HUMAN SERVICES COMMITTEE
Monday, December 1, 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 OCTOBER 6, 2014

   Citizen Comments

III. ITEMS FOR DISCUSSION

IV. ITEMS FOR CONSIDERATION

   HH 1 Harley Clarke Mansion Update and Memorandum of Understanding for Moving Assistance for the Evanston Arts Center

   HH 2 Cultural Fund Grants Program

   HH 3 Human Services Funding Summit Report

V. COMMUNICATION

   HH 4 Animal Control Board Report

   HH 5 Police Complaints

VI. 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 (TYY).
I. CALL TO ORDER / DECLARATION OF QUORUM
Alderman Holmes called the meeting to order at 7:32 pm.

II. APPROVAL OF MEETING MINUTES OF SEPTEMBER 3, 2014
Alderman Braithwaite moved approval, Alderman Tendam seconded. A voice vote was taken and the minutes were approved 4-0.

III. ITEMS FOR DISCUSSION
HH 1 November Human Services Funding Summit
Erika Storlie stated that the meeting would take place in November and that a draft agenda was available for review. She asked the Committee to identify a Chair.

Alderman Holmes suggested Alderman Burrus.
Alderman Braithwaite seconded.

Alderman Grover asked about the other participating organizations.

Several organizations were identified. It was decided that staff would invite all of the organizations that have received funding and other stakeholders. Those entities would be encouraged to invite others and share information about the upcoming meeting.

HH 2 Animal Control Board Report
Commander Pickett introduced the representatives in attendance and commended all involved for their dedication and hard work.

Meredith Rives introduced herself and explained her role and the roles of the other Board of Animal Control members. She outlined the group’s progress so far and discussed activities at the shelter; she additionally highlighted the facility’s goals and successes. Ms. Rives stated the organization’s mission and encouraged all to find more information online. Additionally Ms. Rives talked about fundraising efforts including the 50 shelter donation boxes that have been distributed throughout Evanston, Wilmette and Skokie. She requested on behalf of the
organization, the ability to apply for 501C3 status to aid with fundraising efforts. She closed by further highlighting the organization’s successes and goals.

Alisa Kaplan discussed the progress of the Shelter and the contributions of the volunteers. Ms. Kaplan presented slides and more information about the organization’s success.

Alderman Holmes called for questions.

Alderman Tendam asked about the non-profit status of the City.

Alderman Grover responded by stating that the City is a non-profit and it keeps a fund for the Evanston Animal Shelter. All donations are tax deductible. The 501C3 status for the shelter would give the organization the ability to collect donations and do its own fundraising.

Alderman Fiske pointed out that the ability to fundraise is an untapped resource.

Alderman Grover also stated that any donations for the shelter are collected in a special fund kept by the City.

Alderman Tendam suggested soliciting funds on the City water bill.

Alderman Grover stated that the Board had lots of fundraising ideas, but that the main focus is to manage the shelter.

Alderman Tendam asked about inoculations.

Ms. Kaplan replied that animals were vaccinated within 72 hours of arrival.

Alderman Tendam asked if the animals were isolated.

Ms. Kaplan replied that isolation was rarely required.

Alderman Braithwaite asked about behavioral screening and any new practices.

Ms. Kaplan discussed current practices including the use of a professional behaviorist and the upcoming SAFER training in Milwaukee that members will participate in. Once complete, members will be able to perform evaluations on site.

Alderman Fiske talked about the facility and goals for the adjacent building including a training area for the dogs and a cat room. She praised Commander Pickett, the Board, and the volunteers.

Alderman Tendam called attention to the website (http://evanstonanimalshelter.net/) and asked about the RFP versus the RFQ. He requested that Board form one expeditiously.

Ms. Rives discussed the Board’s goal of creating a business plan and all of the work involved including topics in need of further research and exploration. She stated that more research needed to be done in order to create an informed plan and that the Board was meeting regularly to formulate an RFP by early 2015. She further outlined some of the questions the Board was looking to research further.

Alderman Tendam supported the work, but expressed surprise at the timeline.

There was further discussion about the timeline for the creation of a business plan and some of the challenges. She reiterated the Board’s desire to review and analyze the information available.

Alderman Holmes and Alderman Grover expressed support.

Alderman Holmes called for a motion.

Alderman Fiske moved to accept the report and authorized the establishment of a 501C3 for the Evanston Animal Shelter Foundation. Alderman Braithwaite seconded. A voice vote was taken and the motion passed 5-0.
V. ITEMS FOR CONSIDERATION

HH 3 Tobacco Ordinance

Evonda Thomas-Smith introduced the topic and asked that the Committee 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. She spoke about the importance of this topic and introduced her speakers. She also explained the written testimony included in the packet.

Citizen Comment

Dr. Don Zeigler read a prepared statement in support of HH3.

Dr. Tim Sanborn spoke in support of HH3.

Alderman Grover stated her support. She additionally cited CVS’s decision to remove tobacco products from all stores and identified other cities with similar ordinances.

Alderman Holmes called for a motion.

Alderman Tendam moved that the Committee recommend to 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. Alderman Grover seconded.

Alderman Fiske asked about enforcement.

Commander Pickett replied that tickets would be issued to individuals and stores would be cited for selling to minors or people without proper identification.

A voice vote was taken and the motion passed 5-0.

HH 4 Police Complaints

Citizen Comments

Peggy Tarr spoke under the topic of HH4 Police Complaints.

Alderman Holmes called for questions. None were forthcoming so Alderman Holmes asked for a motion to accept the complaints for this month.

Alderman Braithwaite moved to accept the report. Alderman Grover seconded. A voice vote was taken and the report was accepted 5-0.

VI. COMMUNICATION

HH 5 General Assistance Report

Citizen Comments

Betty Ester commented on HH5 and requested more information.

Evonda Thomas-Smith provided extensive information on services and terminations.

Alderman Holmes asked about new clients.

Ms. Thomas-Smith clarified that new clients were unduplicated and had never received services. She also provided more information about emergency assistance services and the way information is captured.

HH 6 Quarterly Tenant Based Rental Assistance Program Update

Citizen Comments

Betty Ester posed several questions about HH6, and requested more information.
Evonda Thomas-Smith provided more information about the program numbers and terminations. She attempted to address Ms. Ester’s concerns.

Alderman Holmes attempted to clarify the report and finally requested that staff provide more information on the funds provided for participants.

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

Alderman Tendam moved to adjourn. Alderman Braithwaite seconded. The meeting was adjourned at 8:39 pm.

Alderman Holmes concluded with an announcement about the Human Services Funding Summit meeting scheduled for Monday, November 3, 2014, and stated that all agencies are welcome.

Respectfully Submitted,

Jessica Wingader 
Administrative Secretary
To: Members of the Human Services Committee

From: Wally Bobkiewicz, City Manager

Subject: Harley Clarke Mansion Update and Memorandum of Understanding for Moving Assistance for the Evanston Arts Center

Date: November 24, 2014

Recommended Action:
It is recommended that the City Council: 1) receive this report; 2) direct the City Manager to send an amended lease termination letter to the Evanston Arts Center extending their lease on 2603 Sheridan Road to May 31, 2015; 3) authorize the City Manager to enter into a memorandum of understanding in a form approved by the Corporation Counsel with the Evanston Arts Center providing for fee waivers and moving assistance; 4) direct the City Manager to request written update from Illinois Department of Natural Resources on its intentions to complete negotiations for sale of mansion and lease of property and to return to January Human Services Committee with update.

Summary:
The Evanston Arts Center has recently purchased property 1717 Central Street to move its operations from the Harley Clarke Mansion. The Arts Center has requested the following assistance from the City to affect its move:


2. Waive the following City fees related to the move:
   - Building Permit: $28,787
   - Fire Alarm/Sprinkler: $1,250
   - Water Line Tap Fee: $12,500
   - Fire Hydrant Fee: $5,700

3. Provide trash and recycling containers as the Arts Center vacates the mansion.

4. Provide assistance with moving.
I am recommending to the City Council that I be directed to extend the Art Center lease until May 31, 2015 and that the City provide the fee waivers, provide trash and recycling containers, and a $5,000 grant to assist with cost of professional movers. The requests for fee waivers and services would be memorialized in memorandum of understanding prepared in a form approved by the Corporation Counsel.

City staff has been working with staff from the Illinois Department of Natural Resources (IDNR) on an agreement for the sale of the mansion and the long term lease of its property. At this stage of the negotiations, IDNR has indicated that it would require the purchase of the building and the land to move forward with the transaction. In addition, the senior staff of IDNR that the City has been negotiating with will be leaving the agency in January, 2015 with the election of Governor-elect Rauner. With the current negotiating position of IDNR contrary to the direction of the City Council and the likely change in funding priorities of IDNR in 2015, I question the ability of this transaction moving forward. Therefore, I am asking that the City Council direct me to request a written update from IDNR on this matter and return to the Human Services Committee in January with an update.
Memorandum

To: Honorable Mayor and Members of the Human Services Committee
From: Jennifer Lasik
Subject: Cultural Fund Grant Program
Date: November 25, 2014

Throughout 2014, a working group of local and regional visual and performing artists have met to review and revise the Evanston Cultural Fund program. The working group included representatives from the Evanston Arts Center, Open Studio Project, Evanston Dance Ensemble, Light Opera Works, Muse of Fire, De Paul University, the Neofuturists as well as three independent Evanston artists.

The revised program was then reviewed by and voted on by the Evanston Arts Council.

Here is a brief summary of the changes to the program:

- Increase from one category (operating funds for organizations) to three (capacity building for organizations, program grants for organizations, project grants for individual artists.)
- Increase in the grant cap from $1,000 to $4,000 (for the first two categories) and $2,000 (for the individual artist projects)
- Change in the judging criteria and percentages of each criterion to better reflect the priorities and values of the arts council.
- Simplification of the grant application and financial reporting
- Entire application online (we used to require that seven copies be mailed to us.)

We believe these changes will better support our artists and arts organization and enhance the creative efforts taking place across our community. As you know, the Cultural Fund is made possible through the joint effort of the Community Arts Access program of the Illinois Arts Council Agency and the City of Evanston.

Thank you for your support of our local artists and arts organizations.
Memorandum

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

From: Erika Storlie, Deputy City Manager

Subject: Human Services Funding Summit Recommendations

Date: November 25, 2014

Recommendation
It is recommended that the committee direct staff to implement the following recommendations as they relate to Mental Health Board and Community Development Block Grant (CDBG) Funding beginning in the 2016 fiscal year:

1. Combine the two applications into one to create a universal application for both funding types.
2. Hold universal hearings to review applications for funding.
3. Consider appointing an Alderman to the Mental Health Board
4. Create a minimum funding level for Mental Health Board and CDBG grants
5. Hold a joint meeting between the Mental Health Board, the Housing and Community Development Act Committee and the Human Services Committee in January, 2015 to discuss priorities for funding.

Background
A Human Services Funding Summit, a joint meeting between the City Council Human Services Committee, the Mental Health Board and the Housing and Community Development Act Committee was held on November 3. The purpose of the joint meeting was to continue discussions of grant funding processes and procedures from the City of Evanston to local service organizations and to define recommendations for enhancements and efficiencies to the funding process as well as to maximize the impact of the funding in the community.

Also, allocation procedures for human service funding was discussed at the May 2014 meeting of the Mental Health Board, with consideration to returning to unified budget hearings for the 2016 fiscal year and revising funding procedures to maximize benefit to Evanston residents.
Currently the Mental Health Board funding process 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 funding that is distributed through the Housing and Community Development Act Committee.

Additionally, there was discussion of the following:

1. Reforming how funds are allocated to focus on some key areas rather than maintenance funding,
2. Requesting an annual funding level from the City Council in the Spring prior to the Mental Health Board’s review of funding applications, and
3. Potentially transitioning scope from mental health to also include a broader public health and human services focus.
Memorandum

To: Members of the Human Services Committee

From: Richard Eddington, Chief of Police

Subject: Human Services Committee Report

Date: 24 November 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 22 positive letters and comments received complimenting the department’s interactions with the community.

DI 14-18
DI 14-19
CR 14-02
CR 14-03
CR 14-04
CR 14-06
CR 14-07
CR 14-08

Richard Eddington
Chief of Police
# Pending Complaint Registers and Departmental Inquiries

**(Effective 11-24-14)**

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<thead>
<tr>
<th>Number</th>
<th>Date Initiated</th>
<th>Charge</th>
<th>Status</th>
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<tr>
<td>CR 14-05</td>
<td>07-07-14</td>
<td>Unprofessional Conduct</td>
<td>Divisional Review</td>
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<tr>
<td>CR 14-09</td>
<td>11-07-14</td>
<td>Harassment; Unprofessional Conduct</td>
<td>Investigation Pending</td>
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<tr>
<td>CR 14-10</td>
<td>10-30-14</td>
<td>Disrespectful Behavior</td>
<td>Investigation Pending</td>
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<tr>
<td>DI 14-12</td>
<td>04-21-14</td>
<td>Failure to perform a Duty</td>
<td>Investigation Pending</td>
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<td>DI 14-20</td>
<td>09-02-14</td>
<td>Disrespectful Behavior</td>
<td>Investigation Pending</td>
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<td>DI 14-21</td>
<td>10-04-14</td>
<td>Unprofessional Conduct</td>
<td>Investigation Pending</td>
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<td>DI 14-22</td>
<td>11-18-14</td>
<td>Disrespectful Behavior</td>
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### COMPLETED COMPLAINT REGISTERS and
### DEPARTMENTAL INQUIRIES

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<tr>
<th>Case Number</th>
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<th>Disposition</th>
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<tr>
<td>CR 13-13</td>
<td>Harassment</td>
<td>11-23-13</td>
<td>01-31-14</td>
<td>Exonerated</td>
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<td>CR 13-14</td>
<td>False Arrest</td>
<td>11-24-13</td>
<td>09-26-14</td>
<td>Unfounded/SOL</td>
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<td>CR 14-01</td>
<td>Improper Service</td>
<td>02-14-14</td>
<td>09-26-14</td>
<td>Unfounded</td>
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<td>CR 14-02</td>
<td>Excessive Force</td>
<td>05-05-14</td>
<td>10-01-14</td>
<td>Exonerated</td>
</tr>
<tr>
<td>CR 14-03</td>
<td>Excessive Force</td>
<td>06-10-14</td>
<td>09-24-14</td>
<td>Unfounded</td>
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<tr>
<td>CR 14-04</td>
<td>Excessive Force</td>
<td>06-19-14</td>
<td>10-06-14</td>
<td>Exonerated</td>
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<td>Unprofessional Conduct</td>
<td>06-28-14</td>
<td>10-01-14</td>
<td>Unfounded</td>
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<td>Unprofessional Conduct</td>
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<td>09-30-14</td>
<td>Sustained</td>
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<td>CR 14-08</td>
<td>Injury to Citizen</td>
<td>08-29-14</td>
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<td>06-03-14</td>
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<td>Violation of law, SOP, policy, rule, or directive</td>
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<td>03-17-14</td>
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<td>Disrespectful Behavior</td>
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<td>05-01-14</td>
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<td>04-10-14</td>
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<td>05-05-14</td>
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<td>DI 14-10</td>
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<td>05-01-14</td>
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<td>DI 14-11</td>
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<td>Unlawful Stop</td>
<td>04-15-14</td>
<td>05-27-14</td>
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<td>06-02-14</td>
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<td>Unfounded, Violation of GO, Sustained</td>
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<td>09-09-14</td>
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## DISPOSITIONS

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<th>Disposition</th>
<th>Description</th>
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<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>
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<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>
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<tr>
<td>Policy Failure</td>
<td>Allegation true, but the officer acted in conformance with policy resulting in harm to the complainant</td>
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<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>
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</table>
Allegation: On August 3 (5:30 p.m.) the Accused Officer and his partner detained the Complainant in the 400 block of Howard Street and, the Complainant alleges, without just cause searched him, his passenger and his vehicle. The officers also erroneously issued him a parking ticket, stated the Complainant, noting they at no time asked for his driver’s license or for proof of insurance.

If these allegations are true, the Accused Officer will have violated departmental rules 1, 2 and 18.

The Incident, per the Complainant

The Complainant stated he was dropping off a friend in the 400 block of Howard Street when, suddenly, the Accused Officer appeared, queried “Do you have a pound or an ounce in the car?” and asked the Complainant to exit the vehicle. The Complainant declined to exit. He alleges the Accused Officer responded, “Get out of the car or I’ll snatch your ass out of the car!” This prompted both driver and passenger to comply. Despite there being no evidence of criminal activity, alleges the Complainant, he, his passenger, and the vehicle (including its trunk) were searched—with negative results. The incident did not culminate in an arrest, noted the Complainant, but he was cited (unjustly, he alleges, since he merely was dropping off a passenger) for parking in a “no parking at any time” zone.

The Incident, per the Accused Officer

Directed to submit a memorandum detailing the incident the Accused Officer complied (8/26.) He stated he and his partner were on routine patrol when they saw the Complainant’s vehicle parked in a posted no-parking zone. It emitted a strong odor of burnt cannabis as they drove by, so they determined to conduct an investigative stop. The Accused Officer said he identified himself as a police officer and stated he was investigating the odor of cannabis emanating from the Complainant’s vehicle. He directed the Complainant to exit. The Complainant refused. The Accused Officer said he then announced he would forcibly remove the Complainant were he not to comply. The Complainant exited, as did his passenger. The vehicle was searched, with negative results. The Complainant was cited for parking in a no-parking zone, following which both subjects were released on-scene.

The Accused Officer denied using foul language or in any other way being rude or disrespectful toward the Complainant.
The Accused Officer’s partner, the Witness Officer, also submitted a memorandum detailing the incident. His statement closely paralleled that of the Accused Officer. It contained only two additional pieces of information

- "I observed the only passenger sitting in [the] rear seat .... The passenger then became irritated and uncooperative. I advised the passenger of the reason why we made contact with him. The passenger initially refused to exit ... but eventually complied."

- "At no time did I observe or hear any abusive language or mistreatment of the passenger or driver .... I then issued the driver a parking ticket for parking in a no parking zone."

Findings/Recommendation, Patrol Sergeant

Assigned to investigate this complaint, the Sergeant interviewed (8/26) the Accused Officer, who stated he made contact with the driver (the Complainant) and his partner made contact with the passenger seated in the back seat of the vehicle. The Accused Officer denied saying, “Get out of the car or I’ll snatch your ass out of the car!” He quoted himself as saying, in a stern tone, “If you do not comply I will be forced to forcibly remove you.”

On August 27 the Sergeant interviewed the Witness Officer, whose remarks were consistent with those of the Accused Officer. The Witness Officer said he issued the parking citation

On August 28 the Sergeant interviewed the Complainant and his passenger—by phone and separately. Deviating from his original statement the Complainant said the Witness Officer “instantly asked do I have a pound of weed in the car” and the Accused Officer asked, “Do you think you are a fucking street lawyer?” The Complainant further stated that the Accused Officer said, “I’ll snatch you out of the car” not “I’ll snatch your ass out of the car!” The Sergeant said he questioned the Complainant about these discrepancies and he “seemed confused as to the facts.”

As to his interview with the passenger, the Sergeant noted the passenger said it was the Witness Officer who asked, “Are you guys smoking? Are there drugs in the car? Do you have a pound?” Specific to this final question, the passenger said he construed it to mean “If there was a small amount of drugs in the car then the officers would not bother to pursue it.” The passenger attributed profanity to the Witness Officer, stating he said “Your fucking mouth got you in trouble!” The passenger specifically stated he did not hear the Accused Officer use foul language and that he was told by the Complainant that the Accused Officer used the word “ass.”
Based upon the conflicting information obtained through the above interviews, the Sergeant advised (8/28) his immediate supervisor, a Patrol Commander, he found it impossible to determine a clear and definitive account of what actually occurred during this incident. He therefore recommended the matter be logged as a departmental inquiry and closed with a disposition of **not sustained**. The Commander concurred, and so advised (9/03) his immediate supervisor, the Deputy Chief of Field Operations. The Deputy Chief similarly concurred. He recommended (9/09) a disposition of **not sustained** to the Chief of Police, who approved (9/10) it.

**Disposition:** Not sustained

Kmt

CPAC: All members agree with disposition
EPAC: All members agree with disposition
Allegation: On July 3 (5:30 p.m.) and September 3 (11:20 a.m.), alleged the Complainant, she experienced two untenable encounters with four Accused Officers (two sergeants in July and two detectives in September). The Complainant alleged that in the July incident, the Accused Sergeants followed her for blocks before unlawfully detaining her in a traffic stop. As to the September incident, the Complainant alleged the Accused Detectives contacted her at her workplace with regard to an ongoing investigation, thereby precipitating suspicion that she is involved in criminal activity.

The Incidents, per the Complainant

The Complainant told the OPS Sergeant that, after following her for numerous blocks, the sergeants initiated a traffic stop against her in July and asked, “Where are you coming from?” “Who did you drop off on Brown?” “Who are you affiliated with?” They issued two citations, one for “failure to signal” and one for having a cracked windshield. The Complainant told OPS she did signal and alleges the sergeants noticed the cracked windshield only after they’d initiated the stop, inasmuch as they were positioned behind her vehicle the entire time, whence they could not have seen the crack in the windshield. She believes she was stopped unlawfully.

The OPS Sergeant advised her that traffic court is the proper venue for seeking redress regarding the citations. As to the sergeants’ queries, they were not inappropriate, inasmuch as it is lawful for officers to ask questions in an effort to gather intelligence.

The September incident, at the Complainant’s workplace, occurred because the detectives had reason to believe the Complainant’s vehicle was involved in a homicide. The OPS Sergeant advised the Complainant that it is lawful for detectives following up on a criminal matter to conduct such investigation within homes, workplaces, etc.

Findings/Recommendation, OPS Sergeant

The Sergeant found that while the incidents involving the Complainant did, in fact, occur as narrated, the Accused Officers’ actions were lawful, proper, and did not deviate from departmental rules and regulations. The Sergeant therefore advised the Chief of Police that no further action is needed. She recommended (9/09) that the matter be logged as a departmental inquiry and closed with a disposition of exonerated. The Chief of Police approved (9/09) that disposition.

Disposition: Exonerated

Kmt
CPAC: All members agree with disposition
EPAC: All members agree with disposition
Evanston Police Department
Office of Professional Standards
Citizen Complaint Review
October 2014

CR #14-02  Initiated 2/24/14  Completed 10/01/14

Allegation: On May 8, at the station, the Complainant alleged to the department’s Office of Professional Standards (OPS) that on February 24th he sustained lacerations and contusions to his forehead as a result of the Accused Officer’s “beating his head into the ground” 5-7 times while he was handcuffed and lying on the ground, arrested for domestic battery. The Complainant also alleged he sustained disfiguring cuts to two fingers of his right hand during the incident. There is no video of the incident.

If the above allegations are true, the Accused Officer will have violated departmental rules 1, 2, 40, and 44.

The Incident, per the Police Report
(authored by the Accused Officer)

The incident report (#14-6412) states that on February 24 (11:30 p.m.) the Accused Officer and his partner (Witness Officer One) were dispatched to assist two on-scene officers with a domestic battery call in the 1800 block of Darrow. Upon arrival they found the Complainant belligerent and highly intoxicated. Intent upon leaving the scene, he was yelling and refusing to cooperate. The Accused Officer walked up to him and directed him to stop yelling. The Complainant replied, “Don’t walk up on me” and pushed him in the chest with both hands. When the officer attempted to take the Complainant into custody he flailed his arms and actively resisted. The Accused Officer responded by grabbing his collar and pulling him to the ground, striking his head on the frozen ground covered in ice. The Complainant tucked his arms under his body and refused to be handcuffed. The Accused Officer commanded him several times to stop resisting, but the Complainant ignored the commands. At that the Accused Officer held down the Complainant’s head and Witness Officers Two and Three handcuffed him. The Complainant yelled, “Take these fucking cuffs off of me and I’ll take any of you pussy-ass cops.” Witness Officers Four and Five transported the Complainant to the station, where photographs were taken of his injuries. Subsequently Witness Officers Six and Seven transported him to the hospital for treatment. The Accused Officer (and others) interviewed the Complainant’s alleged victim, who advised she’s been in a relationship with the Complainant for approximately a year. He has a drinking problem, she stated, and also has a history of smoking cocaine. Earlier in the day she gave the Complainant $50 pay for a repair to her car. He came home intoxicated. Also, because of his erratic behavior, she suspected he may have smoked some crack. The two started to argue about the Complainant’s cell phone bill. The alleged victim had given him $300 to pay it, but when he attempted to do so he was told the bill was $500. Irate over this, the Complainant grabbed the victim’s right wrist and attempted to hyperextend her hand. She broke away and called the police, whereupon he attempted to flee. When police arrived, said the victim, she saw the Complainant push one of them. She refused to sign a complaint because the Complainant had just gotten out of jail and she didn’t want him to get into any more trouble. She refused medical treatment and would not allow pictures to be taken of her injury (redness and swelling of the right wrist).
Interviews, OPS Sergeant

The Complainant told the OPS Sergeant that, while intoxicated, he argued with his fiancée over a phone bill. She asked him to leave the premises and he complied, leaving through the back yard. Police were in the alley, apparently summoned by his fiancée. They asked, "Who are you?" He declined to identify himself, instead advising them to leave him alone because he was upset. A female officer responded by grabbing his arm. He told her to let go because he had had a stroke a couple weeks earlier and the arm was "real heavy and uncomfortable." He didn't want anybody to touch it, so he pulled back. The next thing he knew he was on the ground. The officers wanted his hands behind his back, but the Complainant didn't want to put his right hand back because he was holding his new phone containing his neurological and hospital appointments and he didn't want the phone to get wet from the snow.

The Witness (the fiancée) told the OPS Sergeant she called for police assistance because, during a heated argument over a $500 phone bill (for three cell phones, all billed to the Complainant's account but used respectively by the Complainant, the Witness, and the Witness' son) the intoxicated Complainant suspected she was recording their conversation with her phone, took exception to being recorded, and became physically aggressive (grabbed her right hand, laid it on the bed, and bent it back.) She called for her son and the Complainant let her go and exited via the back of the residence. She called the police because the Complainant had driven her car and still had the keys. She wanted them back. The Complainant had said he was going to his mother's and headed toward the back (presumably to take the car, since he had the keys). She waited for the police on the front porch of her residence. When Witness Officers Two and Three responded she motioned them to the back and called out that the offender was fleeing. The Witness said she then went to meet them at the back, but instead found herself confronted by two other officers (the Accused Officer and his partner, Witness Officer One.) The Witness said she was in the back yard throughout the incident. However, there were so many officers around the Complainant that her view of him was obstructed. Therefore, she didn't see anyone strike him with a hand or kick him, or hit his head on the ground. She knew him to be drunk, but she was uncertain about whether he had ingested any drug, though he has a history of drug use.

The Accused Officer told OPS that the responding unit advised him and his partner (Witness Officer One) that the suspect was fleeing out the back, so he and his partner approached through the alley. They discerned the initial responding unit (Witness Officers Two and Three) speaking with the Complainant behind the house, at the garage. The Complainant, back to the alley, was facing Witness Officer Three. Because the Complainant's back was turned he was unaware that the Accused Officer and Witness Officer One had walked up behind him. The Accused Officer said he commanded the Complainant, "Stop yelling and making a scene. It's waking the neighbors." The Complainant turned, told the officers not to walk up on him and pushed the Accused Officer in the chest. The Accused Officer said he responded by stating the Complainant was under arrest and commanding him to put his hands behind his back. Instead the Complainant tensed up and flailed his arms around. The dimly-lit yard was slippery with snow and ice, said the Accused Officer, making it difficult for him to get the resisting Complainant into custody. Finally he grabbed him by the collar of his shirt and put him face down on the ground, i.e., performed a takedown, all the while continuing to order him to stop resisting, he was under arrest. Although the Complainant was not at all compliant, said the
Accused Officer, he didn’t batter any other officer. The Accused Officer said he doesn’t recall grabbing both sides of the Complainant’s head and beating it towards the ground. He denied hitting him in the head. Indeed, he said he never struck him. During the on-ground struggle, noted the Accused Officer, the Complainant tossed his head around. The officer therefore held it in place so he wouldn’t injure himself. Witness Officer One was to the Accused Officer’s left and Witness Officers Two and Three were at his right, trying to get the Complainant’s hands out from under him so he could be handcuffed. The Accused Officer said he saw Witness Officer One hit the Complainant with an open hand a couple times because the Complainant had his hands tucked underneath him. The officer said he doesn’t know who finally handcuffed the Complainant. The Accused Officer said he wasn’t injured. He doesn’t know whether any other officer was injured. The injured Complainant was taken to the hospital from the station, he said, adding that the Complainant never said anything to him about excessive force.

Witness Officer One said he responded to the incident with his partner, the Accused Officer. They made contact with the Complainant in the dimly-lit backyard, next to the garage, near the alley. Upon seeing them the Complainant—agitated and saying he wasn’t going back to jail—pushed the Accused Officer with his arm. The Accused Officer pulled him by his shirt or his collar, said Witness Officer One, and the Complainant fell to the ground face down. He tucked his arms/hands under his body. Witness Officer One said he five or six times told the Complainant he was under arrest. “Stop resisting and show us your hands,” he commanded, but the Complainant didn’t comply. Witness Officer One said he then struck the Complainant in the head two or three times, with an open hand. Other than the take-down, said Witness Officer One, he never saw the Accused Officer take any physical action toward the Complainant, i.e., the Accused Officer didn’t bang the Complainant’s head on the ground, nor did he hit the Complainant in the head. The Complainant’s hands were tucked under his body while he lay face down on the ground, said Witness Officer One, who stated he was kneeling on the Complainant’s legs and facing towards the Complainant’s head. Witness Officer One said he didn’t sustain any injury. He doesn’t know whether any other officer was injured, nor does he know who put handcuffs on the Complainant. He does know medical attention was provided the Complainant following his transport to the station. Witness Officer One said he at no time heard the Complainant say anything about officers using excessive force. The officer also said he saw abrasions on the alleged victim’s wrist.

Witness Officer Two told OPS she and her partner (Witness Officer Three) were the first responders to the domestic battery call, having been assigned by Dispatch. The alleged victim was on the front porch when they arrived, recalled Witness Officer Two. She waved them to the backyard, calling out that the offender was fleeing. The officers drove to the alley behind the residence, where the caller—now on the back porch—pointed out the offender (the Complainant.) Witness Officer Two said she and her partner made contact with him, but he seemed to just want to leave and was reluctant to speak with them. The backyard was dimly-lit, snow- and ice-covered, and very slippery. As Witness Officers Two and Three were detaining the Complainant and he was refusing to tell them what occurred in the house assist officers (the Accused Officer and Witness Officer One) drove up in the alley and entered the yard. The Complainant—who had his back to the alley—turned around, faced the Accused Officer, yelled, “Why are you trying to snatch me up?”, placed both hands on the Accused Officer’s chest and pushed. The Accused Officer and his partner told the Complainant he was under arrest and attempted to take him into custody. The Complainant resisted, pulling away. The trio went to
ground. Witness Officer Two said she doesn’t know whether this was an actual take-down or whether the group just slipped on the ice while struggling. At any rate, the Complainant was lying face down with his arms beneath his chest. Witness Officer Two said she attempted to get his right arm behind his back in order to cuff him. Witness Officer Three (who ultimately cuffed the Complainant) was towards his legs, as was the Accused Officer. Witness Officer One was on the Complainant’s left side, near his head. Witness Officer Two said she at least three or four times yelled at the Complainant to stop resisting and to place his arms behind his back. Other officers yelled the same commands, she noted. During the struggle prior to takedown the Complainant flailed his arms and actively pulled away. Witness Officer Two said she saw neither the Accused Officer nor Witness Officer One grab both sides of the Complainant’s head and beat it on the ground, nor did she see one or the other hit him in the head. Witness Officer Two said she did not sustain injury. Her partner (Witness Officer Three) sustained a cut lip. Once the physical struggle was over the Complainant observed that four against one wasn’t fair, but he was willing to fight any of the officers one on one. Witness Officer Two said she transported the Complainant to the station, where a supervisor called paramedics and medical treatment was afforded the Complainant.

Witness Officer Three recalled that, when he and his partner (Witness Officer Two) arrived on-scene the Complainant was next to the garage, about to exit the backyard. Intoxicated and agitated, he refused to give his name or any other information, and kept trying to walk past the officers. He was angry, upset, and very uncooperative. At this juncture the Accused Officer and his partner (Witness Officer One) entered the yard from the alley. The offender, who was facing Witness Officer Three and was unaware of the newly arrived officers until they were right behind him, looked back and said, “Why you all tryin to snatch me up?” He then turned around, squared up at the Accused Officer, and pushed him in the chest with both hands. Witness Officer Three said he, the Accused Officer, and Witness Officer One took the Complainant to ground. The Complainant was face down, hands curled up under his chest and stomach. Witness Officer Three and other officers repeatedly (2-3 times) commanded the Complainant to put his hands behind his back, but he did not comply. Witness Officer Three said he heard another officer multiple times command, “Stop resisting, stop resisting.” He said his legs were on top of the Complainant’s legs. The Accused Officer and Witness Officer One were located near the Complainant’s upper body. Witness Officer Three said he handcuffed the Complainant, following which he and his partner (Witness Officer Two) transported him to the station for booking. During transport the Complainant said nothing about excessive force. He spoke only of being willing to fight any officer one on one, and told Witness Officer Two, “Even though you’re a female I’ll stick-kick your ass, bitch.” Witness Officer Three said he didn’t see the Complainant initiate physical action against any officer, nor did he observe any officer beat the Complainant’s head on the ground or hit him in the head.

Witness Officer Four told OPS she was not present at the incident. However, she and her partner (Witness Officer Five, an officer in training) provided the Complainant transport between the station and the hospital. Witness Officer Four described the Complainant’s overall demeanor at the hospital as “agitated.” There were intervals when he was calm, others when he shouted. He yelled quite a bit, she said, and directed some of his yelling at her. He said he
would “shoot every motherfucking Evanston cop” if he had the chance. He also stated the officers had beaten him up, had used excessive force, she said.

Witness Officer Five told OPS he was in field training with Witness Officer Four at the time of the incident. They were not at the incident per se. However, they were assigned to facilitate the Complainant’s transport between the station and the hospital. Specifically, paramedics transported the Complainant to Evanston Hospital for treatment. During that transport Witness Officer Four rode in the ambulance with the Complainant and Witness Officer Five followed in a police vehicle. An Evidence Technician (Witness Officer Six) also responded to the hospital, to photograph the Complainant’s injuries (a contusion on his head and a cut on his finger.) Witness Officer Five said the Complainant used very vulgar language while in the ER. He also told Witness Officer Five he wanted to “shoot every motherfucking cop in Evanston.” Witness Officer Five said he did not recall the Complainant making mention of excessive force at any time during the hospital visit. Witness Officer Five said he and Witness Officer Four transported the Complainant back to the station. He was calm during that return trip.

Witness Officer Six told OPS he was assigned to take photographs regarding an alleged use of force vis-à-vis a domestic disturbance. The Complainant was treated for a bump on his forehead, a cut above his right eyebrow, a cut on his finger and a cut inside his lip. The Complainant was very belligerent, agitated, and uncooperative. He kept yelling and screaming. Even though handcuffed to a bed, he kept moving as though trying to get out of it. Yelling that the officers had “beat his ass,” he complained specifically that the officers had slammed his head on the ground. He said he would fight any officer, one on one.

Investigation Summary/Recommendation, Patrol Sergeant

Noting there is no audio/video recording of the incident, the Sergeant stated he consulted the criminal court database regarding the charges and found that the Complainant was charged with domestic battery, battery to a police officer, and two counts of resisting arrest. Subsequently the domestic battery charge was stricken on leave because the complaining witness failed to appear in court. Also stricken on leave was one count of resisting arrest. The Complainant pleaded guilty to battery to a police officer and to resisting arrest.

Similarly, the Sergeant reviewed the Complainant’s criminal history. He noted a gang caution in addition to 45 arrests and 24 convictions. The Complainant also has a history of alcohol and drug abuse.

In addition to reviewing the above the Sergeant also reviewed the audio recording of the victim’s call to the Service Desk, photos of the Complainant’s injuries, and the OPS interviews of all parties to the incident.

On the basis of these reviews, the Sergeant advised his immediate supervisor, a Patrol Commander, he found the Complainant’s allegations to be without foundation, in that

- the use of force was justified, reasonable and necessary
- the Complainant’s injuries were consistent with the reported use of force
no evidence corroborates the Complainant’s allegation that the Accused Officer slammed his head into the ground
- evidence does support that the Accused Officer was attempting to control the Complainant’s head when Witness Officer One delivered the open hand strikes
- the police reports appear to be an accurate account of the incident.

Based upon the foregoing the Sergeant recommended (9/24) that no further action be taken and that the matter be closed with a disposition of exonerated, the incident occurred but was lawful and proper. The Sergeant also recommended that the Accused Officer and his partner, Witness Officer One, be counseled regarding notification and professional verbal commands.

Recommendation, Patrol Commander

Noting that he was personally involved in and reviewed the use-of-force investigation, the Commander advised (9/27) his immediate supervisor, the Deputy Chief of Field Operations, that, following a review of the OPS file and of the Sergeant’s in-depth memorandum relating to this matter; he concurred with the Sergeant’s recommended disposition. The Deputy Chief likewise concurred and recommended (10/01) a disposition of exonerated to the Chief of Police. The Chief of Police approved (10/14) that disposition.

Note: On September 17 the Accused Officer attended a one-day use of force workshop.

Disposition: Exonerated

Kmt

CPAC: All members agree with disposition
EPAC: 2 members agree with disposition; 2 members, no response
Allegation: On June 10 the Complainant alleged to the department’s Office of Professional Standards (OPS) that on March 27 the Accused Officers—detectives assigned to the Neighborhood Enforcement Team (NET)—without just cause initiated an investigative stop against him, “snatched” him from his vehicle, searched him, planted narcotics on his person and arrested him, charged with possession of a controlled substance with intent, battery to a police officer, and resisting arrest. The officers also issued a traffic citation (illegal parking in the roadway.) The Complainant further alleged that, despite his advising the Accused Officers his right arm would not bend readily due to recent injury/surgery, the officers employed excessive force in effecting his arrest. Specifically, they elbowed him in the face and forced him to the ground, further injuring his right arm/shoulder. Finally, throughout the incident they directed explosives at him.

There is no video of the incident.

If the above allegations prove to be true, the Accused Officers will have violated departmental rules 1, 2, 18, 40, and 44.

The Incident, per the Police Report
(authored by Accused Officer One)

The incident report (#14-8987) states that, while the Accused Officers were on motorized patrol in the 300 block of Custer on March 27 (6:00 p.m.), a vehicle parked in the roadway impeded their progress. As the officers waited for the vehicle to continue N/B or, alternatively, park legally, traffic began to back up behind the police vehicle. The Accused Officers pulled into the S/B lane, alongside the obstructive vehicle, to advise its driver (the Complainant) to park legally or move on. The Complainant responded that he was “parking real quick to run food up to his girl’s crib.” Accused Officer One advised the Complainant against continuing to park in the roadway, but he responded, “No, I’m good. I’m going to be quick.” Accused Officer One then exited his vehicle, asked to see the Complainant’s driver’s license, and informed him he could be cited. While the Complainant was retrieving his license Accused Officer One detected an odor of cannabis emanating from the vehicle. He accepted the Complainant’s license and directed him to exit his vehicle for a pat-down. As the Complainant complied the officer noticed his pants were pulled down at the rear, exposing his underwear. He also was keeping his legs close together. Further, while patting down the Complainant Accused Officer One felt a large bulge under his pants near his buttocks—a bulge consistent with the size/feel of narcotics and narcotics packaging. The officer asked about the bulge, whereupon the Complainant pushed off the vehicle, struck Accused Officer One in the left cheek with his left elbow and then fled S/B on foot. Both officers pursued, commanding the Complainant to stop running as he was under arrest. Overtaking him they took him to ground, where he continued to resist by pulling his hands away and keeping them under his body, twisting his torso, and kicking his legs. Accused Officer One saw the Complainant reach down into his pants, then put his hand to his mouth, place something into it, and swallow. The officers continued to order the Complainant to stop
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resisting and to place his hands behind his back. Finally they gained control, handcuffed him and requested an ambulance.

Handcuffing did not deter the Complainant from flailing, twisting, and attempting to reach into his pants in the area of his buttocks. Accused Officer One asked if he was secreting anything there, to which the Complainant responded, "No, I ate my weed." At this juncture 18 small baggies, each containing an off-white, rock-like substance that field-tested positive for crack cocaine (total weight 5.3 grams, with packaging), fell out of his right pant leg. The 18 baggies collectively were contained in a larger plastic baggie, which the Complainant kicked under a car. Accused Officer One immediately retrieved it.

Paramedics arrived, but the Complainant signed a form refusing treatment. He then was transported to the police station by Witness Officer One and his partner. The Complainant's vehicle subsequently was towed.

[Note: At the station the Complainant was discovered to have a significant abrasion to the right knee (bleeding, etc.). He then was transported to the hospital for treatment.]

Interviews, OPS Sergeant

The Complainant stated his complaints immediately upon initiation of the OPS interview, to-wit: An unjustified stop, arrest without cause, planted drugs, excessive force, unlawful seizure of his vehicle. He then elaborated, saying the Accused Officers followed him all the way from a Howard Street restaurant, where he had picked up carry-out, to a residence in the 300 block of Custer. On Custer his fiancée was waiting outside the residence to accept delivery. The Complainant told the Sergeant he signaled his intention to parallel park, but then was unable to do so because the officers' vehicle was too close to permit the maneuver. The officers then pulled around his vehicle and told him he couldn't park in the street. He retorted that they had made it impossible for him to pull into the parking space. At that the officers opened the door and "snatched" him from his vehicle, he said, telling him to go to the rear of his vehicle for a pat-down. He advised them he recently had shoulder-surgery and couldn't put his arm behind his back. The officers ignored that caveat, he said, and accused him of resisting. One officer elbowed him in the face, thereby cutting his lip. The second hit him, causing him to fall to the ground. The officers took him into custody, searched and arrested him, and arranged for his transport to the station. There he was discovered to have a knee injury requiring stitches and he was transported to the hospital. Queried, the Complainant denied ever attempting to flee and stated he never had anything in his hand other than the bag of food he was delivering. He said four officers searched him and found nothing, yet he was charged with possession of a controlled substance, aggravated battery and resisting arrest. The Complainant also denied prior acquaintance with the Witness Officer (the transport officer) and denied having a conversation with him about what the Complainant might do to mitigate the trouble he was in.

The Witness (the Complainant's fiancée, mother of his son) told OPS she exited her residence to receive restaurant take-out from him. Instead she saw the Complainant detained by police. She asked, "What's going on?" An officer responded by standing in front of her on the sidewalk and commanding, "Don't move. Stay right here." Complying, she said she nonetheless called out that her fiancé had just had surgery and the officers should treat him with care. She did not
see the Complainant resist, she noted, nor did she see him attempt to run away. The Witness said she remained outside until the Complainant's vehicle was towed, i.e., through the entire incident, and she never saw an officer recover anything.

**Accused Officer One**'s narrative closely paralleled the incident report he authored. He recalled that a strong odor of cannabis emanating from the Complainant's vehicle prompted him to ask the Complainant to exit the vehicle for a pat-down. The Complainant kept his legs close together as he complied. Additionally, his pants were pulled down at the rear. Accused Officer one stated these circumstances caused him to suspect the Complainant might be concealing a weapon or narcotics. Additionally, said the officer, during the pat-down the Complainant clenched his butt cheeks and the officer felt, near the Complainant's buttocks, a bulge consistent with narcotics and narcotics packaging. The officer said he asked, "What's that in your pants," at which the Complainant fled after pushing off the vehicle and striking Accused Officer One with his elbow. Shouting that the Complainant was under arrest and should stop running, Accused Officer One and Accused Officer Two pursued him. Accused Officer One said he caught up with the Complainant and grabbed his hooded sweatshirt. The Complainant attempted to wriggle out of the sweatshirt, said Accused Officer One, whereupon the officer jumped on the Complainant's back to prevent his escape. Accused Officer Two joined the struggle and administered two closed-fist strikes to the Complainant. Throughout this sequence the Complainant reached down to his pants, in the buttocks area. Indeed, at one point he actually retrieved something and put it in his mouth. Eventually handcuffed, he was brought to a squad to complete the pat-down. However, it took a couple of officers to control him because he continued to twist his torso and move his hands around the back of his pants. Then, said Accused Officer One, he saw the Complainant shake a plastic baggie from his right pant-leg. It was filled with what appeared to be crack cocaine rocks. The Complainant kicked the baggie under the front of a parked car, whence Accused Officer One immediately retrieved it. Queried, the Accused Officer denied employing expletives during the incident and said he had had several prior street encounters with the Complainant.

**Accused Officer Two** (driver of the police vehicle) told OPS he and his partner (Accused Officer One) initiated the stop because the Complainant was obstructing traffic, having parked his vehicle in the roadway. Accused Officer One approached the driver and told him, multiple times, to move to a legal parking space. The driver did not comply. He exited the vehicle, said he wasn't "on anything," and asked if they wanted to see his driver's license. Accused Officer One commenced a pat-down. At that, said Accused Officer Two, he got out of the squad car. Joining his partner and the Complainant, said the officer, he smelled an odor of unburnt cannabis emanating from both the Complainant and his vehicle. During the pat-down Accused Officer One queried the Complainant about a bulge the officer detected in the area of the Complainant's crotch. The Complainant responded by pushing off the vehicle, turning quickly, elbowing Accused Officer One on the left side of his face, and attempting to flee the scene. The officers grabbed hold of him, commanding him to stop resisting and to put his hands behind his back. He did not comply. Accused Officer Two said he used force to successfully take the Complainant into custody. Specifically, he said, he got in front of the Complainant, at which point he was able to grab around his head/neck/shoulder and left arm and take him to ground. There the Complainant continued to flail his arms, kick his feet, and attempt to put his hands down his pants, whereupon Accused Officer Two administered two closed-fist strikes to the
right side of his face and the officers handcuffed him. Even then, said Accused Officer Two, the Complainant continued to squirm around, kicking his feet and attempting to get his hands down his pants even though handcuffed. The officers brought him to his feet and walked him to a squad car for a thorough search. The Complainant continued to kick his feet, pushing up against the vehicle while lifting his feet off the ground. As he did this, said Accused Officer Two, the officer saw a bag containing white-colored rocks drop out of the Complainant’s right pant-leg. The Complainant looked down, then kicked the bag under the squad car. Accused Officer One immediately retrieved it. Accused Officer Two denied employing expletives during the incident and said he never had contact with the Complainant prior to this incident. The Accused Officer also stated he personally did not sustain injury during the incident, but that Accused Officer One’s face was swollen around a cheek and an eye. As for the Complainant, on-scene he complained of shoulder pain, but refused treatment by paramedics. At the station he was discovered to have a lacerated knee, so he was transported to the hospital.

The Witness Officer told OPS he and his partner responded to the incident as assist officers. They arrived just as the Complainant—still physically resisting—was handcuffed. Indeed, remarked the officer, even while handcuffed the Complainant was verbally aggressive. Noting he has had previous citizen contacts with the Complainant and has stopped him for traffic-related matters, the Witness Officer said he and his partner transported the Complainant to the station. During transport the Complainant asked if his vehicle would be towed and what was likely to be the maximum sentence for what he was caught with. The Witness Officer said he advised the Complainant to ask his questions of the arresting officers. The Complainant then asked the Witness Officer to inquire of Accused Officer One whether the Complainant might work his way out of the situation by being instrumental in getting a gun off the street. Again, said the Witness Officer, he suggested the Complainant take that up with the arresting officers.

Investigation Summary/Recommendation, OPS Sergeant

Noting there is no audio/video recording of the incident, nor are there any independent witnesses, the OPS Sergeant stated she interviewed all parties to the incident and she ascertained that the cocaine field-tested positive and was inventoried, and that the Complainant’s vehicle was towed and seized pending the narcotics investigation. Similarly, the Sergeant ascertained that all relevant reports were completed, to include the arrest report, field general, supplements, use-of-force, resisting, and property inventory, as well as the tow report, the criminal complaint, and the seizure forms. Further, Accused Officer One’s injury was photographed and documented. Significantly, commented the Sergeant, the Witness Officer stated that during transport the Complainant offered to produce a gun for the detectives in exchange for their dropping the charges, i.e., he tacitly admitted possession of crack cocaine.

Based upon the above, the OPS Sergeant concluded the Complainant’s allegations are without foundation. She advised (9/19) the Chief of Police that no further action is necessary and recommended the matter be closed with a disposition of unfounded. On September 24 the Chief of Police approved that disposition.

Disposition: Unfounded

Kmt
CPAC: All members agree with disposition
EPAC: All members agree with disposition
Evanston Police Department
Office of Professional Standards
Citizen Complaint Review
October 2014

CR #14-04  Initiated 6/14/14  Completed 10/06/14

Allegation: On June 14 the Complainant alleged to the department’s Office of Professional Standards (OPS) that on that date the Accused Officer, along with sundry assist officers, exercised extreme and inappropriate actions while responding to noise complaints about an outdoor party held at the Complainant’s home. The officers yelled, screamed, and threatened to mace and/or arrest attendees, said the Complainant. Also, nine police vehicles responded, embarrassing the Complainant and his wife and demonstrating a lack of respect for their guests.

There is no video of the incident.

If the above allegations are true, the Accused Officer will have violated departmental rules 1, 2, and 44.

Note: One of the guests also filed a complaint. However, it was disposed as a miscellaneous investigation and closed by OPS.

The Incident, per the Complainant

The Complainant concedes the music was loud and playing well after 10:00 p.m. He says he met the Accused Officer at the gate and questioned his presence. The officer advised him of the noise complaint and attempted to enter the yard. The Complainant told him (multiple times, he said) that he did not have permission to come in. The Complainant said he “knows his rights” and was adamant about not allowing the officer on the premises. He says he raised his hands in a “surrendering” motion, but that he never struck, pushed, or even touched the officer. Nonetheless, alleged the Complainant, the officer grabbed him by the neck and pushed him back. Indeed, said the Complainant, as he was recovering from that initial push the officer pushed him again. At this, said the Complainant, he retreated into his home to avoid further “abuse.” The Complainant alleged it was the Accused Officer who escalated the situation, in that he never told the Complainant to turn down the music. He simply showed up at the gate and demanded admittance to the yard.

[Note: The incident report authored by the Accused Officer does not mention that he advised the Complainant to shut down the party or to lower the music. Also, the OPS investigation shows a guest attempted to call 9-1-1 and request a supervisor, but the 9-1-1 call errantly was routed to Skokie because the site of the incident is on the border between the two jurisdictions.]

The Incident, per the Police Report
(authored by the Accused Officer)

On June 14 (11:30 p.m.) the Accused Officer responded to a loud music complaint in the 1300 block of Pitner. A sign on the front door advised using the side gate to enter. The officer complied, and stood inside the open gateway, whence he observed “a large group of intoxicated individuals.” One (the Complainant) approached and identified himself as the homeowner while
displaying an aggressive demeanor by standing extremely close to the officer, using profanity and assuming a fighting stance. The officer told the Complainant to move back. The Complainant responded that the officer was not welcome on the property and ordered him to "get the fuck out." The Accused Officer stated he pushed the Complainant back to a safe distance, an action that caused the Complainant to become even more upset. He clenched his fists and stated, "I'm going to fuck you up!" At this point several individuals restrained the Complainant while several others pushed the gate closed on the officer, who notified Dispatch he would need assistance in order to respond. First to assist was a Patrol Commander who forced the gate open despite resistance applied from the other side—and found himself confronted by 75 people, many hostile. Additional assist officers arrived. The crowd dispersed, but only after putting up much active and passive resistance.

**Supplemental Report, Patrol Commander**

The Commander reported that, as he approached the backyard gate (closed, solid, and too high to see over), he heard a large crowd on the other side. He attempted to open the gate, but someone appeared to be holding it on the other side. The Commander pushed harder, he said, and announced his office. The resistance increased. At that point, he said, he redoubled his efforts, using the force necessary to overcome the resistance—a degree of force, he noted, that did not damage the gate or the attendant fence. Officers confronted a hostile crowd (over 75 people, most of them intoxicated) standing between them and the Complainant. They informed the crowd and the Complainant that he was under arrest. The crowd responded by passively obstructing efforts to arrest the Complainant, thereby permitting him to retreat and escape. One member of the crowd actively obstructed the officers' efforts. He was ordered to comply or be arrested. When he did not comply the Commander unsuccessfully attempted to take hold of him and pull him from the crowd—a crowd that then became even more physically and verbally hostile. Meanwhile, the offender slipped away, his identity unknown. He was not arrested. If the confrontation had become physical, stated the Commander, likely there would have been injuries to civilians and to police, as the crowd would have been difficult to bring under control.

A short time into the incident a subject with a small laceration to the head informed the Commander that he had been hit by the gate when the Commander opened it. He asked for the Commander's name and star number, both duly provided. The Commander asked if the subject wanted an ambulance, but the query went unanswered. Instead the subject asked to speak with a supervisor. The Commander summoned a sergeant, but the subject then declined to speak with either of them. The Commander asked the subject if he was holding the gate shut when he was hit by it. At that the subject retreated into the crowd. Several hours later he appeared at the police station to make a complaint. The Commander met with him and asked if he actively obstructed the police. The subject stated he was trying to open the gate—a claim inconsistent with the facts of the situation. He was not arrested for obstruction, however, because no officer actually saw him hold the gate closed.

**Interviews, OPS Commander**

The Accused Officer said he engaged the Complainant at the backyard gate and explained why he was there (that the music needed to be turned down.) The Complainant became defensive, assumed an aggressive stance, cursed at the officer, and got within a couple inches
of the officer's face. He stated the officer was not welcome on the property. Feeling his safety compromised, the officer commanded the Complainant to step back. The Complainant did not comply. Indeed, he became more aggressive. At that, said the Accused Officer, he applied a single push to the upper part of the Complainant's chest, to create a safe distance. This exchange was witnessed by a large group of party-attendees, several of whom held the Complainant back as he clenched his fists and threatened to physically harm the Accused Officer. Then another group of party-attendees closed the gate on the officer, who immediately called for assistance. A Patrol Commander was the first assist-officer to respond. He went to the gate and announced his office while attempting to open it. That effort failed, apparently because someone was holding the gate shut. Additional force was applied and access gained, whereupon aggressive and disorderly party-attendees shouted at the police and attempted to surround them. The police were greatly outnumbered.

The Complainant told OPS he responded to the backyard-gate because a party-attendee advised him the Accused Officer was there. The officer said he was responding to noise complaints and asked to be allowed into the yard. The Complainant denied access. The officer repeated the request. Again the Complainant declined. In response the Accused Officer "grabbed my neck, roughed me up, and pushed me," said the Complainant. The officer then entered the yard and, stated the Complainant, party-attendees pulled him away from vicinity of the officer and into his residence. During their exchange at the gate the Accused Officer (who was alone) did not tell him to turn the music down, said the Complainant, nor did he strike him. However, said the Complainant, when he emerged from the refuge of his residence he found additional officers there, along with a Commander who tried to grab his hand and pull him down. Again the Complainant retreated into his home. He did not emerge again during the incident, nor did he speak with the Commander because he didn't know what the Commander would do to him. Similarly, he said, he did not come to the police department that night because he feared being arrested and wanted to wait until everything calmed down. The Complainant said he was neither injured nor arrested. However, his cousin was arrested, for obstruction.

A Witness (the Complainant's wife) said she did not witness her husband's encounter with the Accused Officer. However, toward the close of the incident she came to the gate and spoke with the Accused Officer and the Commander. They asked to speak with her husband, stating they would get a warrant for his arrest if he did not speak with them voluntarily. Nonetheless, the Complainant stayed in the house. The officers asked that the Witness tell everyone to go home, she said, and she complied: The music was turned off and the party dispersed. The police cited her for violating the noise ordinance.

Findings/Recommendation, Patrol Sergeant

Assigned to review the OPS investigation, the Sergeant familiarized himself with the Complaint Review forms submitted by the Complainant and his wife, as well as with the CAD ticket (created at 11:30 p.m.), the C-ticket, the arrest report the field general report, the supplemental report, the audio from Dispatch, and the OPS interviews.

The Service Desk received three calls complaining about the party. On audio, noted the Sergeant, the Accused Officer can be heard asking for more cars and saying the group is agitated. Shouting can be heard in the background. Subsequently the Commander asks for
more cars and again shouting can be heard in the background. Ultimately Dispatch sent all available units (nine in number) to the call. 16 officers, one sergeant and one commander responded, i.e., at its zenith this single nuisance complaint absorbed well over three-quarters of the shift’s resources.

The Complainant’s cousin was arrested (report #14-115). Specifically, the offender approached an officer and yelled, “What the fuck you want with my cousin, he ain’t do shit.” Told to back up, he complied, but continued to yell at the officer. He then approached the officer a second time. Ordered to leave, he did not comply. He then was arrested for obstruction.

The Accused Officer says his decision to push the homeowner was necessary to create space and to counter the Complainant’s aggressive, close-encounter approach.

On the basis of his review the Sergeant ascertained the Complainant admitted to being

- aware of the city’s noise ordinance and having a loud party in violation of it
- adamant about not allowing the Accused Officer onto his property.
- aware the police were attempting to arrest him
- empowered, through party-attendees’ intervention, to evade arrest.

The Complainant’s wife, who was issued a C-ticket for loud music after 11:00 p.m., described her encounter with the Accused Officer as “professional.” The ticket stated a large group was present, causing a disturbance.

Based upon the above, the Patrol Sergeant concluded the Complainant’s allegations are without foundation. He recommended (9/20) to his immediate supervisor, a Patrol Commander, that no further action be taken and that the matter be closed with a disposition of exonerated.

In a memorandum to his immediate supervisor, the Deputy Chief of Field Operations, the Commander noted that, on the basis of his direct observation of the incident, he believes three factors morphed a routine call of ordinance-violation from “Code 2, advised and complied” into the incident that occurred. These factors were (1) a large crowd of people who were judgment-impaired due to intoxication and (2) ill-informed (because usually law-abiding) as to their legal standing during police contact, (3) joined together in passive and/or active obstruction of the police. Once the on-scene officers assessed this to be the situation, observed the Commander, they exercised good judgment and discretion in de-escalating it. He, too, recommended (10/05) that the matter be closed with a disposition of exonerated. The Deputy Chief concurred with that recommendation, and so advised (10/06) the Chief of Police, who approved (10/06) it.

Disposition: Exonerated
Kmt

CPAC: All members agree with disposition
EPAC: 2 members agree with disposition, 2 members, no response
Allegation: In the early hours of June 28 Accused Officers One and Two responded (twice) to anonymous phone calls from the Complainant to the department vis-à-vis neighborhood nuisances in the 300 block of Callan (Elks’ Park, Callan/Mulford) and the 600 block of Mulford. Subsequently the Complainant anonymously informed 9-1-1 that during the Accused Officers’ second response Accused Officer One addressed her in derogatory terms, specifically referring to her as a “racist fucking bitch,” and Accused Officer Two made no effort to curb his partner’s language. Later the Complainant reiterated these allegation in her formal complaint to the department’s Office of Professional Standards (OPS), further alleging that Accused Officer One erroneously wrote her a parking ticket during the incident(s). [Note: A ticket in fact was written, in error—by Parking Enforcement.]

If the above allegations are true, Accused Officers One and Two will have violated departmental rules 2 and 18.

Summary of the OPS Investigation

On June 28 (2:00 a.m.) Dispatch received an anonymous call regarding persons causing a disturbance in Elks’ Park (300 block of Callan) and a suspicious vehicle being double-parked in the 600 block of Mulford. [Note: This complaint, along with a number of other nuisance complaints, was held in abeyance for 20 minutes due to police resources being focused on a homicide in the 1900 block of Brown.] At 2:20 a.m. Accused Officers One and Two (partners) were dispatched to the anonymous call regarding Elks’ Park, Callan/Mulford. At 2:26 a.m. the Accused Officers coded the call “1, unable to locate.” At 2:28 a.m. the call was received vis-à-vis the 600 block of Mulford. Six officers—Accused Officers One and Two among them—executed an investigative stop against a vehicle (five occupants) perceived to be the cause of the complaint. Ultimately directed to leave the area, it complied. During the aforesaid activities the Complainant (for it was she who made both calls for service) several times phoned the Service Desk and 9-1-1 to complain about deficient response. She refused to answer questions (and, indeed, provided contradictory information, e.g., telling Dispatch she thought offenders double-parked in a vehicle adjacent hers were going to break into it and telling the Service Desk the subjects had broken into it.)

The second time Accused Officers One and Two responded to the 600 block of Mulford the Complainant made contact with them to assert, angrily, that they were not doing their job. She asked for Accused Officer One’s name, which, he told OPS, he provided along with his star number. She also phoned 9-1-1 to report being harassed by Accused Officers One and Two, saying Accused Officer One called her a “fucking bitch racist” and Accused Officer Two made no attempt to curb his partner’s language. The Accused Officers coded this second encounter (14-18397) “2 – police service provided, no report.” [Note: This coding suggests violation of General Order 2.3, which mandates that a field general report be generated whenever a citizen requests an officer’s name/badge number and/or seems upset with the outcome of a call and/or the call is a second call.]
Interviews, OPS Commander

Accused Officer One told the OPS Commander that on June 28 (2:20 a.m.), while he and his partner, both in full uniform, were patrolling in a marked squad, they were dispatched twice to a nuisance complaint initiated by the same anonymous caller, first vis-à-vis a noisy group in the 300 block of Callan (in Elks Park, after hours) and then vis-à-vis that same group's noisily running through the viaduct at the 600 block of Mulford. While responding to the first call, said Accused Officer One, he and his partner ejected a group of people from the park. On the second call the officers observed members of this same group walking towards Chicago Avenue and others from that group sitting in a vehicle. The officers ran their names, got their information, and directed them to leave the area. They complied, without citations or arrests.

The Accused Officer told OPS that during his and his partner's response to the second nuisance complaint the Complainant came outside and identified herself. Parenthetically he noted he'd never seen her before, though he and his partner have responded to parking complaints in the area. The Complainant yelled at him and his partner, he said, berating them for not doing their job. Accused Officer One said he advised her they had taken care of the call, first by ejecting the offenders from the park and then by moving them on when they lingered in the area. She asked for his name, said Accused Officer One, and he gave her his information. He denied calling her a “racist fucking bitch” and said he heard no other officer do so. Asked about writing a report, Accused Officer One said neither he nor his partner did so, nor did either write a parking citation.

Accused Officer Two told OPS that on the evening of June 28 he and his partner (Accused Officer One) twice responded to the area of 600 Mulford regarding a nuisance complaint involving the same group of five offenders, all over age 18. No arrests were made, nor were citations written. The offenders merely were asked to leave the area, and they complied. Both calls were anonymously initiated by the Complainant, noted Accused Officer Two, who parenthetically noted he and his partner respond to the area two or three times a month, on average, for similar anonymous complaints. [The area is not a deployment area.] During the Accused Officers' second response on June 28 the Complainant came out to the police car and, addressing Accused Officer Two, said, “You're not doing anything. You're just gonna let them leave.” He advised her no one had broken the law, to which she responded, “Well you're not doing your job and I'm not satisfied with it.” She then went to her vehicle, which proved not to have been damaged or tampered with in any way. Accused Officer Two said he did not call the Complainant a “racist fucking bitch,” nor did he hear any other officer address her in those terms. To the best of his knowledge, he said, the Complainant did not speak with Accused Officer One. Neither he nor his partner wrote a report.

Asked if there was anything he wanted to add to the interview, Accused Officer Two said he and his partner regarded the Complainant's two calls for service as a single incident, inasmuch as they occurred within minutes of each other and referred to the same group of offenders. Specifically, he stated, he and his partner responded to Elks' Park, contacted the nuisance group and told them to leave. The group complied. The officers themselves then left the park, intent upon assisting at another call. However, Dispatch ordered them back to Mulford, where the offenders from the park now were said to be running through the viaduct. The Accused
Officer said he and his partner considered this directive to be part of the first complaint, i.e., finish ejecting the group from the park, so they didn't write a report.

Findings/Recommendation, Patrol Sergeant

Assigned by his immediate supervisor, a Patrol Commander, to review OPS' investigation of this complaint, the Sergeant advised the Commander that he found no credible evidence indicating Accused Officer One called the Complainant anything derogatory.

The Sergeant found the Accused Officers in violation of General Order 2.3, however, in that the order states a report is mandatory for a second response and the Accused Officers did not write a report. In this regard, the Sergeant recommended (9/20) that both officers receive a shift-level reprimand and counseling, the latter to include remedial training regarding how properly to code a call for service and when a report is mandatory, per General Order 2.3.

Concurring with the Sergeant's recommendations, the Commander advised (9/30) his immediate supervisor, the Deputy Chief of Field Operations, that he recommended a disposition of unfounded for the alleged violations regarding departmental rules 2 and 18. As to the Accused Officers' failure to write a report—a violation of General Order 2.3, the Deputy Chief recommended that both officers receive shift-level discipline, counseling and training.

Concurring, the Deputy Chief recommended (10/01) to the Chief of Police that a disposition of unfounded be rendered for the alleged violations regarding departmental rules 2 and 18, and that each of the Accused Officers receive a shift-level reprimand for failing to write a report (in violation of General Order 2.3) and that each receive counseling and training relative to that General Order. The Chief of Police agreed (10/01) to the dispositions as recommended.

Dispositions: Unfounded as to rules 2 and 18 – Accused Officer One and Two

Violation of G.O. 2.3 - shift-level discipline, counseling, training vis-à-vis the dicta of that General Order - Accused Officers One and Two

kmt

CPAC: All members agree with disposition
EPAC: All members agree with disposition
ALLEGATION: On July 24 the Complainant (16 yoa) came to the department in company with her parents to allege to the Office of Professional Standards (OPS) that three Accused Officers failed to assist the Complainant after she reported to them that she'd been assaulted by an adult male (19 yoa) known to her.

If the above allegations are true, the Accused Officers will have violated departmental rules 1, 2 and 18.

The Incident, per the Complainant

On July 24 (9:40 p.m.) the Complainant was returning home following a basketball game at Fleetwood Community Center. She, her sister and a female friend were walking west on the north sidewalk in the 1600 block of Foster when the Complainant saw a male (known to her from school) cross the street from the opposite side, unzip his pants, and urinate into some bushes near the alley. When he finished he ran over and wiped his hand across the Complainant’s face and mouth, then ran back to his friends, laughing and calling out that he had “just put my dick hand in her mouth.” The Complainant caught the attention of a passing unmarked squad car containing four plainclothes detectives. She engaged two of them in conversation, recounting what had just happened. The officers dismissively made an inappropriate joke and, laughing, drove away. As the girls continued homeward the offender and his friends followed. Near Darrow the offender passed the girls on the sidewalk. As he did so the Complainant splashed him with a bottle of water and told him not to touch her again. He became upset, called her a bitch, spat on her, then again ran away laughing. At this juncture the Complainant saw Accused Officer Three in a marked squad, waved him down, told him what had happened, and stated she wanted to press charges vis-à-vis the two incidents. The officer told her that her parent(s) would have to do it because she is a minor. Accordingly, she went home, told her dad what had happened and, in company with her parents, her sister and their friend, came to the station to report the matter.

INTERVIEWS, OPS COMMANDER

Accused Officer One, a detective assigned to the department’s Tactical Team, told OPS he, his partner (Accused Officer Two) and two other plainclothes detectives were riding in an unmarked squad, monitoring post-game activity in the Fleetwood area, when the Complainant—walking with two female companions—engaged (for approximately 10 seconds) the detectives’ attention as they drove by in slow-moving traffic. The girls continued walking and the detectives continued driving as the Complainant informed Accused Officer One that a boy touched her with his hand after publicly urinating proximate her and her companions. She was neither distressed nor crying, said the Accused Officer, and she provided the youth’s name. Accused Officer One asked if she knew where the offender was at that moment and she said, “He’s back there somewhere.” Later Accused Officers One and Two became aware (through an offender-wanted bulletin/photo circulated by e-mail) that on July 24 a second encounter occurred between the Complainant and the offender. Accused Officers One and Two recognized the
offender (from the wanted photo) as someone who frequents the Fleetwood Community Center. The next day the two Accused Officers went to Fleetwood during a basketball game, found the offender among the attendees and arrested him.

**Accused Officer Two** told OPS he and his partner (Accused Officer One) were going eastbound in slowed traffic when the Complainant (walking westbound) engaged them briefly (five seconds) while she and her two female companions continued walking and the detectives continued driving. Accused Officer Two (a passenger in the vehicle) said he understood the Complainant to tell the driver she saw a youth urinating in public and Accused Officer One (the driver) to ask for a description. The Complainant said, "He's down there," and pointed to a group of about 20 youths standing on the sidewalk. She did not seem distressed, said Accused Officer Two. Indeed, she and her friends actually had been laughing. Later, though, the Accused Officers learned (through a wanted-bulletin published with a picture of the offender, whom they recognized by sight if not by name) that he and the Complainant were involved in a subsequent incident on July 24. The next day Accused Officers One and Two attended another basketball game at Fleetwood, saw the offender in the crowd, and took him into custody. Felony charges were approved, and the subject has been arrested. To conclude, the Accused Officer stated no inappropriate comments were made during his involvement with this incident.

**Accused Officer Three** told OPS that on July 24 he was in full uniform and patrolling with a partner. The Complainant flagged him down, he said, to state she had just been in a fight with a boy she knows. He slapped her, she said, and she retaliated by splashing water on him. The youth then retaliated by spitting on her. The Complainant had spittle on her glasses. She did not appear to be harmed, however, nor was she distressed or crying, said Accused Officer Three. He asked her age and whether she wanted to sign a complaint. (He did not speak with her companions, two girls of similar age, he said.) The Complainant told him she had contacted officers earlier in an attempt to report the incident, but that didn't work out. He said he would take a report, but first he wanted a description of the offender so that he might try to locate him. Meanwhile, he told her to stay at the intersection. The Complainant indicated the direction in which the offender had gone and, said Accused Officer Three, he searched for the youth in that direction—with negative results. When he came back the Complainant was gone. He looked for her but couldn't find her. Thus, he never took a report.

**Recommendation, Patrol Sergeant**

The Sergeant stated that, having been charged with making a recommendation concerning the allegations against Accused Officer Three (the allegations against Accused Officers One and Two having been closed with an independent disposition of "not sustained") he reviewed the case file and the officer's disciplinary history. Based upon that review the Sergeant recommended (9/19) to his immediate supervisor, a Patrol Commander, that the matter be closed with the following dispositions: **Rules 2 and 18 – not sustained; rule 6 – sustained.**

**Recommendation, Patrol Commander**

The Commander concurred with the Sergeant's finding that Accused Officer Three did not violate rule 18. However, the Commander found the officer in violation of rules 2 and 6, in that
he did not notify Dispatch that he had been flagged down by the Complainant, nor did he advise Dispatch of the situation, broadcast a description of the offender, and/or author an incident report documenting the alleged assaults.

Given the above, and given that Accused Officer Three’s disciplinary file reveals five prior Infractions of a similar nature, the Commander recommended (9/20) to his immediate supervisor, the Deputy Chief of Field Operations, that Accused Officer Three receive a one-day suspension with options and be mandated to complete a course in “Communication Tactics.” The Deputy Chief concurred with the Commander’s recommended dispositions and so advised (9/22) the Chief of Police, who approved the recommended dispositions on September 28.

Disposition: One-day suspension with options
    Mandated completion of a course in “Communication Tactics.”

Kmt

CPAC: All members agree with disposition
EPAC: All members agree with disposition
Evanston Police Department
Office of Professional Standards
Citizen Complaint Review
October 2014

CR #14-08  Initiated 8/26/14  Completed 10/28/14

Allegation: The Complainant—cited for “blocking an intersection”—filed a formal complaint with the department’s Office of Professional Standards (OPS) stating that while she was detained in the traffic stop (August 26, 10:15 p.m.) the Accused Officer forcefully slammed his body against her vehicle’s door, closing it forcefully against the Complainant’s hand/wrist, thereby spraining the wrist.

There is video footage of the incident. However, it did not capture the Accused Officer (an assist officer) in the vicinity of the Complainant’s vehicle and the audio is intermittent.

There are no independent witnesses.

If the above allegations are true, the Accused Officer will have violated departmental rules 1, 2 and 44.

The Incident, per the Police Report
(submitted by the Responding Officer)

The Responding Officer stated that on August 26 (10:15 p.m.), while on routine motorized patrol in the area of Darrow/Lyons, she saw a Ford SUV stopped in the roadway and preventing traffic from entering the WB lanes. The officer waited 2-3 minutes for the SUV to move on. It did not, even when a vehicle—turn-signal activated—had to abort its WB turn because of the obstruction. The Responding Officer initiated a traffic stop and advised the driver (the Complainant) of the reason for the stop. The Complainant provided proof of insurance and an Illinois driver’s license, which the officer went to check via her in-car computer. When the officer returned to the vehicle the Complainant informed her that she had called the station to ask that a supervisor respond to the scene because she wanted to lodge a complaint against the assist officer (the Accused Officer.) Patrol Sergeant One in fact responded and spoke with the Complainant.

The Incident, per the Supplemental Report
(submitted by the Accused Officer)

The Accused Officer stated he responded to the incident to assist. Upon arrival he walked up to the passenger side of the Complainant’s vehicle because the Responding Officer was at the driver’s side. He said he remained stationary when the Responding Officer walked back to her squad car to check the status of the Complainant’s driver’s license. The Complainant then rolled down the passenger-side window and yelled, “You want to search the car too? Go ahead and get the fuck in the car then!” She followed up by reaching over, pulling the door handle, and pushing the door open a few inches. The Accused Officer said he responded by closing the door and advising the Complainant to keep the vehicle’s doors closed. The Complainant responded by stating she was calling a “white shirt” because the officers did not have probable cause for detaining her. She said nothing about an injury, noted the officer. Patrol Sergeant One responded and spoke with the Complainant.
Supplemental Report, Evidence Technician

On August 26, by phone, Patrol Sergeant One directed the Evidence Technician (the ET) to meet with the Complainant at the Evanston Hospital emergency room and take pictures of a hand injury she allegedly sustained during a traffic stop. The ET said the Complainant told him an officer injured her right hand (including the index and middle fingers) by closing a car-door on it. The Complainant said she was unable to flatten the hand and she was in pain. There were no obvious signs of injury, e.g., broken bones or lacerations. Swelling was the only obvious damage. After he took digital photos of the Complainant’s right hand, said the ET, the Complainant asked him to take comparable photos of her left hand, for comparison purposes. He complied. He said she told him she had no other injuries.

Review of the Half-Hour Traffic-Stop Video
(as reviewed by Patrol Sergeant Two)

Patrol Sergeant Two said his review of the traffic-stop video revealed the following:

The Accused Officer approached the passenger side of the Complainant’s vehicle as the Responding Officer approached the driver’s side, i.e., the Accused Officer was present throughout the incident. The Responding Officer was polite. Nonetheless, the Complainant immediately became loud and aggressive. The Accused Officer looked into the vehicle with his flashlight, causing the Complainant to become very agitated. When the Responding Officer went back to her vehicle to check the Complainant’s driver’s license the Accused Officer remained at the Complainant’s vehicle.

Note: The video-camera’s perspective was through the rear window of the Complainant’s vehicle. That window appeared to be tinted, i.e., the Sergeant was unable to see the passenger door open/close, and was equally unable to see where exactly the Accused Officer and/or the Complainant was. There is no audio of their encounter.

The Responding Officer returned to the Complainant’s vehicle to find the Complainant yelling, telling the Accused Officer to get back and stating her intention to press charges against him for shutting her hand in the door when she was trying to get something out of it. She said she was calling for a “white shirt.” The Accused Officer tried to talk to the Complainant, but she shouted at him, ordering him not to talk to her. At this point the audio stopped working. It did come on again, but only intermittently for the remainder of the incident.

The Accused Officer and the Responding Officer walked to the latter’s car, at which time the audio briefly came on. Calmly the Accused Officer asked the Responding Officer for the Complainant’s name. A third party (unidentified) then walked up and asked the Accused Officer why the officers were focused on a traffic stop when a fight had broken out nearby. The Accused Officer asked, “Did you call 9-1-1?” The person replied, but indistinctly. The Accused Officer again asked, “Did you call 9-1-1?” The person didn’t speak—perhaps walked away—as the Accused Officer remarked, “I don’t see any fighting down there.”

Patrol Sergeant One arrived in response to the Complainant’s request for a supervisor. The Responding Officer told him the Complainant alleged injury to her finger, caused by the Accused
Officer's closing the door on it. The Accused Officer told the Sergeant the Complainant reached over, opened the door slightly, asked, "Do you want to get in?" He then closed the door. He said it closed "clearly—her hand was on the door handle." The Sergeant then spoke to the Complainant as the Responding Officer wrote the citation in her vehicle. Finally the Responding Officer issued the citation, explained it to the Complainant, and returned to her vehicle, the traffic stop being complete.

Interviews, OPS Sergeant

The Complainant told OPS she stopped in the Darrow/Lyons intersection for "less than a minute," to buy "a single cigarette from the bootlegger." The traffic stop began cordially, she recalled, but deteriorated rapidly after she became annoyed by the Accused Officer's repeatedly sweeping the beam of his flashlight around the interior of her vehicle. Incidentally, however, that illumination revealed the strap of her purse caught in the passenger door, the purse's contents dispersed on the passenger seat and the floor below, strewn about as she fumbled to extract her driver's license and proof of insurance for the Responding Officer. The Complainant told OPS she opened the door sufficiently to dislodge the purse strap, whereupon the Accused Officer thrust his body against the door, saying she shouldn't open the door on an officer. Frustrated, angry, and with her hand caught between the door and the body of the vehicle, she started screaming at him, she said, calling him "a fucking pig." She phoned for a supervisor and called out to the Responding Officer, who returned to the Complainant's vehicle and spoke civilly with her. Patrol Sergeant One arrived, listened to the Complainant's grievance, and acknowledged her hand was swelling. She told him she would be reporting to the ER as soon as the traffic stop was complete (adding during interview, "I had to drive my fucking self to the fucking hospital with a fucked-up hand.") The Complainant said she does not like the Accused Officer because he makes her feel uncomfortable and unsafe. She admitted to (1) asking repeatedly why he was flashing his light into her vehicle, (2) screaming he was treating her unjustly, and (3) asking him, "Do you want to get in my fucking car?" She acknowledged the officer might have felt threatened by these actions, although, she added, "All the officers know me. I'm loud." She further acknowledged that the injury to her hand may have been accidental.

The Accused Officer told OPS he was on-scene throughout the incident. He said the Complainant from the outset was upset about the stop in a "general way." However, when the Responding Officer went to her vehicle to check the Complainant's license the Complainant focused her frustration specifically on him, shouting at him to go ahead and search the car. She then leaned over, pulled on the passenger-door handle and told him to "get the fuck on in." He responded by pushing the door shut with his hand, he said, i.e., not by forcefully slamming his body against it. His action prompted the Complainant to ask for a supervisor, stated the Accused Officer, and he told her to call the office and request one. Patrol Sergeant One responded to the incident and the Accused Officer told him what had happened. The Accused Officer told OPS his supplemental report is a true and accurate accounting of what occurred.

The Responding Officer told OPS the traffic stop began cordially, although the Complainant intermittently became animated and raised her voice for no obvious reason. The officer said she did not see the Accused Officer forcefully slam the passenger-side door with his body, as alleged by the Complainant. The officer also said she did not hear the Accused Officer yell anything at the Complainant. The Responding Officer said she offered the Complainant medical treatment, inasmuch
as the Complainant stated her hand and a finger were injured. The Complainant declined, however, saying she would take care of it herself. A supervisor (Patrol Sergeant One) responded to the scene.

Findings, Patrol Sergeant Two

Assigned to review the investigation, said the Sergeant, he reviewed the OPS interviews and all relevant reports and documents (see above). He also reviewed the hospital release form (which shows the Complainant was diagnosed with pregnancy, hand injury, and wrist sprain), as well as the CD of audio from police radios and from the Service Desk and Dispatch. The latter begins with the Responding Officer calling out the stop. The Accused Officer then calls out the rest of the license plate, indicating he was on-scene from the outset. Next heard is the Complainant’s call to 9-1-1. She advised she did not feel safe and asked for a supervisor. She then cursed and shouted, saying she intended to press charges against the Accused Officer for slamming her hand in the door. On radio she asks for a supervisor. Patrol Sergeant One advises he is responding.

On the basis of the foregoing, the Sergeant found there is insufficient evidence to prove/disprove the allegation.

Recommendation, Patrol Sergeant Two

Based upon his findings the Sergeant recommended (10/07) to his immediate supervisor, a Patrol Commander, that no further action be taken and that the matter be closed with a disposition of not sustained, there being insufficient evidence to prove/disprove the allegation.

Beyond the above primary recommendation the Sergeant recommended the Accused Officer undergo training in (1) verbal judo and (2) report-writing for patrol officers. He recommended verbal judo because the Accused Officer told the Complainant to call for a supervisor instead of making the call himself via his radio or phone. Also, the Accused Officer interrupted a conversation wherein the Responding Officer was calming the Complainant. The interruption caused the Complainant to erupt again. As to report-writing, the Sergeant noted the Accused Officer’s supplemental report (written because of the complaint) did not address the allegation, did not state where the Complainant’s hand was when the officer shut the door, did not speak to the possibility (or lack thereof) of her hand being wedged in the door—or, indeed, of any item being wedged in the door and therefore possibly precipitating an attempt to retrieve it—all relevant bits of information that should have been included.

The Patrol Commander concurred with the Sergeant’s recommendations, and so advised (10/27) his immediate supervisor, the Deputy Chief of Field Operations. The Deputy Chief similarly concurred. He recommended (10/28) to the Chief of Police that the matter be closed with a disposition of not sustained plus required further training in verbal judo and in report writing for patrol officers. The Chief of Police approved the recommended disposition.

Disposition: Not sustained
Training in verbal judo and in report writing for patrol officers

Kmt
CPAC: 3 members agree with disposition, 3 members found a disposition of exonerated
EPAC: 2 members agree with disposition, 2 members, no response
From: [Redacted]
Sent: Tuesday, August 05, 2014 8:41 AM
To: [Redacted]
Subject: FW: Police Employee Complaint Form [#27]

Please see forwarded form.

Thank you,

[Redacted]

From: City of Evanston [mailto:no-reply@wufoo.com]
Posted At: Sunday, August 03, 2014 6:43 PM
Posted To: Police
Conversation: Police Employee Complaint Form [#27]
Subject: Police Employee Complaint Form [#27]

Name: * [Redacted]

Address: * [Redacted] United States

Best Phone Number: * [Redacted]

Birth Date: [Redacted]

My State ID number or Driver's License number: [Redacted]

Date of incident: * [Redacted]

Approximate time of incident: * [Redacted]

Location of incident: * [Redacted]
Date

Description of participants: * 

Name(s) of witness: 

Please provide a full detailed account of your complaint and the nature of the incident. * 

The officers pulled in front of my car facing my vehicle as I were dropping my friend off in front of his residence. One of the officers asked me did I have a "pound" or "ounce" in the car? They then asked us to step out of the car and then ran our names after he searched us he then made us sit on the sidewalk while my car still running. Then as we were sitting on the ground officer told officer to open my trunk! They were absolutely rude and disrespectful and had no reason for pulling me over! They never not one time asked for insurance or drivers license!

Enter your name affirming your agreement. *
DATE: 9/3, 2014

My name is [redacted]. My home address is [redacted]. My home phone number is [redacted]. My State Identification Card or Drivers’ License Number is [redacted]. My State of Issuance Number [redacted].

I have been notified that under Public Act 93-0592, revised January 2004, of the State of Illinois, Section 5 (b), anyone filing a complaint against a sworn peace officer must have the complaint supported by a sworn affidavit.


2. Location of Incident: [redacted], my home address, work.

3. Please provide the names, badge numbers, police vehicle number or license plate, and/or a physical description of the officers against whom you wish to file a complaint:

   [Redacted]

4. Are there any witnesses you wish to be contacted during this investigation? [YES] [NO]

   Please provide the names, addresses and phone numbers of any witnesses:

   [Redacted]

5. Please provide a full detailed account of your complaint and the nature of the incident (you may use the next page to continue your narrative or attach any additional documentation that you wish to provide):

   [Redacted]

   FOR POLICE USE ONLY:
   DATE COMPLAINT RECEIVED: 09-08-14 RECEIVED BY: [Redacted]
   OPS NO: D1 14-19
   Rev 01-01-04

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COMPLAINT NARRATIVE CONTINUED:

For "not signaling", when officer X walked up to the car she asked for my info tell me the reason she pulled me over which was the signaling then looked at my windshield and noted a cracked windshield as her reason. Shortly after her partner came to my passenger window asking me questions about a murder and who I dropped off. I was the only person in the car and several detectives arrived which I couldn't understand. The followed them to the station to pay $12.

Officers X and Y arrived at my house 9/2/14 where we had a brief convo. The next day they arrived at one of my jobs looking for my home, and another day asking about the same murder as the previous two officers. They are jeopardizing my job.

Please be aware that if you allege injuries as a result of this incident, we will need copies of your medical records regarding any examination or treatment. Per Federal privacy laws on the release of medical records, you will need to obtain copies of those records and supply them to the Evanston Police Department to make part of this investigation.

I have read this statement that I have voluntarily made, consisting of 2 pages and I attest that the facts and allegations contained within are true and correct to the best of my knowledge.

9/3/14
Complainant Signature

Date
9/14/14

Witness Signature

SACLIN # 5/1445 09-09-14

Sometimes people make false complaints against police officers. You should be aware that this can be a violation of the Illinois Compiled Statutes, if with the intent to deceive and with the knowledge of the statement's meaning, a person makes a false statement under oath and the statement is required or authorized by law to be made under oath.
DATE: 5-5---- 20/14

My name is ______________________________. My home address is ______________________________. My home phone number is ______________________________. My State Identification Card or Drivers’ License Number is ______________________________.

I have been notified that under Public Act 93-0592, revised January 2004, of the State of Illinois, Section 5 (b), anyone filing a complaint against a sworn peace officer must have the complaint supported by a sworn affidavit.

1. Date of Incident: 2-24-14. Approximate time of incident: 11:30

2. Location of Incident: ______________________________

3. Please provide the names, badge numbers, police vehicle number or license plate, and/or a physical description of the officers against whom you wish to file a complaint:

   ___________________________________________
   ___________________________________________
   ___________________________________________
   ___________________________________________
   ___________________________________________
   ___________________________________________

4. Are there any witnesses you wish to be contacted during this investigation? YES NO

Please provide the names, addresses and phone numbers of any witnesses:

   ___________________________________________
   ___________________________________________
   ___________________________________________
   ___________________________________________
   ___________________________________________

5. Please provide a full detailed account of your complaint and the nature of the incident (you may use the next page to continue your narrative or attach any additional documentation that you wish to provide):

   I was in a suicide hunt on the date of 2-24-14 and while getting close, I was thrown to the ground and had my head forced into the event. Police at the time I was advice.

FOR POLICE USE ONLY:

DATE COMPLAINT RECEIVED: 05-05-14 RECEIVED BY: LACULI # 5/14/5
OPS NO: CR 14-02
Rev 01-01-04
COMPLAINT NARRATIVE CONTINUED: Intoxicated, but was not aggressive to the point of hurting anybody. I feel like the force was excessive and there was no need to do me like that. Thank you.

Please be aware that if you allege injuries as a result of this incident, we will need copies of your medical records regarding any examination or treatment. Per Federal privacy laws on the release of medical records, you will need to obtain copies of those records and supply them to the Evanston Police Department to make part of this investigation.

I have read this statement that I have voluntarily made, consisting of ____ pages and I attest that the facts and allegations contained within are true and correct to the best of my knowledge.

[Seal]

Complainant Signature Date

Sometimes people make false complaints against police officers. You should be aware that this can be a violation of the Illinois Compiled Statutes, if with the intent to deceive and with the knowledge of the statement's meaning, a person makes a false statement under oath and the statement is required or authorized by law to be made under oath.

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My name is [redacted]. My date of birth is [redacted]. I am [redacted] years of age and my date of birth is [redacted]. My home address is [redacted]. My home phone number is [redacted]. Zip code [redacted]. My State Identification Card or Drivers' License Number is [redacted]. My state of issuance is [redacted].

I have been notified that under Public Act 93-0592, revised January 2004, of the State of Illinois, Section 5 (b), anyone filing a complaint against a sworn peace officer must have the complaint supported by a sworn affidavit.

1. Date of Incident: [redacted]. Approximate time of incident: [redacted].

2. Location of Incident: [redacted].

3. Please provide the names, badge numbers, police vehicle number or license plate, and/or a physical description of the officers against whom you wish to file a complaint:

   [Redacted]  
   [Redacted]  
   [Redacted]  
   [Redacted]  
   [Redacted]  
   [Redacted]  

4. Are there any witnesses you wish to be contacted during this investigation? [Redacted]

   Please provide the names, addresses and phone numbers of any witnesses:

   [Redacted]  
   [Redacted]  
   [Redacted]  
   [Redacted]  
   [Redacted]  
   [Redacted]  

5. Please provide a full detailed account of your complaint and the nature of the incident (you may use the next page to continue your narrative or attach any additional documentation that you wish to provide):

   I was pulled over illegally by E.P.D. I was taking food to my family, and the police attack me and seized my truck. They lied and said they recovered drugs. As a result, my right shoulder is injured and I needed stitches in my mouth and legs.

   FOR POLICE USE ONLY:
   DATE OF COMPLAINT RECEIVED: [redacted] RECEIVED BY: [redacted]
   OPS NO: [redacted]
   Rev 01-01-04
COMPLAINT NARRATIVE CONTINUED:

Please be aware that if you allege injuries as a result of this incident, we will need copies of your medical records regarding any examination or treatment. Per Federal privacy laws on the release of medical records, you will need to obtain copies of those records and supply them to the Evanston Police Department to make part of this investigation.

I have read this statement that I have voluntarily made, consisting of ____ pages and I attest that the facts and allegations contained within are true and correct to the best of my knowledge.

[Signature] 6-10-14
Complainant Signature  Date

[Signature] 6-10-14
Witness Signature  Date

Sometimes people make false complaints against police officers. You should be aware that this can be a violation of the Illinois Compiled Statutes, if with the intent to deceive and with the knowledge of the statement’s meaning, a person makes a false statement under oath and the statement is required or authorized by law to be made under oath.
My name is [redacted]. My home address is [redacted]. My home phone number is [redacted]. I am [redacted] years of age and my date of birth is [redacted]. My State Identification Card or Drivers' License Number is [redacted]. State of Issuance [redacted] Number [redacted].

I have been notified that under Public Act 93 - 0592, revised January 2004, of the State of Illinois, Section 5 (b), anyone filing a complaint against a sworn peace officer must have the complaint supported by a sworn affidavit.

1. Date of Incident: __________. Approximate time of incident: [redacted].

2. Location of Incident: [redacted].

3. Please provide the names, badge numbers, police vehicle number or license plate, and/or a physical description of the officers against whom you wish to file a complaint:

   Officer [redacted]
   Officer [redacted]

4. Are there any witnesses you wish to contacted during this investigation? [YES] [NO]

   Please provide the names, addresses and phone numbers of any witnesses:

   [redacted]

5. Please provide a full detailed account of your complaint and the nature of the incident (you may use the next page to continue your narrative or attach any additional documentation that you wish to provide):

   It was brought to my attention that the police were at my residence. As I approached the gate, I noticed the officers peering in. I approached Officer [redacted] and asked him what's the problem? Officer [redacted] answered "Someone called in for a complaint. I asked Officer [redacted] what was the complaint for?"

FOR POLICE USE ONLY:
DATE COMPLAINT RECEIVED: ___________________ RECEIVED BY: ___________________
OPS NO: ___________________
Rev 01-01-04
COMPLAINT NARRATIVE CONTINUED: He answered for loud music, then
soon after officer asked me could he come in? As
I further approach he into my property, I answered and "said
no you may not come in" he asked me repeatedly can he
come in? and I answered again no you may not." Officer
then asked, who is the owner of this house? I
answered, "I am the owner of this house." Officer
then asked in disbelief, "you're the owner of the house? I
answered yes I am the owner." Officer
then asked again, "can I come in?" I said no, with my
hands back in the air and said "I know my rights!).
Officer then approached me and grabbed my neck
tight then pushed me back, approaching me again
pushing me back further. Officer then stopped so
I was then told by my friends to go into the house to
avoid further abuse from officer. From inside my house I heard loud banging on the gate
door, so I came back out to see what the noise
was, I came back outside to notice both officer
and officer on the side of my house. Soon after I
stopped out officer pointed at me, then officer
approached me and attempted to grab my hand and pull
me off the my property and said this was after I told
officer he could not come onto my property.

Please be aware that if you allege injuries as a result of this incident, we will need copies of your
medical records regarding any examination or treatment. Per Federal privacy laws on the release
of medical records, you will need to obtain copies of those records and supply them to the
Evanston Police Department to make part of this investigation.

I have read this statement that I have voluntarily made, consisting of 2 pages and I attest that
the facts and allegations contained within are true and correct to the best of my knowledge.

June 15, 2014
Date
6-15-14
Date

Sometimes people make false complaints against police officers. You should be aware that this can be a violation of
the Illinois Compiled Statutes, if with the intent to deceive and with the knowledge of the statement's meaning, a
person makes a false statement under oath and the statement is required or authorized by law to be made under oath.
After officer tried to pull me off my property
I went back into my house to just relax and go
to sleep.

I was disappointed that such extreme measures were
taken unnecessarily. I am a proud home owner and law
abiding citizen and this was an embarrassment to
my wife and family. The police are supposed to serve
and protect and not brutalize and disrespect the honest
taxpayers of Evanston.
My name is [Redacted]. I am [Redacted] years of age and my date of birth is [Redacted]. My home address is [Redacted]. My home phone number is [Redacted]. My State Identification Card or Driver’s License Number is [Redacted]. My State of Issuance is [Redacted]. My zip code is [Redacted]. I can be contacted at this number [Redacted].

I have been notified that under Public Act 93-0592, revised January 2004, of the State of Illinois, Section 5 (b), anyone filing a complaint against a sworn peace officer must have the complaint supported by a sworn affidavit.

1. Date of Incident: __________. Approximate time of incident: __________.

2. Location of Incident: [Redacted].

3. Please provide the names, badge numbers, police vehicle number or license plate, and/or a physical description of the officers against whom you wish to file a complaint:

   [Redacted] [Redacted] [Redacted] [Redacted] [Redacted]

4. Are there any witnesses you wish to be contacted during this investigation? [Redacted] YES [Redacted] NO

   Please provide the names, addresses and phone numbers of any witnesses:

   [Redacted] [Redacted] [Redacted] [Redacted] [Redacted]

5. Please provide a full detailed account of your complaint and the nature of the incident (you may use the next page to continue your narrative or attach any additional documentation that you wish to provide):

   [Redacted] [Redacted] [Redacted] [Redacted] [Redacted]

FOR POLICE USE ONLY:
DATE COMPLAINT RECEIVED: __________ RECEIVED BY: __________
OPS NO: __________
Rev 01-01-04

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COMPLAINT NARRATIVE CONTINUED:

At that moment I complied & began asking guests to leave. All of a sudden several officers came into my backyard using excessive force & blocked the exit path making it impossible for people to leave our property. The officers were all yelling & screaming in my face stating we're using our authority to intimidate me. I was trying to resolve the issue as soon as possible because it was embarrassing having the [whole] entire block shut down for a noise complaint. As soon as the officer mentioned the noise complaint we immediately turned off all the music & asked all guests to leave. At no point did we receive a prior warning nor did we give any officers permission to enter our property. They continued to intimidate me for an extended period of time & took over an hour to issue the citation. I did not appreciate them using the threat of my husband or getting arrested even though I was being 100% compliant. I felt like they were using their authority to issue the citation. Please be aware that if you allege injuries as a result of this incident, we will need copies of your medical records regarding any examination or treatment. Per Federal privacy laws on the release of medical records, you will need to obtain copies of those records and supply them to the Evanston Police Department to make part of this investigation.

I have read this statement that I have voluntarily made, consisting of 2 pages and I attest that the facts and allegations contained within are true and correct to the best of my knowledge.

Complainant Signature [Redacted] Date 6/15/2014

Witness Signature [Redacted] Date 6/15/14

Sometimes people make false complaints against police officers. You should be aware that this can be a violation of the Illinois Compiled Statutes, if with the intent to deceive and with the knowledge of the statement’s meaning, a person makes a false statement under oath and the statement is required or authorized by law to be made under oath.
In addition, I also witnessed multiple officers whose names & badge #s I don't know, arrest a family member of mine for no reason at all & there was no cause for the arrest given. During that time another unknown officer pulled out mace & pointed it to my face & said I will make everyone here.

Also, there was an officer with a K-9 blocking the back exit. They kept insisting that my guests needed to leave but they were blocking all exits making it impossible for all guests to leave. I don't understand why 9 police cars were necessary to respond to a noise complaint. It was completely embarrassing & unnecessary.
My name is ____________________________. I am ___ years of age and my date of birth is __________________. My home address is ____________________________ and my zip code is _______. My home phone number is _____________________________. My State Identification Card or Drivers' License Number is _____________________________. State of issuance: _____________________________ Number: ____________________________

I have been notified that under Public Act 93-0592, revised January 2004, of the State of Illinois, Section 5 (b), anyone filing a complaint against a sworn peace officer must have the complaint supported by a sworn affidavit.

1. Date of Incident: _____________ Approximate time of incident: ________

2. Location of Incident: ___________________________________________________

3. Please provide the names, badge numbers, police vehicle number or license plate, and/or a physical description of the officers against whom you wish to file a complaint:

   (1) _______ called approx 1 hour ago

   (2) called again 30 min after incident

   (3) called one hour before incident

4. Are there any witnesses you wish to be contacted during this investigation? YES NO

   Please provide the names, addresses and phone numbers of any witnesses:
   Neighbors- afraid to come forward

   Other cops were witnessing as they had wives and mothers

5. Please provide a full detailed account of your complaint and the nature of the incident (you may use the next page to continue your narrative or attach any additional documentation that you wish to provide):

   (1) called 12 hr. before

   (2) no one came to arrest

   (3) 8-12 youths hiding in car

   (4) had to call 911 twice

   (5) given a parking ticket at 10:31 legal PKS

FOR POLICE USE ONLY:
DATE COMPLAINT RECEIVED: ____________________________ RECEIVED BY: ___________________
My name is [redacted]. My home address is [redacted], zip code [redacted]. My home phone number is [redacted]. My State Identification Card or Drivers’ License Number is [redacted].

I have been notified that under Public Act 93-0592, revised January 2004, of the State of Illinois, Section 5 (b), anyone filing a complaint against a sworn peace officer must have the complaint supported by a sworn affidavit.

1. Date of Incident: [redacted]. Approximate time of incident: [redacted].

2. Location of Incident: [redacted].

3. Please provide the names, badge numbers, police vehicle number or license plate, and/or a physical description of the officers against whom you wish to file a complaint:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

4. Are there any witnesses you wish to be contacted during this investigation? [YES] [NO]

Please provide the names, addresses and phone numbers of any witnesses:

[redacted] [redacted]

5. Please provide a full detailed account of your complaint and the nature of the incident (you may use the next page to continue your narrative or attach any additional documentation that you wish to provide):

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

FOR POLICE USE ONLY:
DATE COMPLAINT RECEIVED: __________________ RECEIVED BY: __________________
OPS NO: __________________
Rev 01-01-04
COMPLAINT NARRATIVE CONTINUED:

On July 24, my daughter was on her way home from a game. She was an innocent victim of some guy. She sought the assistance of the police. And we did not give her the help that she needed. I am not happy about that. They are here to help.

Please be aware that if you allege injuries as a result of this incident, we will need copies of your medical records regarding any examination or treatment. Per Federal privacy laws on the release of medical records, you will need to obtain copies of those records and supply them to the Evanston Police Department to make part of this investigation.

I have read this statement that I have voluntarily made, consisting of ___ pages and I attest that the facts and allegations contained within are true and correct to the best of my knowledge.

Complainant Signature: [Redacted] Date: 7-29-14

Witness Signature: [Redacted] Date: 

Sometimes people make false complaints against police officers. You should be aware that this can be a violation of the Illinois Compiled Statutes, if with the intent to deceive and with the knowledge of the statement's meaning, a person makes a false statement under oath and the statement is required or authorized by law to be made under oath.
LETTRES

&

INFORMATION
October 24, 2014

Chief Richard Eddington
Evanston Police Department
1454 Elmwood Avenue
Evanston, IL 60201

Dear Chief Eddington:

I would like to thank Officer Slava Leontiev and Detective Anna Ostap for responding as members of NIPAS to assist the Bartlett Police Department with a bomb threat investigation on Thursday, October 2, 2014.

At approximately 6:40 am, the Bartlett Police Department was dispatched to Rana Meal Solutions LLC, located at 550 S. Spitzer Road in Bartlett after an employee informed the Bartlett Fire Protection District that a security guard contractor was behaving with a threatening demeanor and appeared to have an explosive device. The 25-year-old subject was still inside the building and refused to exit the facility or cooperate with the police.

The Bartlett Police Department requested the assistance of the NIPAS Emergency Response Team and the ILEAS Region 4 Weapons of Mass Destruction Special Response Team to search the 111,000 square foot facility for the subject and to safely depressurize the ammonia used in the production process. The Northern Illinois Police Alarm System Emergency Response Team and the Illinois Law Enforcement Alarm System Region 4 Weapons of Mass Destruction Special Response Team safely neutralized the hazardous material threat and then quickly located the subject without incident.

This is an excellent example of numerous law enforcement agencies working together to resolve a potentially dangerous situation in a peaceful manner. We extend our appreciation for the assistance Officer Leontiev and Detective Ostap provided to the Bartlett Police Department with the recent bomb threat investigation.

Yours in service,

Kent F.A. Williams
Chief of Police
From: [REDACTED]
Subject: A belated Thank You for a very kind gentleman named Ron Blumenberg
Date: October 25, 2014 at 3:12 PM
To: Chief Eddington
Cc: Evanston Police Dept

Dear Chief Eddington and Officer Blumenberg,

This is a terribly belated thank you for Officer Ron Blumenberg.

4 years ago on Sept 29th, at 1:05 PM, my elderly husband, [REDACTED], and also-elderly-I, were crossing the street between the King Home and [REDACTED] where we lived, when he tripped and crashed onto the pavement of our driveway, injuring his face badly.

Just at that moment Officer Blumenberg was approaching in his police car with three younger officers. His white car had a large “Neighborhood Watch” painted on the side, and he stopped, jumped out, and came quickly over to offer help. There wasn’t much any of us could do except call the ambulance, which he did, but he was comforting by his presence. He, and a number of our neighbors from [REDACTED] stood by as we waited.

Later that day, much later, it may have been evening by then, he returned to the Emergency Room where my husband was still waiting to be put to bed somewhere, and he was so concerned and kind. (As it turned out [REDACTED] had many, many broken bones, which were repaired surgically 8 days later when the swelling went down. He recovered, but died 2 years later of something else.)

We were so grateful to officer Blumenberg! Coming to the hospital like that was just the most extraordinary bit of kindness. I have wanted to thank you, Officer Blumenberg, all this time, but I didn’t remember your name and I wasn’t sure how to reach you. I had a lovely encounter with Officer Neal a few minutes ago, and he encouraged me to do it this way, thru Chief Eddington.

And so, my thanks to both of you, one of you for providing heart-touching kindness, the other for presiding over a force that enables good people like Officer B. to thrive.

My warmest wishes,

[REDACTED]

Evanston 60201
THANK YOU FOR ALL THAT YOU DO!

CERTIFICATE OF APPRECIATION

Evanston Police Department

[Signature]

This certificate is in appreciation for all you do for our community!

[Signature]

10/22/19

DATE

McGaw YMCA Children's Center

LOCATION

The Discoverers

SIGNED
October 23, 2014

On October 5th 2014, The City of Evanston sponsored an outreach event to address concerns and offer services to the Latino community. Along with officers from various divisions and telecommunications, I represented the police department and spoke briefly for introductions and later to attendees during the outreach portion. Sponsoring organizations included, Erie Medical Health Center, YWCA, EPD and COE 311.

I had the pleasure of sitting through 311 Service Desk Officer Jose Diaz's presentation both at the initial introduction portion and throughout the one on one period. Diaz was professional in all aspects of his presentation and was exceptionally prepared for both portions of the event. His introduction was comprehensive, inviting and professionally delivered. I observed as the 311 table dominated the crowd’s interest and it was no doubt due to Diaz's preparation, ability to handle questions and concerns and overall rapport with the attendees.

I wanted to document for you the high degree of excellence and professionalism that was represented by Diaz for 311. It was clear that his presentation that day exceeded all organizations in attendance and should be acknowledged for his performance.

Respectfully,
Sgt. Correa
10/12/2014

Chief Eddington,

I am writing to thank you and your department for the fine work you do in our community.

Early this Sunday morning we were awakened to the sound of a young man trying to enter our home on the east side. We dialed 911, and within just a few short minutes your officers were here, removing him from our 4-season porch.

I was amazed at how quietly they performed their task, not waking my children or the neighbors. And I was very impressed with the calm and compassion they showed this poor soul. (I understand he did not return the respect with which he was given). You should be very proud of these young men and women who are under your command. They are exceptional people.

Thank You,

[Signature]

Officers:

Officer Jason Nelson
Officer Pedro Carrasco
Officer Vycheslav Leontiev
Officer Willie Hunt
Officer Alice Ward
Officer Brandon Marx
Officer Adam Nawotka
Officer Bartlomej Niedziela
Officer Michael Scheck
Officer Daniel Kooi
Officer Jarrod Dietrich
Officer Grace Carmichael
Officer Timothy Messing
PHONE CALL COMPLIMENTING OFFICER

Date: October 8, 2014

Caller: 

Complimenting praiseworthy police work by: Officer Richard Tyson
Officer Daniel Keeler
Officer Scott Sophier

Reference: called referencing an accident that involved a vehicle and a pedestrian that happened near St Mary's Church. He stated the officers who responded were very professional in handling the situation. He also states he gives high praise for their compassion and listening, and their time spent at the hospital.

Submitted by: Admin, Secretary

Cc: Compliment Board
Supervisor
Officer
Personnel File
Commander James Pickett

From: City Manager Wally Bobkiewicz

Thank you for your help in making the ETHS Black Male Summit such a success.
TO: Chief Richard Eddington  
Evanston Police Department  
1454 Elmwood Ave  
Evanston, IL 60201

FROM: Detective Ruben Weber #21072  
Chicago Police Department  
2452 W. Belmont  
Chicago, IL 60618

SUBJECT: Police Officer Stephen Carter (Retired)

Chief Eddington, I wanted to write to you personally on behalf of Stephen Carter’s family. A simple thank you is not enough for what you and your department did for the Carter family. I want to thank Reverend David Jones who came to the hospital and spent time with Joan, Stephanie and Caryn and the family, he was such a comfort to us all.

You can be very proud of your officers, Scott Sophier and Francesca Henderson, these two officers sat with the family and assisted the family in so many ways, a special thank you to Officer Sophier and Officer Henderson.

The Evanston Police Honor Guard at the wake and the Motorcade at the funeral was awe-inspiring. The professionalism and the compassion by these officers were second to none. I apologize for not having these officers names, but please pass on for us how special they made this difficult time for the extended Carter family.

I want to thank you and the officers from the Evanston Police Department. The presence at the wake by both active and retired officers was overwhelming and consoling.

Thank you again, BE SAFE!

[Signature]

Detective Ruben Weber  
Chicago Police Department

25 September 2014
PHONE CALL COMPLIMENTING OFFICER

Date: September 26, 2014

Caller: [Redacted]

Complimenting praiseworthy police work by: Officer Otha Brooks

Officer Daniel Pack

Reference: [Redacted] Resident states she was in the [Redacted] and noticed two police officers. When she asked them "is anything wrong" and had an opportunity to talk with them, she learned they were on patrol in the area, and they were not there in response to any incident. She thanks the officers for patrolling the neighborhood.

Submitted by: [Redacted] Admin. Secretary

Cc: Compliment Board
Supervisor
Officer
Personnel File
November 14, 2014

Chief Richard Eddington
Evanston Police Department
1454 Elmwood Avenue
Evanston, Illinois 60201

Dear Chief Eddington,

Thank you for your fast response to the letter I hand delivered to you on October 31, 2014.

I was contacted by Detective Aaron Wernick on November 4, 2014 and met with him and his partner, Jody Hart that afternoon.

We met for an 1 ½ hours and I was able to get my cards on the table regarding who is my next door neighbor and my former lawyer. I thought that the time with Aaron and Jody was well spent. They asked what I thought were good questions and gave me time to explain my side of various episodes. I am appreciative of their work, their attitudes and their diligence in my behalf.

While the State’s Attorney’s Office has declined to prosecute with the information presented by the Evanston Police Department, I do not fault Aaron or Jody. The facts remain the same. Every single thing that I accused of doing was a true and accurate accusation backed up with the evidence. I simply think that what used to be considered important in our society in many cases is no longer so. So be it.

As a citizen in Evanston, I remain thoroughly appreciate our police department.

Sincerely,
PHONE CALL COMPLIMENTING OFFICER

Date: November 17, 2014

Caller: [redacted]

Complimenting praiseworthy police work by: Officer Mark Van Dermeer
                                           Officer Stanley Samson
                                           Evanston Police Department
                                           Parking Enforcement Officers

Reference: [redacted] compliments the above mentioned officers, EPD and Evanston POs for their service during a recent funeral at St Mary's. He states the entire crew was fabulous, there were about 500 people in attendance, and EPD and Evanston POs provided traffic control and escort in a manner that was as a well-oiled machine. He states he is pleased with the response, as it may have been chaotic without our team.

Submitted by: Michelle Smith, Admin. Secretary

Cc: Compliment Board
    Supervisors
    Officers
    Personnel Files
    Parking Manager
PHONE CALL COMPLIMENTING OFFICER

Date:  November 17, 2014

Caller:  [redacted] resident

Complimenting praiseworthy police work by:  Officer Nathaniel Basner

Reference:  Resident states he must have accidentally hit the button on his Life Alert monitoring device because, although Life Alert did not contact him, he received a card on his door that Officer Basner had been to his residence to check on him.  He says he is alright and thank you to Officer Basner for his kindness and efforts.

Submitted by:  Michelle Smith, Admin. Secretary

Cc:  Compliment Board
    Supervisor
    Officer
    Personnel File
Memorandum

To: Positive Comments Bulletin Board
From: Richard Eddington, Chief of Police
Subject: Complimentary Phone Call
Date: November 14, 2014

[Redacted] phoned me to express her appreciation for the care members of the department took of her ward [redacted] and, more specifically, for Officer Virani's professionalism with regard to that incident.

I want to express my personal appreciation to Officer Virani for his professional demeanor and the extremely positive impression he left [redacted] with.

Thank you all for your outstanding work.

Richard Eddington
Chief of Police

kmt
November 10, 2014

Employee name: Anthony Correa

Badge number if known: 17

What would you like to commend about the employee's performance?
Sergeant Correa went above and beyond to help me get my car out of the parking space when two sheriff vehicles were double parked, hemming me in.
I flagged him down as he was leaving the Cinemark Theatres. Sergeant Correa backed my car out for me and it was not a simple task!
Sergeant Melissa Sacluti  
Officer Nathaniel Basner

November 7, 2014

Melissa,

I just finished my ride along with Officer Nate Basner. He was very kind and informative, answering all of the questions I had and offering lots useful information both in terms of doing police work and in terms of how to get there. He was also able to show me a wide variety of situations ranging from traffic stops to theft investigations to checking on a large and loud youth party. As you promised, the third watch was a good introduction to the wide variety of tasks a police officer faces.

Getting to see patrolling first-hand has given me a great perspective both for learning about law enforcement as a career and for civilian life. I continue to feel more encouraged by experiences like this as I begin my application process. Thank you for making this happen for me!

I will be sure to keep you up to date on my progress and will definitely keep EPD in mind when looking for opportunities.

Thanks again,
October 2, 2014

Sergeant Mark Poya
1454 Elmwood Ave
Evanston IL 60201

Dear Sergeant Poya,

Congratulations! We are pleased to inform you that you and your unit have been nominated by Chief Richard Eddington from the Evanston Police Department to receive the Cook County Sheriff's Law Enforcement Unit Citation.

The Sheriff's Unit Citation will be given to law enforcement units from throughout Cook County who have consistently performed beyond the call of duty and have shown excellent dedication, attitude, work ethic and professionalism.

It will be an honor for me to recognize your devotion to duty along with other police officers from throughout Cook County.

The award presentation will be held at Moraine Valley Community College (Building M), on Wednesday, November 12 at 5:30pm. Dress uniform is expected for this event.

Enclosed is an invitation for you and you are encouraged to have family members attend this recognition ceremony. Your agency and other Cook County officials will receive invitations as well.

To RSVP or for questions, please call the Press Office at (312) 603-4242 or email [redacted] Please be sure to RSVP, as seating is limited.

I look forward to honoring you at the ceremony.

Yours Truly,

Thomas J. Dart
Cook County Sheriff
October 2, 2014

Detective Mikhail Geyer
1454 Elmwood Ave
Evanston IL 60201

Dear Detective Geyer,

Congratulations! We are pleased to inform you that you and your unit have been nominated by Chief Richard Eddington from the Evanston Police Department to receive the Cook County Sheriff's Law Enforcement Unit Citation.

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I look forward to honoring you at the ceremony.

Yours Truly,

[Signature]

Thomas J. Dart
Cook County Sheriff
October 2, 2014

Detective Kenneth Carter
1454 Elmwood Ave
Evanston IL 60201

Dear Detective Carter,

Congratulations! We are pleased to inform you that you and your unit have been nominated by Chief Richard Eddington from the Evanston Police Department to receive the Cook County Sheriff’s Law Enforcement Unit Citation.

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I look forward to honoring you at the ceremony.

Yours Truly,

Thomas J. Dart
Cook County Sheriff
October 2, 2014

Detective Brian Hicks
1454 Elmwood Ave
Evanston IL 60201

Dear Detective Hicks,

Congratulations! We are pleased to inform you that you and your unit have been nominated by Chief Richard Eddington from the Evanston Police Department to receive the Cook County Sheriff's Law Enforcement Unit Citation.

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I look forward to honoring you at the ceremony.

Yours Truly,

[Signature]

Thomas J. Dart
Cook County Sheriff
October 2, 2014

Detective Jeremy Senese
1454 Elmwood Ave
Evanston IL 60201

Dear Detective Senese,

Congratulations! We are pleased to inform you that you and your unit have been nominated by Chief Richard Eddington from the Evanston Police Department to receive the Cook County Sheriff’s Law Enforcement Unit Citation.

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I look forward to honoring you at the ceremony.

Yours Truly,

Thomas J. Dart
Cook County Sheriff
October 2, 2014

Officer Sophia Syed
1454 Elmwood Ave
Evanston IL 60201

Dear Officer Syed,

Congratulations! We are pleased to inform you that you and your unit have been nominated by Chief Richard Eddington from the Evanston Police Department to receive the Cook County Sheriff's Law Enforcement Unit Citation.

The Sheriff's Unit Citation will be given to law enforcement units from throughout Cook County who have consistently performed beyond the call of duty and have shown excellent dedication, attitude, work ethic and professionalism.

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I look forward to honoring you at the ceremony.

Yours Truly,

[Signature]

Thomas J. Dart
Cook County Sheriff
October 2, 2014

Commander Joseph Dugan
1454 Elmwood Ave
Evanston IL 60201

Dear Commander Dugan,

Congratulations! We are pleased to inform you that you and your unit have been nominated by Chief Richard Eddington from the Evanston Police Department to receive the Cook County Sheriff's Law Enforcement Unit Citation.

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Yours Truly,

Thomas J. Dart
Cook County Sheriff