet weren’t receiving information or services. Ms. Thomas-Smith stated that she took flyers to surrounding businesses and concluded that people also learned by word of mouth.

Alderman Braithwaite asked if the City Manager had any plans to work with Larry Suffredin in terms of Assessor’s position.

Mr. Bobkiewicz replied that the offices work together every day and that Madeline Ducre’s daughter is a staff member. Mr. Bobkiewicz confirmed that services remained the same and that the processes were well established.

Alderman Holmes and Alderman Braithwaite asked about several items that were not listed in the budget. Specifically, Alderman Holmes didn’t see an area or category for veterans flags, west end market, rental assistance and assistance for mortgages and utilities.

Ms. Thomas-Smith explained how the items in question were included in the budget. There was discussion around the items and the way they were labeled. Ms. Thomas-Smith concluded by stating that the items in question would be made into separate line items.

Mr. Bobkiewicz discussed the differences between the General Fund and the General Assistance fund.

Alderman Burrus called for other questions.

Alderman Holmes stated that she is concerned that some programs will get lost if funding isn’t specified.
Mr. Bobkiewicz stated that he has similar concerns and that Council must decide where the money should come from. The General Assistance account is no longer tied to township law so the money will be used at the discretion of City Council.

Alderman Holmes stated that the Committee was responsible for providing services.

Alderman Burrus stated that it would be good to discuss this at the upcoming Human Services Funding Summit.

Alderman Holmes pointed out that people in the community hold the Aldermen accountable for providing services.

Alderman Braithwaite stated that part of the reason the Committee didn’t support dissolution was because there was concern that services would be lost.

Mr. Bobkiewicz stated vehemently that that is not what is happening. Council can create a smaller fund, but the City is not trying to change services. The City is trying to make sure that the budget and services remain the same. The Assessor’s services are under the general fund, but if Council wants a separate fund than that is possible.

Alderman Burrus stated that a separate budget is something that Council is trying to avoid. Council no longer wants to look at things in a piecemeal way. She agrees that services aren’t going away and that people are getting better services. She thanked Ms. Thomas-Smith for her leadership.

Alderman Holmes agreed, but stated that she was relaying public opinion.

Mr. Bobkiewicz suggested that a separate Human Services fund be created as a way of reassuring the community.

Alderman Holmes agreed that maybe a separate fund would make things more clear.

Mr. Bobkiewicz stated that staff is working hard and can create a Human Services fund that will come from the General Fund.

Alderman Braithwaite agreed that a separate fund would reassure people.

VII. ADJOURNMENT
Alderman Burrus called for a motion to adjourn.

Alderman Holmes moved to adjourn. Alderman Tendam seconded. The meeting was adjourned at 8:58 pm.

Respectfully Submitted,

Jessica Wingader
Administrative Secretary
Memorandum

To: Members of the Human Services Committee

From: Evonda Thomas-Smith, Health Director  
Sarah Flax, Housing and Grants Administrator

Subject: Human Services Funding Summit - Joint Meeting of the Human Services Committee, the Housing and Community Development Act Committee, and the Mental Health Board

Date: October 2, 2014

Summary:
On September 3, 2014, the Human Services Committee set a date for the Human Services Funding Summit. The Summit will be held on Monday, November 3rd at 6pm in the Parasol Room of the Evanston Civic Center.

The purpose of the joint meeting is to continue discussions of grant funding processes and procedures from the City of Evanston to local service organizations.

Background
The Human Services Committee decided on a FY 2015 funding allocation not to exceed $809,286 for Mental Health Board grants at the May 5, 2104 meeting.

Also, allocation procedures for human services funding was discussed at the May meeting. Returning to a unified budget application and review process is a consideration for the 2016 fiscal year, as well as aligning funding from multiple sources to achieve maximum benefits for Evanston residents and improved efficiencies for agencies and the City.

Currently the Mental Health Board funding is the single largest allocation of General Fund tax dollars to outside agencies. Unified budget hearings have been done in the past and could be a potential time saver for local organizations who apply for both Mental Health Board funding and CDBG (Community Development Block Grant) funding that is allocated by the Housing and Community Development Act Committee.
Additionally, there was discussion of prioritizing funding to address service gaps/unmet needs over maintenance funding, requesting an annual funding level from the City Council in the Spring prior to the Mental Health Board's review of funding applications, and potentially transitioning scope from mental health to also include a broader public health and human services focus.

Attachments:
Draft Agenda for November 3, 2014 Meeting
HUMAN SERVICES FUNDING SUMMIT
Monday, November 3, 2014
6:00 p.m.
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Parasol Room

AGENDA

I. WELCOME AND INTRODUCTIONS

II. OVERVIEW OF FUNDING
   A. Community Development Block Grant
   B. Mental Health Board

III. OVERVIEW OF NEW HUMAN SERVICES FUND

V. ALIGNING CITY-CONTROLLED FUNDING FOR HUMAN SERVICES TO ADDRESS CITY COUNCIL GOALS AND PRIORITIES FOR 2015

VII. ADJOURNMENT

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Memorandum

To: Honorable Mayor and Members of the City Council
   Human Services Committee

From: Evonda Thomas-Smith, Director, Health and Human Services

Subject: Amending the City Code subsection 3-14-6, to increase the age of sale, purchase, and possession of Tobacco or Liquid Nicotine products from eighteen (18) years of age to twenty-one (21) years of age

Date: October 6, 2014

Recommended Action:
Staff recommends City Council to amend Ordinance 111-0-14 City Code subsection 3-14-6, to increase the age of sale, purchase, and possession of Tobacco or Liquid Nicotine products from eighteen (18) years of age to twenty-one (21) years of age.

Funding Source:
N/A.

Summary:
Tobacco use remains a leading cause of preventable premature death in the United States, killing nearly half a million Americans and costing the nation almost $200 billion in healthcare expenses and lost productivity each year. Tobacco use also increases the risks of lung cancer, heart disease, stroke, asthma, emphysema, pre-term delivery, low birth weight, and many other types of cancers.

Most smokers start using tobacco products as youth or young adults. Ninety-five percent of all adult smokers started smoking before they turned twenty-one years old. There is strong evidence that people who begin smoking at an early age are more likely to develop a severe addiction to nicotine. The transition from experimental to regular smoking typically occurs around twenty years old. Raising the legal sales age for cigarettes and tobacco products will reduce access to both products in stores among young adults, between eighteen and twenty years old, and among youth who are younger than eighteen.

City staff recommends amending Ordinance 111-0-14 City Code subsection 3-14-6, to increase the age of sale, purchase, and possession of Tobacco or Liquid Nicotine products from eighteen (18) years of age to twenty-one (21) years of age.

Attachments (PDF attachments should include):
Copy of Resolution of Ordinance 111-0-14 City Code subsection 3-14-6
AN ORDINANCE

Amending City Code Subsection 3-14-6, to Increase the Age of Sale, Purchase, and Possession of Tobacco or Liquid Nicotine Products from Eighteen (18) Years of Age to Twenty-One (21) Years of Age

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

SECTION 1: Legislative Statement.

At the time of passage of this Ordinance, tobacco use remains a leading cause of preventable premature death in the United States, killing nearly half a million Americans and costing the nation almost $200 billion in healthcare expenses and lost productivity each year. Tobacco use also increases the risks of lung cancer, heart disease, stroke, asthma, emphysema, pre-term delivery, low birth weight, and many other types of cancer. Furthermore, cigarettes are the only consumer products that, when used exactly as intended, kill up to one-third of regular users.

Most smokers start using tobacco as youth or young adults. Ninety-five percent of all adult smokers started smoking before they turned twenty-one years old. Additionally, there is strong evidence that people who begin smoking at an early age are more likely to develop a severe addiction to nicotine than those who start at a later age. The transition from experimental to regular smoking typically occurs around twenty years old. Most people who are not smokers by twenty-one years of age do not start smoking later in their lives.

Raising the legal sales age for cigarettes and tobacco products will reduce access to both products in stores among young adults, between eighteen and twenty
years old, and among youth who are younger than eighteen. Raising the sales age will reduce access to cigarettes and tobacco products by youth because youth often acquire such products from older friends: 90 percent of people purchasing cigarettes for minors are between eighteen and twenty years old.

Other jurisdictions that have increased the minimum sales age for cigarettes and tobacco products have seen decreases in tobacco use among youth. In 2005, Needham, Massachusetts increased the legal sales age from eighteen to twenty-one years. Between 2006 and 2012, the percentage of high school students in Needham who reported smoking declined from 12.9 percent to 5.5 percent, a decrease of over fifty percent. In 2007, England increased the minimum sales age from sixteen to eighteen years. By 2009, there was a thirty percent decline in smoking among youth between the ages of sixteen and seventeen, and younger students between the ages of eleven and fifteen were one-third less likely to be regular smokers than they had been previously.

The City of Evanston has continuously been a public health leader in various aspects. In 2005, the City of Evanston was one of the first communities to ban smoking in public places. This step contributed to the City of Chicago and the State of Illinois eventually becoming smoke-free. Recently, Evanston led the way in Illinois by restricting the sale and use of e-cigarettes in the same fashion as traditional tobacco products in 2013.

Article VII, Section (6)a of the Illinois Constitution of 1970, which states that the “powers and functions of home rule units shall be construed liberally,” was written “with the intention that home rule units be given the broadest powers possible” (Scadron v.
City of Des Plaines, 153 Ill.2d 164). Pursuant to 65 ILCS 5/1-2-1, the City may make all rules and regulations to carry into effect the powers granted to the City, such broad and general grant of authority complementing the City’s home rule powers. At meetings held in compliance with the provisions of the Illinois Open Meetings Act (5 ILCS 120/1 et seq.), the City Council considered this Ordinance, heard public comment, and made findings. It is well-settled law in Illinois that the legislative judgment of the City Council must be considered presumptively valid (see Glenview State Bank v. Village of Deerfield, 213 Ill.App.3d 747(1991)) and is not subject to courtroom fact-finding (see National Paint & Coating Ass’n v. City of Chicago, 45 F.3d 1124 (1995)).

The City Council therefore finds that establishing a minimum sales age of twenty-one for cigarettes, tobacco products, and electronic cigarettes will reduce smoking, tobacco, and electronic cigarette use among youth and young adults, and decrease the likelihood that members of this cohort will become smokers or electronic cigarette users later in life. This increase in the minimum sales age will also reduce high school students’ opportunities to access tobacco or electronic cigarettes from legal buyers. Finally, raising the minimum sales age will augment existing tobacco prevention and control programs and improve the general health of Evanston residents.

SECTION 2: That Subsection 3-14-6 of the Evanston City Code of 2012, “Prohibitions Regarding Minors,” as amended, is hereby further amended to read as follows:

3-14-6: Prohibitions Regarding Minors

It shall be unlawful:

(A) Sales To. For any person, including any licensee, to sell, offer for sale, give away or deliver tobacco or liquid nicotine products to any person under the age of
eighteen (18) twenty-one (21) years.

Signs informing the public of the age restrictions provided for herein shall be posted by every licensee at or near every display of tobacco or liquid nicotine products and on or upon every vending machine which offers tobacco products for sale. Each such sign shall be plainly visible and shall state:

THE SALE OF TOBACCO PRODUCTS OR LIQUID NICOTINE PRODUCTS TO PERSONS UNDER EIGHTEEN TWENTY-ONE YEARS OF AGE IS PROHIBITED BY LAW

The text of such signs shall be in red letters on a white background; said letters to be at least one (1) inch high.

(B) Sale By. For any licensee or any officer, associate, member, representative, agent or employee of such licensee, to engage, employ or permit any person under eighteen (18) twenty-one (21) years of age to sell tobacco products in any licensed premises.

(C) Purchase. For any person under the age of eighteen (18) twenty-one (21) years to purchase tobacco or liquid nicotine products or to misrepresent his/her identity or age or to use any false or altered identification for the purpose of purchasing tobacco or liquid nicotine products.

(D) Possession. For any person under the age of eighteen (18) twenty-one (21) years to possess any tobacco or liquid nicotine products; provided, that the possession by a person under the age of eighteen (18) twenty-one (21) years under the direct supervision of the parent or guardian of such person in the privacy of the parent's or guardian's home shall not be prohibited.

(E) Penalties Generally. Any person violating Subsection (A) or (B) of this Section shall be fined not less than two hundred dollars ($200.00) nor more than five hundred dollars ($500.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. In addition to any other penalty, a licensee convicted of violating any provision of this Section may be subject to having his/her license revoked, suspended or not renewed by the Health Director.

SECTION 3: 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 4: All ordinances or parts of ordinances in conflict herewith are hereby
repealed.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

SECTION 6: 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.

Introduced: ________________, 2014
Adopted: ________________, 2014

Approved: ______________________, 2014

________________________________________
Elizabeth B. Tisdahl, Mayor

Attest:

Approve as to form:

______________________________________
Rodney Greene, City Clerk

______________________________________
W. Grant Farrar, Corporation Counsel
Memorandum

To: Members of the Human Services Committee

From: Richard Eddington, Chief of Police

Subject: Human Services Committee Report

Date: 29 September 2014

Attached are the summaries of complaint reviews since our last meeting. All of the complaints have been reviewed by the Citizen Advisory Board and the Citizen Police Advisory Committee. Their findings are listed at the conclusion of each report. Additionally, there are 10 positive letters and comments received complimenting the department's interactions with the community.

DI 14-03

Richard Eddington
Chief of Police
### PENDING COMPLAINT REGISTERS and DEPARTMENTAL INQUIRIES

(EFFECTIVE 09-29-14)

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<td>05-01-14</td>
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<tr>
<td>DI 14-11</td>
<td>Disrespectful Behavior &amp; False Arrest</td>
<td>04-12-14</td>
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<td>DI 14-13</td>
<td>Unlawful Stop</td>
<td>04-15-14</td>
<td>05-27-14</td>
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<td>Unlawful Stop</td>
<td>05-29-14</td>
<td>06-02-14</td>
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<td>DI 14-16</td>
<td>Unprofessional Conduct</td>
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<td>07-17-14</td>
<td>Unfounded, Violation of GO, Sustained</td>
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<td>DI 14-17</td>
<td>Unprofessional Conduct/Injury</td>
<td>06-14-14</td>
<td>07-01-14</td>
<td>Unfounded</td>
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Allegation: On February 4 the Complainant alleged to the department’s Office of Professional Standards (OPS) that the Accused Officer used undue force in effecting his arrest for driving while intoxicated. Specifically, said the Complainant, the officer pushed his head into the police vehicle and then bruised his wrists by applying the handcuffs too tightly. Later, at the station, the Accused Officer punched him in his head and nose. The Complainant said he was taken to the hospital, where his blood was drawn to ascertain his alcohol level. His injuries were not treated.

The Precipitating Incident, per the Incident and Supplemental Reports

The incident report, filed by the Accused Officer, states that on January 5 (11:00 p.m.) he and his partner were dispatched to a disturbance at McDonald’s. A drive-through customer (the Complainant) was yelling and banging on the service window, demanding food even though he hadn’t placed an order. Engaging the Complainant, the officers detected a strong odor of alcohol. His speech was slurred, he appeared to be disoriented, and his eyes were glassy and bloodshot. The Accused Officer asked the Complainant to submit to field sobriety testing and the Complainant agreed. As he walked around his van to begin performing the tests he steadied himself against it. The Complainant declined to take the first test (the horizontal gaze nystagmus test), saying he was unable to perform it (although he didn’t state why). The Accused Officer then introduced the nine-step walk-and-turn test, demonstrating how to perform it. The Complainant asked that the instructions be repeated—multiple times. When finally he performed the test, the Complainant began before being told to, raised his arms for balance, repeatedly stepped off the line, and did not step heel to toe during the steps both preceding and following the turn. What’s more he performed only six steps before [incorrectly] executing the turn and, following execution, performed only seven steps during his return. Rather than keeping his hands at his sides during the next test—the one-legged stand—the Complainant held onto his van to maintain balance. The Accused Officer told the Complainant that, having failed the tests, he was under arrest for driving under the influence. The officer handcuffed him and then attempted to conduct a custodial search. The Complainant responded by addressing the officer in derogatory terms, pushing off from the squad car, twisting his arms, and attempting to walk away. As the Accused Officer and his partner attempted to gain control of the Complainant he pushed off from the squad car a second time. His momentum brought him and the officers to the ground—where the Complainant continued to flail about. Two assist officers intervened. Together, the four officers gained control of the Complainant, searched him and placed him in the Accused Officer’s squad car for transport to the station. North Shore Towing impounded the Complainant’s vehicle.

At the station the Complainant was found to have sustained a scratch and a welt to the forehead. Paramedics responded. The Complainant asked that they transport him to the hospital. The paramedics said that was unnecessary. The Complainant insisted and, unsteadily, walked to the ambulance. At the hospital he refused to have his blood drawn for BAC. However, it was drawn for medical purposes. (The BAC was .275.) During the draw the Complainant yelled, screamed, and flailed about. Restraining him required the combined efforts of the Accused Officer, his partner and four nurses (two of them male). During this struggle the Complainant spat on the Accused Officer’s nose, whereupon a spit-guard was placed over his
face to prevent further spitting. The Complainant initially used the container given him for providing a urine sample, then suddenly urinated straight up in the air and, as a consequence, all over himself and the bed he was lying on.

**Use of Force Review, Patrol Sergeant**

Responding to the incident at the request of the Accused Officer’s partner, the Sergeant asked the Complainant (seated in the squad car and staring straight ahead) if he was injured. He responded “No,” thereby confirming her cursory observation that no injury was apparent. Arrived at the station, however, the Sergeant noticed the Complainant had a minor injury to the center of his forehead. She twice asked him what happened. He ignored her both times. However, in response to a third query he observed, “I’m hurting, baby,” stated the officers slammed his head into the car, and requested the paramedics. Their examination concluded the injury was minor and he didn’t need to go to the ER. However, the Complainant insisted and accordingly was transported to the hospital.

On-scene the Sergeant interviewed the Accused Officer and his partner separately. They both gave the same account, saying the Complainant was very intoxicated and argumentative, but complied with field sobriety tests. However, when he failed the tests, was arrested and was about to be subjected to a custodial search, he became non-compliant: He twisted his body back and forth, walked backwards into the officers, and used his body to push off from the squad car. When the Complainant did not comply with their multiple commands to desist the officers grabbed his arms while continuing their commands. Still he did not comply, and yet again pushed off from the car. The officers then took him to the ice-covered ground, where he continued to resist. Both officers stated that, before takedown, the ice and snow made it difficult to control the Complainant’s movements because he was pushing off the squad car and the officers couldn’t gain traction as they tried to use their weight as leverage holding him against it, i.e., a takedown was their only means of gaining control. Each officer independently stated he believed the injury to the Complainant’s forehead happened when he was flailing around on the ground.

There were no independent witnesses to the takedown, which occurred while Witness Officer One was moving the Complainant’s vehicle away from the drive-through window and Witness Officer Two had returned to the police station to retrieve the PBT. Further, once the Complainant exited his vehicle for sobriety testing, the McDonald’s manager—witness to the initial interaction between officers and the Complainant—found her view of them obstructed by the van, still parked in front of the service-window, and resumed her duties.

In-car audio/video shows the field sobriety tests and the arrest. It does not show the use of force because the Complainant was brought to the rear of the squad to be searched. Nonetheless, the audio clearly recorded the officers giving loud and clear verbal commands to “stop resisting” and to “stop moving.” Also, the McDonald’s surveillance camera failed to capture the use of force because the Complainant’s van blocked its view.
Based upon the Complainant's unremitting twisting around and pushing off the squad car, coupled with the slippery conditions that made it difficult for the officers to control him, the Sergeant declared the use of force justified, per General Order 16.1.

Findings, OPS Commander

In a March 4th memorandum to the Chief of Police, the Commander delineated her findings as follows:

- In lodging his complaint the Complainant was adamant that he never performed field sobriety tests. However, the in-car video shows him performing the tests on-scene.
- The officers reported that the Complainant struggled with them as they took him into custody and attempted a custodial search. That struggle ensued out of the in-car video's range. However, it can be heard clearly on the in-car audio.
- The officers completed a detailed "use-of-force report" (14-04), which was reviewed and approved.
- Video from the lock-up shows a very drunk and obnoxious Complainant being "mouthy" with officers, who do not strike him.

The Complainant's OPS statement is riddled with non-events and non-recollections. He states repeatedly that he cannot clearly recall the incident because he was so highly intoxicated. He falsely states the paramedics administered a shot that rendered him delirious. [Paramedics rendered neither shot nor treatment, they simply transported the Complainant to the hospital.] At the hospital the Complainant spit on an officer and aimed at the ceiling while urinating. He claims not to recall these events—nor the fact that ER staff placed a spit-shield on his face.

The Commander advised the Chief of Police she believes the Complainant's allegations to be unfounded, based upon the foregoing. She recommended that no further action be taken and that the matter be logged as a departmental inquiry and closed with a disposition of unfounded. The Chief of Police concurred and approved (6/03) the recommended disposition.

Disposition: Unfounded

Kmt

CPAC: All members agree with disposition
EPAC: All members agree with disposition
**DISPOSITIONS**

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<tr>
<th>Disposition</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unfounded</td>
<td>Allegations false; no credible evidence to support them</td>
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<tr>
<td>Withdrawn</td>
<td>Complainant withdrew complaint</td>
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<tr>
<td>Unresolved</td>
<td>Complainant failed to cooperate in the investigation</td>
</tr>
<tr>
<td>Not Sustained</td>
<td>Insufficient evidence to prove or disprove the allegations</td>
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<tr>
<td>Exonerated</td>
<td>Incident occurred, but was lawful or proper</td>
</tr>
<tr>
<td>Policy Failure</td>
<td>Allegation true, but the officer acted in conformance with policy resulting in harm to the complainant</td>
</tr>
<tr>
<td>Not City Related</td>
<td>Outside the jurisdiction of the City</td>
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<tr>
<td>Sustained</td>
<td>Allegations supported by sufficient evidence to justify a reasonable conclusion of guilt</td>
</tr>
<tr>
<td>SOL</td>
<td>The complainant failed to cooperate further</td>
</tr>
</tbody>
</table>
LETTERS

&

INFORMATION
Officer Random Johnson

September 18, 2014
One of your officers was our hero this evening

We had just gotten home with our new puppy, when a neighbor opened the gate and our brand new puppy took off running. We were finally able to corner him under a porch a block away, and your Office R. Johnson came, went to headquarters and then to the closed office of Animal Control to get the noose on a stick, and then expertly captured our little runaway. My partner and I were despairing about getting little [redacted] back, fearing he would be hit by an auto or just be lost forever. Officer Johnson took all the time that was required, practically refused any thanks, and is the hero of our family. Please thank him again in our behalf.

Your grateful friends,
September 17, 2014

Good Afternoon Deputy Chief Jamraz,

I would like to thank you and your staff for participating in the Presence Saint Francis Family Fun & Safety Fair. We had beautiful weather, a good community turnout and thanks to you, a very successful event! The officers that participated in the event were very enthusiastic. I am sorry I did not get everyone’s name, so please thank them for me. It was a pleasure to have them with us.

Thank you as always for your continued support of our EMS System and Presence Saint Francis Hospital.
PHONE CALL COMPLIMENTING OFFICER

Date: September 11, 2014

Caller: resident

Complimenting praiseworthy police work by: Officer Thomas Devine

and EPD

Reference: Resident states he received phenomenal service from EPD. Officer Devine responded to his issue and was very professional. He states his wife was missing from about 6:30am until 1:00pm today and all contact he had with police throughout the day was phenomenal, adding “this made my year”. He says “Thanks” to EPD and referred to a previous experience where he also received excellent service from EPD.

Submitted by: Michelle Smith, Admin. Secretary

Cc: Personnel File
Supervisor
Officer
Bulletin Board
Tuesday, September 9, 2014

Permit me to commend Officer Johnson and Kozlowski who responded to my call to check the well being of an elderly neighbor. They were at the scene within minutes of my call, gathered the essential information, and immediately began their investigation. Gaining entrance to the home they were able to contact victim’s son and learnt that the victim was out of town. These officers reported the conclusion of their endeavors to me. I wish to say that these two officers are to be highly commended for their courteous, professional behavior, and the concern they evinced toward the well being of this elderly woman. The community is well served by Officers Johnson (170) AND Kozlowski (196) and, reflect very well on the Department. I do feel in better hands knowing that they are on the job. Respectfully submitted in the hope that you will advise these officers as well as their supervisors of my sentiments. Thank you. Case 14-26735

[Signature]
Officer Stanley Samson

Saturday, August 23, 2014

Staying calm when handling an abusive person:
We were stopped for a seatbelt check on Dodge, just south of Dempster. My cousin, [REDACTED] was not wearing one, so she got a ticket. She said lots of juvenile, inappropriate things to the officer, who remained calm. He did not take the bait—he did not respond in kind. Nice work.
PHONE CALL COMPLIMENTING OFFICER

Date: August 22, 2014

Caller: [Redacted]

Complimenting praiseworthy police work by: EPD

Reference: Resident states her home is on a posted one way/do no enter street, and people often drive the wrong way on the street and sometimes very fast. There are small children in the area and she has a six year old. She wants to thank the unknown Officer who stopped a driver going the wrong way on the above mentioned date.

Submitted by: Michelle Smith, Admin. Secretary

Cc: Compliment Board
Hi Chief,

[redacted] and I met with Detective Brian Bartz this morning regarding [redacted] phone.

It seems we caught on to everything early enough that there wasn’t too much on the phone of concern. He is finishing up looking through everything and will contact me with the final information.

I just want to thank you so much for all your help and let you know that Detective Bartz was super helpful, compassionate and professional. We have had a really good experience with every interaction with your staff.

Much appreciation!

Respectfully,

[redacted]
Archie,

The other day I requested a subject in custody to be fingerprinted. I often ask for these inked impressions, as opposed to Livescan, to be taken when I have a difficult comparison to complete. Inked impressions, when done correctly, provide greater detail. The comparison turned out to be very challenging; however, because of the near perfect set of fingerprints (major case) you provided me, I was able to make identification.

I successfully indentified the small bit of an impression, located on the edge of an ammo magazine, with the left palm of the suspect. Thank you for taking your time with the "major case" prints you obtained from the subject. I really appreciate your effort. As I've said before, the hard work of the desk officers makes my job with the fingerprints that much easier.

Thanks again,
PHONE CALL COMPLIMENTING OFFICER

Date: August 28, 2014

Caller: resident

Complimenting praiseworthy police work by: SDO Alexander

Reference: Resident states she has lived in Evanston all her life and recently had a pleasant experience while she was at the police department. She states SDO Alexander assisted her and her mother-in-law and was very “refreshing”. She states SDO Alexander was pleasant and helpful, taking time with them to answer all their questions, even ones that were not related to the reason they were there, and even though the Service Desk was very busy at that time.

Submitted by: Michelle Smith, Admin. Secretary

Cc: Personnel File
Officer/Staff Member
Bulletin Board
PHONE CALL COMPLIMENTING OFFICER

Date: August 28, 2014

Caller: resident

Complimenting praiseworthy police work by: EPD

Reference: Resident says “Thanks for writing tickets today by Nichols School on Greenleaf so the kids can be safe”.

Submitted by: Michelle Smith, Admin. Secretary
Memorandum

To: Honorable Mayor and Members of the City Council
   Human Services Committee

From: Evonda Thomas-Smith, Director, Health and Human Services

Subject: General Assistance Report

Date: October 6, 2014

The General Assistance (GA) program provides Evanston residents with money and limited medical care to help take care of themselves when they do not qualify for other cash programs administered by the Department of Human Services (DHS). If a person has children and the family does not qualify for Temporary Assistance for Needy Families (TANF), the family might qualify for GA Family and Children Assistance (GA-FCA).

NEW Partnerships to support the participants in the program since June 2014:
Social Security Administration
Alliance to End Homelessness Suburban Cook (HMIS)
NorthShore University Health Systems Adult Outpatient clinic Social Worker Department
NorthShore University Health Systems Medical Assistance Program

Summary
The Social Security Administration office has requested a service agreement (contractual) relationship to assist City of Evanston staff with follow up for eligible clients for social security and social security disability. GA participants have been in a pending status for benefits, some for more than a year. Staff collaborated with the office and was successful in receiving social security benefit reimbursement totaling $23,460. We received reimbursement for one participant early June totaling $800.00.

Staff Trainings
All staff for general assistance including myself received training for Homeless Management Information System (HMIS) software. This is a local information technology system used to collect client-level data and data on the provision of housing
and services to homeless individuals, families and persons at risk of homelessness. The HMIS software complies with HUD’s data collection, management, and reporting standards. We are currently awaiting licensure and permissions to gain access. This will allow staff efficient tracking of GA clients receiving homeless and case management services in Evanston.

Medical Assistance and Enrollment
In March 2014 Erie Family Health center provided navigators to enroll some clients into health insurance. Due to lack of follow up, and pending status we learned that 90 GA clients were still uninsured. Navigators from Connections and Illinois Department of Public Health attended benefit day on October 1, 2014 in the Parasol room. Some clients received insurance documents in the past few weeks; the number of uninsured is down in the 60’s, which is great news.

Appointments are being set up from 9 am -2 pm for Oct. 16th and Oct. 31st. The plan is for 2 navigators to complete enrollment onsite, and one navigator will help those who are caught somewhere in the process (they started enrollment and never received their cards or they never submitted verification documents, etc.). The expert navigator has access to the DHS system and can identify roadblocks.

The Public Open Enrollment period for 2015 coverage is November 15, 2014 to February 15, 2015.

Participant Trainings:
Financial Literacy Workshop YWCA NorthShore (2)
Evanston Library Services workshop (Library Cards)
Smoking Cessation Workshop
GED classes and testing (10)

Attachments
System Activity Report June to current
Termination List
### General Assistance

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<thead>
<tr>
<th>Service</th>
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<tbody>
<tr>
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<td>Grants (Previous Clients)</td>
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<td>Sanctions</td>
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<td>Terminations</td>
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### General Assistance - Medical

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<td>Disbursements</td>
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### General Assistance - Work Program Assignments

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### General Assistance - Work Program Expenses

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<td>ABE - L &amp; T</td>
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### Emergency Assistance

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### Additional Activity

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**Grand Totals:** 2,070 $300,916.00
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<td>GA00692</td>
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Memorandum

To: Members of the Human Services Committee

From: Mark Muenzer, Director of Community Development
Sarah Flax, Housing and Grants Administrator
Mary Ellen Poole, Housing Planner

Subject: Quarterly Report on Tenant Based Rental Assistance Program by Connections for the Homeless

Date: September 25, 2014

Background
City Council approved a $500,000 HOME grant to Connections for the Homeless for a 36-month Tenant Based Rental Assistance program (TBRA) on July 22, 2013. HOME funds will be used to provide stable housing for 20-30 families with children under the age of 18 whose head(s) of households are unemployed or underemployed. In addition, the adults receive educational supports and job training to enable them to become self-sufficient, i.e., earning a living wage and affording market rate rental housing. It is estimated that the program will provide stable housing for an average of 24 months for between 60 and 90 adults and children over a 36-month period and break the cycle of poverty and instability for two generations of Evanston residents. Staff expects to meet the 2014 program goals by the end of the year.

Household Eligibility
To be eligible for TBRA, a family must either be living in Evanston (current or last address), or the head of household works in Evanston, or has a bona fide job offer in Evanston.

Families are referred by school social workers or other agencies to Connections for assessment for the program. Applicants are screened for program eligibility by Connections, and reviewed/approved by a committee of Connections and City staff. Households in the program with a case manager to develop a client-directed plan that includes education/training, financial literacy/money management and tenant training, as well as child care and other components based on the needs of the family. Adult(s) sign the TBRA agreement and meet with their case manager at least monthly to assess and modify the plan based on progress. Of the 15 households enrolled, four are enrolled in an employment/job skills program, four are enrolled in the education program and eleven are both employed and enrolled in education programs. Program
participation may be terminated for lack of cooperation/compliance with the case management plan. All households approved to date have maintained compliance with program requirements. One household left the program due to relocation out of state. To date, two households are in Ward 2; eight households are living in Ward 5, one in Ward 6, three are in Ward 8, and one is in Ward 9. Children in TBRA households attend school at Orrington, Lincoln, Kingsley, Chute, Oakton, Nichols, Dewey, Willard, Haven and ETHS.

Program benchmarks and progress against them are shown below:

- **20 households enrolled in the program by December 31, 2014.**
  As of September 30, 2014, fifteen households have been approved. One household has moved out of state and one new household has been added. The enrollment to TBRA decreased over the summer due to the school break and social workers not making referrals during that time. All fifteen are currently housed. Five households are pending approval. Staff expects to reach the 20 household goal well before December 31, 2014.

- **$250,000 in HOME funds committed to specific households by September 30, 2014.**
  Rent and utility assistance for the fifteen total households for their first 12 months in the program totals $213,424, an average of $14,228 per household annually. Staff expects to reach the commitment goal by December 31, 2014.

Program indicators and outcomes through September 30, 2014:
- Number of households evaluated for the program – 52
- Number of households accepted and stably housed – 15
- Number of heads of households in education/training program – 3
- Number of heads of households completing education/training – 4
- Number of heads of households completing both employment and education/training – 8
- Number of households compliant with case management plans – 15
- Information on employment/earnings of heads of households – All households are currently at or below 30% of the area median income.
- Number of households receiving child care support, mainstream services, and other supportive services/benefits
  - 2 households receive childcare subsidies
  - 15 households receive Medicaid
  - All households receive food stamps
  - All children receive dental, optical, and annual checkups at Erie Health Center
  - 14 households receive optical and preventive dental care through an Illinois Dept. of Human Services grant.
  - 2 households will be featured on a nonprofit’s website to help meet household needs
  - 9 mattresses were purchased for 2 households through the mattress fund set up by the Housing and Homelessness Commission