

**CITY COUNCIL
HUMAN SERVICES COMMITTEE
Monday, September 17, 2007
Civic Center - Room 2404
7:00 P.M.**

MEMBERS PRESENT: Aldermen Holmes, Jean-Baptiste, and Moran

MEMBERS ABSENT: Aldermen Bernstein and Tisdahl

STAFF PRESENT: Police Chief Richard Eddington, Police Commander Barbara Wiedlin, Ken Cox, Nancy Flowers, Jay Terry, Audrey Trotsky

OTHERS PRESENT: Alderman Rainey, Alderman Wollin, Rosemary Jean-Paul, Evanston Township; Sharon Eckersall, Township Assessor; Joan Hickman, Commission on Aging;
(See attached list of Attendees)

PRESIDING: Alderman Moran

I. CALL TO ORDER

Alderman Moran called the meeting to order at 7:06 p.m.

II. APPROVAL OF THE MINUTES OF THE AUGUST 6, 2007, MEETING

The minutes of the August 6, 2007 meeting were called and unanimously approved (3-0).

III. CONSIDERATION OF THE AUGUST 2007 TOWNSHIP BILLS

Alderman Jean-Baptiste moved approval for discussion seconded by Alderman Holmes.

Alderman Jean-Baptiste asked for an explanation of the Assessor's bill for computer equipment. Ms. Eckersall responded these bills were not received until March 27th after the bill cut off and this was the only way this could be paid. This does not appear on her line items and will not appear until the end of this fiscal year, the audit was adjusted to reflect this amount. She will show a deficit in next month's audit report. Alderman Jean-Baptiste asked Ms. Eckersall if she had the anti virus software installed not only in the computers but in the server as well as he thought computer anti virus software is bought for and installed in the network. Ms. Eckersall responded the office has three computers on the server and each computer has the anti virus and according to Computer Bits each computer has to have its own separate software. Alderman Jean-Baptiste said he would need additional information regarding the software being purchased and why it is not installed on all the computers through one computer before approving these bills.

Alderman Holmes asked when the fiscal year began. Ms. Eckersall responded April 1st, the bills were incurred in the month of March but this bill was not received until March 27th. The cut off for bill payment is the 23rd of 24th of the month therefore those bills had to be paid in this fiscal year. Alderman Holmes questioned this because there is a certain amount of time to clear up any old bills from the previous year before beginning the next year. This was only three days into the New Year and you should have a certain number of days in which to include these bills. She understands this occurring on a monthly basis but this occurred closing out a year when there should be a time allowance before clearing out your year. Ms. Eckersall said she was told by the auditors the bills had to go onto the next year even though there is an adjustment on the audit.

Alderman Rainey noted that is absolutely wrong because those of you on Administration and Public Works who read the bills list know that as the New Year begins you will always see two sets of bills. One set payable from the previous fiscal year which could sometimes continue until May.

Alderman Moran stated these bills will be held for further clarification and asked Ms. Eckersall who closes out her books, to which Ms. Eckersall responded the Township. Ms. Jean-Paul said they pay Ms. Eckersall's bills according to her budget as she does not have a personal accountant in her office. These bills occurred at the end of the fiscal year because she continued to have computer problems and incurred additional expenses.

Alderman Moran called of approval of the August 2007 Township bills, Alderman Jean-Baptiste moved approval less \$1,633.50, the amount of Computer Bits, Inc. bills, and Alderman Holmes seconded the motion. Motion unanimously approved (3-0).

III. CONSIDERATION OF ORDINANCE 52-O-07 AMENDING THE NUISANCE PREMISE SECTION OF THE CITY CODE

Alderman Jean-Baptiste motioned for approval of Ordinance 52-O-07 as amended, seconded by Alderman Holmes. Alderman Moran called for discussion of this ordinance.

Alderman Rainey said there is no fine line between this ordinance and loitering and what goes on in the neighborhoods because it is problem people that are loitering. As an example of this she selected one building in her ward and also selected a single family home in Alderman Holmes's ward from the current Police Daily Bulletin. Her method of selection was blindly pointing to a name on the Police Daily Bulletin. One building that came up in her ward is a building that has lately been under a lot of scrutiny and the Chief Eddington has been very assistive in deploying personnel to watch it. There comes a point where we have to say to ourselves how many resources can we devote to an individual property or to a block and ask ourselves how fair is that. In our community if we have an irresponsible contractor who sets fire to a roof or a plumber who sets the building on fire working in somebody's bathroom, the Fire Department charges them. Alderman Rainey maintains in order to get some of these landlords' attention we have to start charging them for extra police calls to their buildings. Under the Nuisance Premise Ordinance in various buildings we have seen the distinction between property standard issues and criminal issues. Over the years her ward was known for slum landlords and bad buildings. People who have moved into the neighborhood within the last 2 or 3 years are always asking Alderman Rainey when she is going to do something about improving the neighborhood. Of course, if we hadn't done started improving the neighborhood they wouldn't be living there now. The good thing is she can count the bad buildings, property standard wise, on less than one hand. However she can't begin to count the huge number of bad tenants. Her ward seems to be filled with problem people which are the ones who rise to the surface and cause problems that would make her want to support a Nuisance Premises Ordinance.

We've talked about the number of violations, the number of police calls, whether they should be convictions or arrests. She frequently asks for police reports when she sees something happening in her ward that should not be happening. She has found that ninety nine percent, if not a hundred percent of the reports she looked at, where there were previous arrests, read as follows: "Arrest, drugs, burglary, sexual assault, robbery, aggravated assault, etc., convictions one or none." When you have a person in your neighborhood who has a list of arrests for violent crimes against people and property that causes concern of people in the neighborhood even though they haven't been convicted. When her constituents come to this committee and say there are people hanging out on the corner, calling names and not letting them pass, standing in the streets, these are the people they're talking about. They're not talking about our nice youths who have nothing to do and are standing out on the corners joking around and making a lot of noise. They're talking about some pretty bad apples.

Alderman Rainey proceeded to read the list arrests in less than one year from one small 9 unit building at 326 Custer.

- A woman aged 27, arrested at home for ordinance violation in interfering with police officers. Female black states that 3 unknown subjects approached in a vehicle, one subject jumped the complaining witness and the others soon joined in kicking and punching the complaining witness.
- A young man, age 18 from Waukegan, arrested 326 Custer, for criminal trespass.
- Another man, age 18 from 127 Custer was arrested at 326 Custer for unlawful possession of cannabis.
- 326 Custer, 28 year old man was arrested for traffic, and this man was again arrested at 703 Brummel for possession of cannabis. Search warrant was executed end of March. Subsequent to the investigation into the illegal of controlled substances the Neighborhood Enforcement Team executed a search warrant at the residence. He was in the residence at the time the warrant was executed, no drugs or illegal substances were found at the time of the warrant execution, however 5 adults and 3 juveniles were in the vestibule and stairway that had to be temporarily detained prior to making entry to the apartment, this occurred at 5:00 p.m. when a lot of the action occurs. As indicated once making entry to the apartment no drugs were found. Two of the youths detained were found to be in possession of marijuana. One of these youths was approved for transport to the Juvenile Detention Center, Audy Home, which we know that was not just because of marijuana. The other was referred to Juvenile Court. The third juvenile was a reported runaway from Evanston and was also referred to Juvenile Court for criminal damage stemming from an unrelated investigation. It was learned that the subject of the raids, where they found no drugs, had an active bond forfeiture warrant out of DuPage County and was taken into custody on that warrant after being processed, made bond and was released.
- A man from Skokie, arrested at 326 Custer for criminal trespass, failure to obey the police.
- Resident of 326 Custer arrested at 200 Custer for possession of cannabis.
- Juvenile arrested at 326 Custer for domestic criminal damage.
- 24 year old man from another address, arrested at 326 Custer for unlawful possession of cannabis.

Alderman Rainey stated those occurred in less than a year. Is this not the building you're talking about when talking about nuisance premises? How much more of a nuisance can you get? Every other day, a lovely, late middle aged woman that owns the 2 flat next door to this building, calls Alderman Rainey, you can hear the tears in her voice and she can't take much of this any more. This is the kind of person we want living in our neighborhood; she's been living there for at least 20 years. The authorities have to enforce something that will allow people to live peacefully in their neighborhood. Nobody wants to criminalize good youth, these aren't those youth. You have to be open to the fact that not all youth on

the corner causing trouble are wonderful youth. We have to distinguish who is good is who is not. We have to charge for police calls. The examples she stated are only the arrests in the Daily Bulletin but we know of crimes in this town that never make the Daily Bulletin. When you look at a building like this that is not in that bad shape that we're not going to get on code violations. She believes the building went into foreclosure and we keep trying to get in touch with them but have not been able to. Therein lies the problem that they probably were responsible for renting the units which she holds them completely responsible for. Alderman Rainey said she is tired of blaming everybody else in this town for people's behavior and wanted to try to make you see the reality that people in her ward are seeing. This is just one building. The single family home selected in Alderman Holmes's neighborhood had 9 arrests in a single year. That's real life in the 8th Ward and unfortunately is the case all over.

Betty Ester, of 2114 Darrow, said she was not present the meetings when this was discussed and most of the things Alderman Rainey talked about were things that Paula Haynes talked about in changing the Landlord/Tenant Ordinance. One of the items was having the landlord deal with people causing problems in their building by getting them out of the building. That was dropped and is now going to be attached to the Nuisance Premises Ordinance. She thought it was a way of giving the landlord a little more authority in getting rid of bad tenants. One of the items was if the tenant complained to the landlord about another tenant, that landlord was to address that tenant and if they did not curtail or change their behavior that was grounds for eviction. Ms. Ester wanted to know if that was ever included in the Landlord/Tenant Ordinance.

Alderman Holmes recalled at the last Human Services Committee meeting Rafael Molinary of the Human Relations Commission came with an amended Landlord/Tenant Ordinance. The committee asked him to come back with revised language of the ordinance which we have not received. Mr. Terry noted that item should be on the October agenda.

Alderman Jean-Baptiste noted a standard lease has the provision in it that a tenant cannot breach the quiet enjoyment of others in the building. On that basis a landlord can bring an action to evict that tenant. We are still considering the Landlord/Tenant Ordinance with some proposed modifications. Alderman Jean-Baptiste assumed that one of Alderman Rainey's modifications to the Nuisance Premises Ordinance is that we include a paragraph that authorizes the City to charge the landlords for police calls. Alderman Rainey said she was not sure whether it should be in charged in some other fee schedule, which would need further discussion. Alderman Jean-Baptiste asked Alderman Rainey if she just wants to introduce this as he is trying to enumerate the items brought to our attention to focus on. He asked if the suggestion is that a certain number of police calls should trigger such violation to enforce the Nuisance Premises Ordinance. Alderman Rainey said the point she was making about the police calls, in addition to charging a fee to the irresponsible contractor by the Fire Department, is because while these are arrests that she read there are also many, many calls for police service when the police go out calls and quiet everybody down without any arrests. Everybody is entitled to call the police a few times, but 20 or 30 calls a month, she does not think so. Alderman Jean-Baptiste just wanted to clarify the 2 categories in the ordinance that defines what offenses would lead to the premises being declared a nuisance premise: 1) The offense for which the premises is used is punishable by imprisonment for one (1) year or more or the premises is used for two (2) or more such offense within any six (6) month period. 2) The premises is the sight of two (2) or more offenses which are misdemeanors under state or federal law or a violation of the Evanston City Code.....

In this paragraph this person would probably have to be convicted but in terms of the police calls he does not think we have anything similar. He's open to some discussion as to how this can be incorporated in the ordinance because once that building is declared as a nuisance premise it then triggers oversight by the Chief of Police who then takes a course of action that the landlord is supposed to follow. It still doesn't lead to that person losing his/her building but merely employs more vigilant oversight. In that type of situation where there is frequent police calls we need to talk about what is a good threshold number to trigger this kind of oversight that would give the police more power to be able to do something.

Alderman Moran thought we already have this, the operative word is offenses. The discussion we had at the last meeting related to the fact that as Alderman Rainey has pointed out per her examples, anti social activity such as she described could lead to charges that would not be resolved for years. The situation is such that it calls for treatment, regardless of whether it takes years or a criminal case or a series of criminal cases to march through the criminal justice system and be fully resolved. That was the focus of our last discussion which he firmly believes is the correct approach. When you have a series of activities such as the lady Alderman Rainey referred to who has lived there for 20 years saying she could not take it any more, if you're taking it to convictions or to high numbers then the person, the neighborhood, the block, ultimately renders being powerless to help itself or to call upon the City's resources to help them have a peaceable situation. That is what he thinks this ordinance is about. We have the numbers we need; the numbers Alderman Rainey spoke about are out of control. He has this in his ward as we have in all wards.

Alderman Holmes wondered about Alderman Rainey's examples, why hasn't a meeting been called with the property owners to sit down and talk about it being a nuisance property. Alderman Rainey responded there was the transition from one Police Chief to a new Police Chief, we had regular meetings with the other Chief and she knows Chief Eddington is beginning to resume these meetings. There was a 6 month time lapse where things started to get out of control. It would be a good idea to have some coordination on a building such as this because the Alderman can do just so much. Somebody needs to notify the Housing Authority as we don't know whether or not these are their tenants. If they're not

their tenants do they you want their tenants living in a place paying subsidized tax payers dollars where this is going on, or if any of these are their tenants they need to make them shape up or take away their vouchers. There needs to be better communication. When Paula Haynes was here that was done, now Alderman Rainey does not think we have any process for that. Mr. Terry said one of the things that has made this task increasingly difficult is there is this growing trend, which is a national phenomena but Evanston has some, where gangs are using building ownership as an opportunity for money laundering and buildings are constantly getting flipped making the trail of who the actual owner is becoming very, very difficult.

Alderman Moran noted Ordinance 52-O-07 has been moved and seconded and called for the committee approval to forward it to Council for consideration. Motion unanimously approved (3-0).

IV. CONSIDERATION OF ORDINANCE 81-O-07 AMENDING VARIOUS SECTIONS OF THE EVANSTON CLEAN AIR ORDINANCE

Mr. Terry noted since the City Council last amended our Indoor Clean Air Ordinance the State of Illinois has passed legislation. Where our ordinance seems to mirror the state law there were a few parts, not many, where the state law is stronger than local ordinances. The state law does not allow home rule communities to get a weaker ordinance so this brings us in line with the state law. Alderman Moran added the point being the state law does control or preempt the force of law regardless whether we're home rule or not.

Alderman called for a motion to approve the amending of various sections of Ordinance 81-O-07. Alderman Jean-Baptiste moved approval, seconded by Alderman Holmes. Motion unanimously approved (3-0).

Mr. Terry noted he received a call today from a constituent of Alderman Hansen's, Ms. Flaherty, who talked to both Ken Cox and our department and is still concerned about the issue of smoke in condominiums reaching from unit to unit or getting into the ventilation system. We told Ms. Flaherty we were not entirely sure how much more municipal regulation in that area we can do. Ms. Flaherty was going to attend tonight to make a presentation but sent her written comments that we said we would pass on to the this committee and that we would look into and revisit that issue in the future.

Judith Treadway, 226 Callan Avenue, commented on the issue of the citizen who was inquiring about smoking in condominiums. Until the City decides if they are going to inspect condominiums, which she has been before the committee and Council asking about inspection of condo buildings and asked how would that be enforceable.

Mr. Terry responded we currently respond on a complaint basis but there are issues of knowing exactly where the smoke is coming from and witnessing the smoking. Should this issue come before the City Council there are enforcement issues that the staff would want to talk about. Ms. Treadway said she would also like property standards issues about some of these condominium buildings discussed. When you have condo buildings that don't maintain certain standards because they're not inspected where you have other property owners who have multi unit buildings or have rental single family dwellings that are subjected to inspections that's a more egregious offense in the community. If we're going to look at that particular ordinance she would encourage you to consider some kind of mechanism for reviewing property standards in these condos because we now have so many here. Some of them are rehab and converted properties but then they're in violation of lot of things our City Ordinance promulgates to other property owners. In particular locks, certain kinds of doors, lighting, etc., some of the issues not even addressed when it comes to condominium buildings, especially old converted condo buildings. Thank you.

Alderman Jean-Baptiste appreciated Ms. Treadway's suggestion and said we'll have some discussion as to what we can or will do, in our capacity to inspect condos and to what extent we see as a major problem. The clean air issue is a separate issue and he asked Ms. Treadway if she had any comments about that. Ms. Treadway said the clean air issue could also be extended to anybody's private residence. If she lives next door to somebody who smokes and the smoke is coming into her house is she going to file a complaint against that citizen? There is a right of privacy of property here that is being addressed especially in the situation of a condominium which is private property run by a corporation. It is a person's privacy and what they do in their homes is one thing. Usually condominiums have rules and guidelines that there is not smoking in the common areas.

Mr. Terry said our ordinance already prohibits smoking in all the common areas, it's a question of unit to unit and how we deal with that. Mr. Cox and our staff spoke to Ms. Flaherty today and we did not have time to digest what she was suggesting and suggested to her when we have a better sense of what she was asking us for we could amend the ordinance if we thought it was a good idea.

Alderman Holmes remarked listening to Ms. Treadway and in terms of a private home, a condo is someone's private home which is something we have to look at very carefully as not to invade someone's privacy. She understands the common areas, but this is something we have to be very clear about.

Alderman Rainey wanted to clarify Ms. Treadway's remark about inspecting condos and apartment buildings, all condos are exterior inspected, no condo is treated any differently than an apartment building or single family home when it comes

to exterior inspections. We don't go into someone's private home to inspect unless it happens to be a rental with a problem.

V. CONSIDERATION OF POLICE COMPLAINT REGISTER AND INVESTIGATION UPDATE

Alderman Moran asked the committee if they have any questions or discussions regarding the complaints or do they want to move for acceptance of them. Alderman Jean-Baptiste suggested asking the Chief about his process to better understand what is currently being done in terms of the review of these complaints.

Chief Eddington said he would be happy to explain the process and noted present tonight is Commander Barb Weidlin, the Commander Officer of the Office of Professional Standards (OPS) who handles these matters on a day to day basis. A quick overview is there is an intake process depending on the nature of the complaint. It's handled by the OPS or sometimes at shift level, if it's something of a non serious matter it's reviewed by the staff and then a recommendation is forwarded to his office. In the more serious complaints, under state law there is a requirement of a signed affidavit if we are going to pursue the investigation and interview the officer about what occurred. There are other matters that don't rise to the level of an interview, for example, a referral came from Alderman Wollin's ward where someone didn't feel the officer handled the matter appropriately. We found there was confusion during traffic direction and the officer that was involved was talked to by their Sergeant. All matters that come in and are entered in at a certain level and reviewed. Alderman Jean-Baptiste noted Chief Kaminski had started to put the review process through an additional step for citizen review to which Chief Eddington said that system is still in place. Alderman Jean-Baptiste brought up Chief Eddington saying some matters don't rise to the level of interview and affidavit and asked at what point does he use the Advisory Committee? The Chief said they are currently used on complaint registers; these are complaints that got up to the level of where we are doing interviews. In the history of the organization one of the things he thinks was problematic, that is addressed in his cover memo, is broadening what's reported to the committee. He's been in this business a long time and he knows what Sergeants do every day, they get complaints and they handle them. We need to document those and show how they are handled because there is this feeling that we're not showing you the whole picture. A lot of these community issues would go away when we do this. Whether it's a formal investigation is a term under Illinois law that requires the affidavit, the recording of interviews and those types of things. There are other investigations categorized as informal that can be handled a different way, just conversations between subordinates and officers. His feeling is no matter which way we do it if we report back to the committee there is civilian oversight in this stream of information that is flowing to the decision makers of the City to see if the department is being well managed and well disciplined.

Alderman Jean-Baptiste asked how the Citizen Advisory Board was used with the complaints. Chief Eddington said at the end of the complaint there is the department disposition and disposition of the citizen review board. Looking at these over a period of time you will find that more times than not the department is more critical in the discipline of its members than the civilians who review the cases. Once the case has reached the conclusion we present the information we've gathered, absence the names of the officers and the person who complained about the conduct, the body of our investigation, our finding, and ask what do you think.

Alderman Jean-Baptiste asked if there have been instances where the advisory committee has suggested sanctions of the officers. Chief Eddington said he's not aware of this occurring in Evanston since the time he's been here.

Alderman Moran called for a motion to accept the Chief's complaint register and investigation update report. Alderman Holmes moved for acceptance, seconded by Alderman Jean-Baptiste. Motion unanimously accepted (3-0).

Alderman Moran wanted to recognize the wonderful series of very positive letters, memos, reports, and emails about the good work our police department does. Thank you for those.

VI. FURTHER CONSIDERATION OF CITIZEN REVIEW OF POLICE COMPLAINTS

Alderman Moran noted we now have further consideration of citizen review police complaints, an issue that has been discussed several times. This issue was held to be returned to as last month there was a School Board meeting and several people interested in this issue were not present. He is assuming that the people who are interested in the issue have seen the Chief's July 25th memo to the committee. Also, a memo was sent today to the committee by Judith Treadway. ***(See Attachment "A" for Ms. Treadway's Memo)***

Judith Treadway, 226 Callan, said a proposal was submitted by residents who attended the other meeting regarding the consideration of a citizens review board of police complaints. Those residents are Madelyn Ducre, Betty Sue Ester, Peter Gibbs, Loretha Henry, Bennett Johnson and herself. They made some recommendations when they attended the first meeting hoping that some of those recommendations might be included in the document the Chief was going to draft. When they got the Chief's document they reviewed it and did their own research on citizens review boards, civilian review boards, and citizens police reviews. They considered a couple of things that were preeminent that they wanted to make a counter proposal to regarding the citizen complaint process. They identified the fact that they felt there should not be any formal or informal complaint forms just one complaint form that would be handled by the Chief's OPS determining whether or not the degree of the complaint would require an investigation, which was one of the things from the Chief's proposal

they wanted to look at. They also added on some other issues that were not addressed in the Chief's proposal in relation to the structure of the process. We wanted to have a complete resident, citizen only committee to review it by requesting the removal of the oversight from the Human Services Committee and have an ordinance executed that would give authority to a committee such as the other committee functions in our City government. Also, to create a position for a staff person to work with the OPS in relationship to the investigation of these complaints they've identified some component parts. They also wanted to have more citizen involvement in terms of reviewing of these complaints and did not feel there was enough citizen involvement in reviewing the complaints. Of course, they would like all documentation and have the citizen educated about the complaint process as well as recommending that complaint process be a confidential process. The forms and envelopes would be available to citizens at designated locations besides the Police Department, the Civic Center, and/or Community Centers where a citizen could file a complaint, put it in an envelope and it would be directed to the appropriate person from our proposal for a citizen' police advisory committee, to the OPS, or be designated as authorized. We also wanted to protect the confidentiality of the complainant because we feel that in some of the summary decisions made on the lower level of the police management information would go out and there would be the potential of harassment or changing stories and by the time the citizen gets involved in the complaint process it could be another story. That is why we wanted to try and put in mechanisms that would create an opportunity for the legitimacy of the complaint to be considered as well as to increase the opportunity for the Police Department to review of these complaints without having the bias of the officers interfering in how the complaint was being handled such as is that the complaints are handled right now. We do not know how much the process has been harmful to citizens nor do we know how beneficial this process has been for citizens. There is a perception that there is some mistrust in our community and we would like to increase the collaboration with our police officers by having this citizen review advisory committee so we can increase the trust of our police personnel so that citizens will work better with the Police Department and also to minimize the incidents through internal education and training of police officers as well as educating the public about the whole process. In addition to that we would like more outreach to the community/community groups about the whole process. We want citizens to feel that they have a right to appeal a decision and want a process to be established for that. We want to work with the Office of Professional Standards (OPS) establishing these guidelines as well as give an opportunity for the Police Department to work with the police officers that might be in question of a complaint process.

Ms. Treadway said all of the down issues related this process could possibly happen but they would eventually be eliminated. Sometimes because a person is a law enforcement officer they may feel they are above the law and we want to address the issue that they are acting to protect and serve the citizens of Evanston and they are not above misconduct or inappropriate behavior. The perceived pressure on officers may occur but we don't think it would last because the complaints against officers have been very specific officers it has not been the entire Police Department. There might be an increase in complaints but we feel that would wane off because to file a complaint you have to sign your name and if people are not going to be filing frivolous complaints against police officers those would be ameliorated immediately and would not be a problem. It would take care of the issue of people who are just critical of the Police Department. Citizens do not understand the procedures, protocol, and laws related to police actions and the public also needs to be educated about that. In addition to that we don't want to diminish the authority of the Police Department or the Police Chief because the Police Chief still has the final decision on any disposition of an investigation, nor do we want to give or support any kind of perception that we would undermine the Police Chief and his personnel. That is one of the issues we have thought about as we want to work with the Police Department. Also, we're not going to propose something that is not doable for our City because the City Council has to approve everything that would be undoable for our Police Chief. We don't want to create animosity between the police personnel and the citizens because we have enough animosity already and we don't have crisis so what we want to do is nip this in the bud. It would be good to start the civilian review process so that we don't get to a point where we have the situation that Chicago or Cincinnati or California has where there are critical issues. We also do not want to give the perception that we're trying to take away the decision making authority of the Chief, we want to work with the Chief and not create a political situation. Whenever there are no guidelines for anything to be corrected in the community it creates a great opportunity for political issues to politicize the situation without dealing with the fact. The last thing we want to do is put an unfair burden on the City's budget as we know what your fiscal responsibilities are now. Even though we made a proposal we do consider that a legitimate proposal for a budget and operating expenses for an executive director but do not intend to put an unfair burden on the City of Evanston at this time.

Ms. Treadway wanted to apologize for giving her memo re: Citizens Review of Police Complaints to the committee so late was because they were trying to give something as a complimentary proposal to enhance the framework of what we tried to present when we had the verbal presentation on June 18, 2007.

Madelyn Ducre, wanted to give a little history about the civilian oversight board. Their committee has been doing a lot of research. This started in 1935 and 1945 and in 60's and 70's. We asked for some accountability far as citizens with the police and whether we got it or not is a difference of opinion. Ms. Ducre works with the group Africana Network for Equality and Fairness that has been trying to fight for something for the citizens here. Evanston is small in comparison to Chicago, New York, Washington, etc., and they have big problems with shooting policemen, etc. We have a problem here with how people are treated by the police officers. Chief Eddington is new to Evanston and eventually there is a lot of stuff to be filled in that we're going to help him. We're not trying to hinder the Police Department; we want to work with the police officers. You can't exclude the officers from doing their duty, which she agrees, but at the same time when we as citizens in Evanston find that certain things are not being addressed, we're not being treated fairly, or harassed or whatever, it's not right. We must have input into this complaint situation here. There could be a drop box set up right

outside the Civic Center to drop off complaints such as the one where you put your water bill, as long as the Police Department gets and puts it back to another board. This had been discussed with the Human Services Committee, but goes nowhere. When you look at the term informally or formally, if she doesn't kill somebody or shoot a policeman that's looked at differently, than somebody harassing her or her children or grandchildren or another citizen, but that also should be taken seriously, maybe not as important, but taken seriously because if it is not then you get animosity. In other countries the people have oversight views to make the policeman accountable to the citizens, they're serving us and she would like the committee to take this seriously and think about it that we can work together. Thank you.

Bennett Johnson, 708 Washington Street, said the premise for the concept of the civilian police advisory committee was established 220 years ago when the Constitution was passed. The premise in that as far as jurisprudence is concerned is the presumption of innocence and that presumption of innocence means that every person is innocent until proven guilty by being brought before the Judge or bar or by a jury of his peers. In the past few years there has been some erosion due to the Patriot Act and other things that have been done by the U.S. government. As far as our City is concerned we can still operate upon the Constitutional basis. One of the problems is the assumption is that black children, especially are gang bangers, engaged in anti social behavior, and a cultural trait is blacks are more expressive, more energetic, and louder based upon many things. There is no scarlet letter that says "delinquent or criminal" that can be worn by a child to distinguish the so called bad kids or the gang bangers and kids that are okay. Those who are involved in anti social behavior are a very small minority of all the children in our town. The same is true of the police officers. Police officers that engage in misconduct and brutality are a minority and the whole thing has to be set up not for the general rule not for the acceptance of the rule which is why it's so critical. In the matter of the budget there is always some concern about a budget because we asked for a budget. However when we consider the payments that the City has made for judgments based on police misconduct then it's a savings and a preventive measure rather than something costly. We're all for law and order, we want peaceful use of the streets, our houses, and the public areas, something everybody wants. However, the police cannot do everything and one of the reasons the police can't be as effective as they should be is because of the level of trust that exists between the average citizen and the police officers. The police officer is not looked at as someone to protect and serve but as someone who intimidates. He's not saying that is true but that is the perception. Therefore, there has to be some way to develop a better level of trust between the citizens of this City and the police force that will increase effectiveness of the police force and increase the level of law and order and tranquility in our City. The basic problem in all this is the police are being perceived as a protected class not the citizens, police officers because of FOB and other pressures from the organizations that say the police have to be treated and handled in a certain way. The police are not a protected class, they are public servants, they have a duty to serve the public, not to harass children, not to harass adults, but to serve the public. Meaning that their responsibility is to find a miscreant, arrest or apprehend that miscreant, make sure he understands what his/her rights are, take them to a detention facility until they can be adjudicated before a Judge. They're not the Judge, jury and executioner which is the problem with policemen who don't understand or get used to certain modes of behavior. As Ms. Treadway indicated what is needed is a level of training and development of lines of communication between the policeman and the people they serve in that way they are no longer strangers. The kids aren't aliens and neither are the police monsters. Mr. Bennett said when he was young they knew the officers, they were in and part of the community, they were friendly and never intimidating, they were admired and respected. Evanston is too small of a town to feel that the policemen are hostile and apathetic to the people who live here. Thank you very much.

Betty Ester, 2114 Grey, said she has been involved with the Africana Network for Equality and Fairness. She received a copy of Chief Eddington's report and found it had some good points and some that were not. On the second page of the report he mentions the general order which she found on the website. It was dated effective January 4, 1999. In comparing the two documents as Chief Eddington said this is already in place, but there is contradiction between the two. Ms. Ester proceeded to read from the Chief's report, "The department will provide the highly quality police service and integrity to the City of Evanston both foreign and civilian members are required to comply with all City and departmental directive orders and rules in performing of their assigned duty and will be held accountable for their actions. Foreign personnel are expected to maintain the high standard of official conduct in performing of their duty in order to protect the fundamental rights of all individuals and will be held strictly accountable to the proper use of their police authority in discretionary powers." It was interesting to hear that discretionary power was how police did it in the past and was something she thought needs to be changed because discretionary power can affect and challenge someone else's rights and deny 'people's rights. The community needs to understand what that discretionary power is. Ms. Ester went on to read, "To accomplish these goals the department will accept and investigate all complaints from any system or department member regarding misconduct or wrong doing of any sworn or civilian member of the department. It will conduct a thorough, timely and impartial examination of available factual information. Will dispose with the appropriate finding and will fairly and appropriate discipline members of the guilty of misconduct." This has some good points and talks about OPS and an independent office of the OPS which is okay, we that can have an independent office. What happened in the past and what happens now is we're at a break point; the City has a chance to change their past practice and start into a new direction. We have young people who were not brought up in the 50's and 60's but are children of the 21st century of television and say they don't want to accept this type of behavior from someone that is supposed to be protecting and serving them. Looking through this document she found by listing what type of behavior that the City and community as a whole will not tolerate, one that cuts down on your frivolous complaints which there is no reason to file a complaint about as that is not considered as misbehavior. That is what we need to be looking at and trying to achieve. This has been an

ongoing concern in all communities in the United States, the Department of Justice thought it was such a problem that they have developed a special task force that spends our tax dollars for people to come out and look at these different complaints which is called the Police Assessment Resource Center. They come to see if Police Departments are fairly treating complainants, how they complete complaints and are they being done in a timely manner. They found there were decrees that the United States Department of Justice says you have to create a community review board process. We have an opportunity to do this without having a lot of people coming to tell us what we have to do that will put us in a reactive mode. It's best to be proactive setting up something that the community can live and grow with. There is a diagram of what the process is supposed to look like and there is a summary that says, Evanston Police Department final disposition of citizens complaints; Number 1), OPS will inform complainants of disposition followed up with a letter from the Chief. Number 2), the letter from the Chief explains the disposition and identifies there is an option to appeal to the Human Services Committee if the person is not satisfied with his decision. No. 3), all complaint dispositions are put in synopsis form and scheduled for review by the Human Services Committee. The synopsis is not the whole picture, which is where the review board can look at it the whole picture and find what you may need to do. We feel that is not quite adequate if you're going to want transparency which the Chief talks about and which we do want, fairness and that everybody is created equal. Number 4), if a complainant requests an appeal before the committee they may schedule a committee review with the additional information. The committee can either concur with the recommendation or ask for further review. The committee serves as an oversight of all dispositions regarding civilian complaints. In the past Chief Kaminski said we do not have that many citizen complaints. Chief Eddington said his protocol will be that all complaints, formal or informal, will be documented. In the past if the police staff or Sergeant taking the investigating information considered the complaint to be informal there was no documentation so there were less complaints. People are saying there are more complaints there just is no documentation on these complaints. Talking about being transparent with a body that has a great impact on people in this community, especially people of color, we need to step back and take our time and do it right. If that is not what this committee or the Council is willing to do then what recourse are you telling us that we need to take? We've been asking for this for a long time, now is the time and it's a good time because we have a new Chief who is forthright and is bringing a lot of new ideas that we can sit down and develop a new police advisory committee to do the oversight, also at the same time update the Evanston Department General Order 4.1 Disciplinary Process, which contains the citizen complaints. We have a choice, stay status quo and wait until something big blows up or be proactive and sit down and work out a good plan. She urges that you be proactive, we all want a community that is lawful, law abiding, and one where we can tell our young people yes you do have rights, yes the police do respect you. When a 5 year old child is afraid the police will not protect them and might hit them there is something wrong in the community. Whether you want to believe her or think she is making this up, that is your choice. We now have the opportunity to change, implement and sit down and work out a good program that would be something that both the community and the Police Department can live with, that's a citizen advisory committee. Thank you.

Chief Eddington wanted everyone to know that he is available and committed to listening to the community and is committed to changing the things that will make the department better. One of the overall issues in this matter is what exactly are we trying to fix. The first fix is make the system transparent and one of the things he has enjoyed about coming to Evanston is there is openness and interaction that you take for granted that doesn't go on anywhere else. The ability for a citizen to come to an elected body and say they don't like the decision the Chief of Police made has never happened anywhere that he has worked. When we talk about citizen or civilian review if you see a pattern or recurring issues that you're unhappy with you're going to call it to my attention or the next Chief of Police's attention. Some of the things that are expressed desires by the citizens who have spoken this evening are inherently here. Also, regarding the rewriting of general orders, he appreciates that often what's written down doesn't match what goes on something that happens in every bureaucracy. One of the things he's stalling on is coming to a decision here before he rewrites a bunch of general orders that we're going to have to change again because one of the things that's most frustrating in this process is when you go to the department and your or your neighbor's issue is handled differently than the last time. We have to strive for consistency which he is looking to accomplish, once a decision is reached in this committee some direction comes out of that. In essence that's the heart of his proposal, that there is a rather simple form and format of how you do this. We have wrestled with the single complaint form issue and whether we check it off as formal or informal he thinks that's definitely doable. The closure loop in his proposal is that you come in to make a complaint, the officer taking the complaint believes its informal, he writes it up and it goes up the chain of command, in short order you will receive a letter from the office of the Chief of Police saying we got your complaint, we've handled this matter and if you have any questions call OPS or the office of the Chief of Police. That way if we misunderstood what was happening and you thought it was more serious or don't think something was considered there's an incident review built in by your phone call. That is a key component that there is a short loop back to the citizen to accomplish this. In context of this situation he appreciates the zeal and dedication the citizens who spoke tonight brought to this. This is obviously an issue that requires their attention and they want to participate, there are ways we can accomplish that already due to a degree by their presence here this evening. In his continuing invitation for them to be here and present when we discuss the complaints he feels some responsibility to discuss the budget. They've made a reasonable request which he appreciates and in the context of what we're going to be talking about in the coming year is even current reasonable proposals are at risk. Current reasonable services are at risk and to authorize another position at this point in time is going to be extremely difficult in the context of the overall budget. One of his proposals included in this is a periodic review of this matter in 6, 12, and 18 months and if the members of the Human Services Committee or members of the community feel that he has fallen short on his promises you can direct this in another way. Many of these things can be addressed in a quicker, more

transparent effort he would like the committee to consider those. We can build better relationships with the community in other ways than a more formal citizen review board and thinks we get more mileage in more positive contacts out of our Problem Solving Team officers than we would out of this. If we want to authorize another position you'll get more mileage out of that than another layer of bureaucracy in how we manage officer conduct or allegations of officer misconduct. If there are questions he would be happy to answer them.

Betty Ester, noted in the Chief's proposal the lowest cost board in Flint Michigan had a budget of \$200,000 and wondered how many staff people they have for that. Ms. Treadway remarked \$50,000 per staff person, they were allocating 2 to 4 staff people and most of the unit before interfaced with police personnel. Ms. Ester added she knows the officers go through cultural and sensitivity training and without looking at all the cases she's here to say they need to go through it again. She would like to know what they do and how they do it in problem solving, which she has not seen in print anywhere. She would like some examples and the results of their problem solving in the community, but if that hasn't happened since Chief Eddington has been here he does not have to worry about it.

Chief Eddington said he always has to worry. The Problem Solving Team is lead by Sergeant Prieto, who has 5 officers working for him who spend most of their time dealing with long term solutions to issues. For example the Nuisance Ordinance discussed earlier this evening, they attempt to bring properties into compliance without enforcement action. They're attempting to move forward toward solutions. They're assignments are different as they're engage in this activity. In your neighborhood Officer Tania Noble is the problem solving officer. You see her in different venues; you see her at the ward meetings and engaged in other activities than what you would anticipate an officer doing. Her primary mission isn't to write tickets, make arrests and make reports, she's engaged with different community groups, different neighborhood groups working towards solutions which have been an ongoing thing. That has been a tradition in this organization to look at ways of solving issues with a partnership community for which they have had multiple success stories of working with landlords bringing properties into compliance, working out neighborhood issues as they have that level of community policing that we all strive for. He would invite you come and ride along with them and meet the unit; he thinks you would be pleasantly surprised at the caliber of officers and their dedication.

Bill Smith, Chairman of the Civil Service Commission, asked if the Chief could speak to the difference between a formal and an informal complaint if in fact there is a difference. Chief Eddington responded there is a significant difference. In Illinois there is the Officers' Bill of Rights, these are terms extracted from that statute. The quick version of this is if we feel there is a question of misconduct that will not result in more than a 3 day suspension we can handle it much more quickly by conversations and some written documentation at the end. If we feel that the risk of discipline exceeds 3 days, when we talk to the officer we have to serve him/her with a written notice of what we're going to talk about and also when we do have the interview the officer can be represented either by counsel or a Labor Attorney representative or both and we're required by law to have a transcript of that proceedings for them to review at a later date. Mr. Smith asked if he's correct in assuming once a complaint is designated as formal versus informal all the legal mechanisms start to kick into place, to which the Chief responded, yes. Mr. Smith said then when talking about all complaints being formal in the common vernacular there are legal ramifications of that.

Madelyn Ducre, described an incident that occurred over the weekend that took place outside her home and unbeknown to her involved her granddaughter and 2 young men in a car. Looking out her window she noticed the police pulled up behind this car and asked the young men for their license and pulled them out of the car. She went outside to see what was going on as she did not know at the time her granddaughter was also in the car. When Ms. Ducre came out of her house, she of course had her camera as she always has a camera ready in case she sees something happening, everything changed and the officers let the young people go. Ms. Ducre asked why the officers stopped them and was told they said something about the lights but it was broad daylight. Ms. Ducre asked if the officers told them their brake lights or side lights were out and was told he did not say anything like that. Ms. Ducre asked if the officer gave them a citation or something which they did not. She then told her granddaughter to call the young men and tell them to file a complaint. These young men were searched and the officer was going to search their car. Her granddaughter said is something the police always do that but what can they do about it. What hurt her most is she could feel the tension and anger from this young person and she herself felt helpless because she couldn't help them. The Chief is saying something about a complaint, put a box outside the Civic Center and make it as simple as possible for people to file their complaints. How can people get evidence to get something against officers which is what a civilian board can help do, wean out those people who aren't supposed to be there in the first place. We need the police cooperation and the committee to sit down, discuss and seriously look at this and don't tell her about not having any money. Northwestern can help; this town is big on resources. We are losing many of our children but if we turn young people off they don't have any other recourse and she's not only talking about her grandchildren.

Chief Eddington asked Ms. Ducre to see him after the meeting about the traffic stop. That's an issue he can address and look into and will be happy to do that. Let him check the data sheet to see if there is another version of these events that Ms. Ducre might find more acceptable. Ms. Ducre said she used to call her Alderman, but does not know what she can do.

Bennett Johnson, remarked this is not a problem that can be dismissed by the police; it's the same issue of the fox

guarding the chickens. We're not advocating misconduct, or crime, or gang banging, on the contrary we can say categorically that if they work with the community the police will be more effective and more efficient. If you take the amount of money we the City paid out for judgments and so forth over the past 10 to 15 years and divide that into whatever number of judgments you have he'll bet you'll get more that \$200,000 a year for the next 10 to 15 years and that's enough for us to handle this thing. We need to cooperate, we're not here to fight this thing we want a community that's healthy but it's unhealthy for police to do these kinds of things that Ms. Ducre was talking about. It's unhealthy when the kids stand on the corner in front of this movie theater, they don't look cute but they're not doing anything wrong and there's another way to handle it. Have the community handle these issues that will make all the difference in the world and save everybody money. There are crimes that are real in this town and that's what the police can be doing rather than this harassment and kinds of things that cause the litigation and other problems that nobody needs.

Judith Treadway said in the documentation Flint spend \$173,000 on their civilian review board, they have 333 sworn officers and a population of 134,000. In Orange County they have a population of 749,000. 1,134 sworn officers and only spend \$20,000 a year on their civilian review board. Berkley has 107,000 population and only 198 officers and spend \$277,000 on their civilian review board. Ms. Treadway asked the Chief how many officers Evanston has and was told 162. She thought we need to look at the community needs to correct some extenuating problems related to the community and the Police Department no so much the cost. Those communities that don't have as many people spend three times as much as a small community. In her earlier statement she said we're here to prevent something from happening, as the Chief said we are not in a crisis mode but we have to realize that we are looking at accountability of our Police Department as well as cooperation and support from our citizenry. If there's a perception that the police are above the law then that's a negative perception for the citizenry and no one is going to see the police as protectors but will see them as advisories. Going back to her other issue, if you do not live in this community but are policing this community how do you feel about the people you're policing. She thinks if she lived in the neighborhood she would value and be more protective of her immediate geographic area than just coming here and saying this is just a job and they go home to their nice safe community. There has to be a feeling on the part of the officer as well as the part of the citizen that is a little bit uncomfortable which is a fact we also have to deal with. Looking at the whole situation we're going to have transparency and accountability goes with transparency. We are requesting some very specific things and 5 or 6 of their 13 points are very doable, attainable and cost effective if we were to do them. Initially it should be a confidential process when a person files a complaint regardless of whether it's a formal or informal complaint. People are intimidated when they go to the Police Department to file a complaint and there is subsequent intimidation or harassment after they do it. We have to get rid of the perception that the citizen cannot go and get a fair review of a complaint with our Police Department. She does not think it will cost us \$200,000 to do that as we can put in some mechanism in less than 6 months that would initially cost the City \$10,000 or \$15,000. This is an ongoing process, we don't want it tomorrow we want a thorough consideration of a civilian review board. There are some things that can be done that are very cost effective as we create the perception that you as our elected officials have oversight of our City department of police are working toward resolving some of this negative perception that people cannot get fair treatment when they make a complaint and also make it accessible as most people do not feel it is easily accessible for those serious people that file complaints. There are complaints we don't hear about because they've been dealt with on such a low level that never get to the recognition of youths. We need to take some baby steps with the mechanism to create some change and have more dialogue about how we can improve things and move toward that civilian review process that makes both the police officers and citizens feel more comfortable. We need to rekindle the kind of relationship where we are protecting each other in our community. You can't keep putting police in a certain area because you think that will make the crimes go away other things are needed to come and help that community. She does not want a police state we have enough police states in America as it is, she wants us to have a community state where we all work together to resolve problems and change things. We don't have to spend \$200,000 to start.

Alderman Jean-Baptiste thought it was great that this committee got together to help us get some additional thoughts to fashion something that could help us along with the Chief and he did not hear the Chief reject the proposal presented tonight. He did not have a chance to read through this proposal but does not see it as being inconsistent to what the Chief has proposed. There is always the concern of how far do you go in terms of parental compromising police authority. They are not taking the police authority to have the final say but want to be able to intervene in the process and make the process one that is perceived to be fair and more open. What he got out of this proposal is wanting some effort to outreach to the community as to what process we have, to speak to community groups, to maintain some degree of confidentiality, to give people greater access to complain to a process, to be able to express their complaints, to increase the sensitivity of police officers to the community's needs. The discussion touched on everything and if we were to just focus on this as there a number of things that are workable. He'd like more time to be able to digest this and come back, review the minutes and again look at the Chief's proposal. He would even propose further discussion on this specific proposal, the conflict and tension between police and the community and what can be done to better serve the community, which is an ongoing concern. He would like us to come back for a more focused discussion as to what are the distinctions you're making, how we can integrate some concerns, and what is still outstanding. The hiring of an individual as an executive director doesn't make the process fair because you will have somebody hired by the City of Evanston to do this. Your elected officials are not beholden to anybody because whatever is being paid to us makes very little difference in our lives so no one can say we are beholden to any particular interest group. We may have particular tendencies from either our background or method and style, but you will not find a hired person to be more neutral or more vigilant on those

issues. Some people would think the status quo on the Council is fine; there are some people who don't think so. He does not think the hiring of an executive director will solve this. The way he sees that proposal is to try to find some kind of staffing to help maintain records and bring people together. He would like us to come back to this for further discussion.

Alderman Holmes had a point of clarification regarding something Ms. Ester said about what we had to approve tonight and she hopes she was not confusing what we had to approve with what we are discussing now. Ms. Ester said that is what she understood you were approving something else. Alderman Holmes said we get all the complaints that have been filed to be approved. Alderman Holmes noted the Chief already made the complaint forms available in the community centers in the City as well as at the Police Department. It wouldn't take a lot of effort to have those complaints, as it was suggested, be dropped in the box outside the Civic Center. We could find out how that could be done as long it is put in an envelope and marked confidential so they could be forwarded to the Police Station. That's a very simple thing that does not require us spending a lot of time discussing. A large piece of the research she did, looking at everything since this began in April, is there is a lot of training involved which unfortunately cost a lot of money. Its not just a matter of having a board, there are a lot of pieces in between as well, looking at what might be involved with state statutes and unions, etc., for the police officers. We need time to investigate and look into and discuss all of that.

Alderman Moran said that was fine with him and he appreciates everyone being here and expressing their thoughts about this process and he would like to thank Chief Eddington and Commander Weidlin for attending and listening to these concerns. It might help us if Ms. Treadway's memo is looked at by the Chief and Commander with a little more deliberation to give us some commentaries on it. He thinks we can come up with a formula that can be satisfactory to people. Alderman Moran said he's been doing this type of thing for 16 years, in 1991 when he was first elected to the Council was put on a Police Review Committee which is now abolished. He has a lot of experience with this and will say, which Alderman Jean-Baptiste referred to, he brings no prejudice whatsoever to this work and has sat and listened and has no bias with or for anyone. He feels good about the work he as well as the people on this committee has done. All of the people have been very committed to fairness in the administration of justice in Evanston, which does not mean that we have always succeeded. Also, on the other hand when there have been aberrations we've been pretty decisive on how we dealt these things and thinks we've dealt well with them over the course of time. He's happy to come back and continue to give consideration to these matters which we will do. We appreciate your submission and your comments and will continue to work on that. Alderman Jean-Baptiste suggested some discussions of meetings independently between the Chief and the committee, if the committee is acceptable. The Human Service Committee members agreed this item should be brought back to the November 5th Human Services Committee meeting.

VIII. DISCUSSION OF DOWNTOWN PANHANDLING

Alderman Jean-Baptiste gave some background of why this item is on the agenda. This issue was raised at a meeting of the theater and restaurant people primarily by Sergeant Prieto and some others. He did know whether the Sergeant passed his specific concern on to the Chief and thought someone would be in attendance tonight to put forth whatever the issues are.

The Chief said he was representing the department on this issue. In their meeting at Wolfgang Puck's some issues that we are looking at is a rewrite of the ordinance based on some experience in some other jurisdictions that have managed panhandling in a different manner. We're in the process of getting some sample ordinances from Minneapolis, Minnesota, and Orlando, Florida, that we will be sharing with Mr. Terry when we attempt to look at a better way to manage the issues. One of things that was interesting to compare and contrast at the meeting we had with the business people downtown was their perceptions that things were pretty much in order. On the other hand we get a growing number of complaints that have come to the department via emails, letters, and phone in complaints expressing dissatisfaction with the number and aggressiveness of panhandlers not only in the downtown area but along the spine of the el tracks as far north as downtown and all the way south to Howard. We've noticed an increase in those complaints which is one of the concerns we have. Additionally, we have a monthly meeting as a directive of panhandling. At the conclusion of our next meeting it is our intention to make a decision whether or not to put that meeting into hiatus until we can develop a proposed ordinance on the best solution and that will be forwarded on an all City department basis rather than just the Police Department wanting to do this. We need to have a combined solution brought to the Aldermen for implementation.

Alderman Moran said he has a long history of dealing with panhandling and there will be a lot of discussion if you chose to bring it forward and amend the panhandling ordinance. He's saying that as a cautionary notion. Chief Eddington said Mr. Terry has done his level best to educate him on the background of this. Alderman Moran said there are about 4 file cabinets full of memos on anti panhandling in efforts to deal with that problem. Mr. Terry added he received the assignment from the City Manager to look at what is going on nationally and at our local experience. Last week Sergeant Prieto shared with him our last 12 months experience both with the panhandling ordinance and also the vagrancy ordinance because a lot of that behavior gets folded in. The ordinance we currently have was written by Kathy Brenniman 5 or 6 years ago based on what she felt was legally permissible at that time. We are reviewing whether there have been any recent court decisions. There is no question that certain communities in the country have gone to other measures, having particular areas in your downtown area that are designated panhandling zones versus no panhandling zones. Just last Monday night the City Council of Orlando, Florida banned panhandling from dusk to dawn, he does not know whether or not that will be challenged legally. We will do a comprehensive review of what is going on nationally, what changes we

can make in our local ordinance and what are we seeing in terms of the actual data and experience here in the community. He hopes to have something by the November meeting for the committee to look at.

Alderman Wollin, wanted to say the calls she is getting on this is on the increase. She has attended every downtown charrette meeting and at every meeting everyone wanted to know what we are going to do about the downtown panhandling as it has gotten worse. She has received calls from business owners who when they open their stores in the morning find people asleep in their doorway who won't move, especially when it's a single woman's business she feels intimidated. Alderman Wollin has told the woman to call the police non emergency number but the woman often goes to another store to get someone to help her move that person. Saturday night she went to a movie and dinner, just from the theater to a restaurant and back to the car was approached 4 times. She had a luncheon at a downtown restaurant for some friends that she had been bragging to about how wonderful downtown Evanston is and across from the library there was a man sleeping on the sidewalk, not panhandling. She quickly got on her cell phone and asked to please send somebody to remove this person from the restaurant. This afternoon a woman who lives at 807 Davis called her and said she went to the library, to Whole Foods and back and was approached 7 times. This was in the middle of the day. Alderman Wollin said she has talked to a lot students about not giving money to panhandlers because they are the most soft hearted among us; even some of them have been intimidated. Yesterday we had a picnic at Fireman's Park for all the new Northwestern students moving into the neighborhood and a number of the students asked what should the do if somebody comes up and asks them for money. Alderman Wollin told them to say no and keep going. If we're going to spend all this money on sprucing up the downtown area and encouraging people to move and live downtown we have to realize many people are finding the downtown area a turn off seeing this kind of activity. There have been all kinds of suggestions. She does not agree with the idea of a permit fee because they don't have money or they wouldn't panhandle. We have to come up with some solutions that maybe we could live, perhaps a certain number per block, but does not know how it can be done. She has heard about no peddling zones or panhandling zones but does not know if that would work. She does not have the solution. For people who say it's not a problem, it is a problem and she gets at least 3 calls a week from both business owners and citizens. This is something that is happening in the downtown area and is something we have to grapple with. She understands the free speech issues as she is teaches civil liberties, but this doesn't happen other places as much, and would like to know what we can do to discourage it from happening in our town.

Alderman Holmes said its happening west as well, particularly Green Bay and Foster by the carwash. Last Saturday she was approached going out of the library. Alderman Wollin noted as an ex President of the Library Board we've had problems moving homeless people out of the library, using the library bathrooms for sponge baths and sleeping in the library. This is something we've always dealt with but thinks we have to take a more aggressive stand in our downtown area if we want that area to be attractive to tourists and people coming in from other communities.

Ms. Ducre, said she gives money. If it's someone who needs drugs she does not contribute to that but how does one distinguish that. The homeless people have to be out of the downtown shelter at 7:00 a.m. and when they get out of the shelter they walk around downtown. Alderman Wollin noted there are free meals somewhere every single day at one of the churches in Evanston. The Chamber of Commerce prints cards listing where the meals are each day of the week. If you want to give money that's a decision you can make. Ms. Ducre asked if these people have jobs, is the money given them going for something else other than drugs. Alderman Wollin noted there is a lot of mental illness and with the changes in the mental illness laws in the State of Illinois a lot of people were deinstitutionalized who were not capable of taking their medication or caring for themselves. Some of the panhandlers/vagrants are in that category. It's very difficult to make those kinds of decisions. Ms. Ducre asked if we should call the police, to which Alderman Wollin said the reason she called the police is because the man was sleeping in front of the restaurant where her guests were coming but she does not usually call the police she just says no thank you and keeps walking.

Alderman Moran remarked we spent decades working on this network and Mr. Terry has done a lot of work on these cooperative efforts from a number of different groups. This is a very complex problem, with no easy answers to it, but we'll keep working on it.

Joan Hickman, wanted to give her experience of working with the homeless in Cook County Hospital's Emergency Room as a Crisis Intervention Social Worker. The homeless were always referred to her and then referred to shelters which a lot of them did like and would not go to. Chicago has a place for them to go and socialize and get some counseling when they leave the overnight which she does not think Evanston has and is not saying this is something that we should necessarily set up in Evanston. It has been her experience with panhandling that in most instances the people doing the panhandling do not need the money to the degree that they are panhandling. Many of them get checks and are not paying rent because they're staying in shelters, they have places to eat and get clothing so any money given them would be a surplus. Those not on drugs want the money for cigarettes and alcohol. Her personal choice is she does not give anybody anything because she had patients come into her office insisting they needed carfare to go home who drove there in a car. She has seen some with wads of money buying huge meals at restaurants. Her feeling is we should do as much as we can to discourage panhandling because one of the reasons it's on an increase is due to people giving them money and the word gets out coming to Evanston to get money.

IV. ADJOURNMENT

Alderman Moran thanked everyone for their attendance and participation tonight's discussions. The meeting was unanimously adjourned at 9:42 p.m.

Respectfully submitted,

Audrey Trotsky, Department of Health and Human Services