Memorandum

To: Members of the Human Services Committee

From: Richard Eddington, Chief of Police

Subject: Human Services Committee Report

Date: 27 September 2015

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 9 positive letters and comments received complimenting the department's interactions with the community.

CR 15-01
CR 15-02
CR 15-03

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

**(EFFECTIVE 09/27/15)**

<table>
<thead>
<tr>
<th>Number</th>
<th>DATE INITIATED</th>
<th>CHARGE</th>
<th>STATUS</th>
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</thead>
<tbody>
<tr>
<td>DI 15-04</td>
<td>01-11-15</td>
<td>Disrespectful Behavior</td>
<td>Investigation Pending</td>
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<td>DI 15-07</td>
<td>07-16-15</td>
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<td>Investigation Pending</td>
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<td>04-17-15</td>
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<td>DI 15-09</td>
<td>08-15-15</td>
<td>Disrespectful Behavior</td>
<td>Divisional Review</td>
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<td>DI 15-10</td>
<td>08-04-15</td>
<td>Disrespectful Behavior</td>
<td>Divisional Review</td>
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## COMPLETED COMPLAINT REGISTERS and DEPARTMENTAL INQUIRIES

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<thead>
<tr>
<th>Case Number</th>
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<td>Harassment; Unprofessional Conduct</td>
<td>11-07-14</td>
<td>06-18-15</td>
<td>Unfounded</td>
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<td>CR 14-10</td>
<td>Disrespectful Behavior</td>
<td>10-30-14</td>
<td>02-27-15</td>
<td>Not Sustained; Rule Violation, Sustained</td>
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<tr>
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<td>07-31-15</td>
<td>08-24-15</td>
<td>Unfounded</td>
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<td>CR 15-03</td>
<td>Unprofessional Conduct</td>
<td>08-16-15</td>
<td>08-28-15</td>
<td>Unfounded</td>
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<td>Disrespectful Behavior</td>
<td>04-11-15</td>
<td>06-04-15</td>
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EVANSTON POLICE DEPARTMENT
Office of Professional Standards
CITIZEN COMPLAINT REVIEW
July 2015

CR #15-01
Completed 7/24/15

Initiated 4/15/15

Allegation: On April 15, at the station, the Complainant reported to the department’s
Office of Professional Standards (OPS) that on April 6 Accused Officers One and Two
(detectives assigned to NET, the department’s Neighborhood Enforcement Team) took
possession of her i-phone and have not returned it.

If the above allegation is true, the Accused Officers will have violated departmental rule 18.

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

Stopped for a red light at Dodge/Oakton on April 5 (5:40 p.m.), Accused Officer One (driver
of the police vehicle), Accused Officer Two and a third NET detective noticed he
Complainant’s adult son at the wheel of a red Ford Explorer (Utah plates) also stopped at
the red light. Based upon previous encounters the detectives knew the Complainant’s son
does not possess a valid driver’s license. Therefore, Accused Officer One made eye contact
with him and indicated he should pull over. Initially the Complainant’s son appeared to
comply, but then he drove off, turning N/B onto Asbury and accelerating to a high rate of
speed. The detectives pursued, ultimately curtailing pursuit in the 700 block of Florence for
fear of causing an accident in the neighborhoods. They confirmed through LEADS that the
driver’s license is suspended for insurance, then completed a wanted bulletin for traffic
violations and for fleeing and eluding. Detectives also checked car-rental agencies to see if
the Ford Explorer might be a rental. Their inquiry revealed that the vehicle had been rented
from Budget Rental Car and was due for return on April 7 (5:30 p.m.) The detectives put
the rental agency under surveillance until the vehicle returned, on time.
The Police Report Regarding Arrest of the Complainant’s Son

NET detectives arrested the Complainant’s son. However, neither Accused Officer was among the arresting detectives. At the time of his arrest the Complainant’s son was seated in the front passenger seat of his mother’s Chrysler, parked right in front of Budget Rental Car. The returned Ford Explorer was parked nearby. As officers approached the Chrysler the Complainant exited the rental-car agency, yelling at them not to take her car. Arrest of the Complainant’s son occurred without incident. He was placed in handcuffs and searched for contraband, with negative results. The Complainant agreed to a search of the front passenger compartment of her vehicle. No contraband or weapons were located in the vehicle, although her son’s Illinois ID card was found on the passenger-side floorboard. Subsequently it was inventoried with his property. Other than the ID card, nothing was removed from the Complainant’s vehicle. More specifically, no phones were seized or seen, contrary to the Complainant’s claim that, just prior to his arrest, her son put two phones in the glove box (one of them being her new I-phone.) Following his arrest the phones no longer were there.

CR #15-01
July 2015
page 2

The Complainant’s son was charged with Aggravated Fleeing and Eluding, two or more traffic control devices; Aggravated Fleeing and Eluding, speed greater than 21 mph over the legal limit; reckless driving; driving suspended; driving with no valid driver’s license; driving on the wrong side of the road; driving the wrong way on a one-way roadway; and several other traffic offenses.

Findings, OPS Commander

The OPS Commander reported to the Deputy Chief of Investigations that the I-phone in question never was removed from the car, nor was it on the Complainant’s son’s person when he was taken into custody. Further, stated the Commander, every effort was made to locate it. “I spoke with ...
[the Complainant] several times and offered her the opportunity to come and view all video reference her son's arrest," she advised.

"I also offered to get a subpoena for the records to the phone to possibly assist her in locating the phone. She declined all offers. 1 of i video footage depicts a calm and respectful transaction while ... [the Complainant's son] is in our custody. Property removed from him is read out loud and can be heard on the video (coat, shoelaces, money, hair tie, ID.)"

Based upon the foregoing, the Commander recommended (4/26) a disposition of unfounded to the Deputy Chief of Investigations. He concurred with that recommendation and the Acting Chief of Police approved it (7/27.)

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  
August 2015

CR #15-02  
Completed 8/24/15

Initiated 8/06/15

Allegation: On August 6 the Complainant reported to the department’s Office of Professional Standards (OPS) that on August 3 she came to the police station and attempted to file a police report with the Accused Officer. However, he scolded her for past complaints and refused to file the report. His attitude and demeanor were unacceptable throughout their encounter, she said.

If the above allegations are true, the Accused Officer will be in violation of departmental rules 18 and 20, as well as General Order 2.3 and the City of Evanston Customer Service Policy.

Note: In fact, the Accused Officer did file a report (#15-022788.) Subsequently (8/5) the Complainant again came to the station regarding this matter. She spoke to another officer (Witness Officer One), who generated a second report (#15-023029.)

The Precipitating Incident, per the Accused Officer’s Police Report

The Complainant said that on August 1 she left a bag containing a laptop, personal belongings, and a journal in her car while she and her mother shopped at the Evanston Farmer’s Market. When she returned to her vehicle the bag appeared to have been rifled and her journal was missing. The Accused Officer reminded the Complainant that several times he has responded to her reports of burglaries at her residence, only to find she merely misplaced the items reported stolen. The Complainant became irate at the implication her journal was misplaced, not stolen. She announced she would be filing a complaint and requested the Accused Officer’s star number. He provided it, then escorted her from the report-writing room to the lobby.
The Second Report Regarding the Alleged Burglary

On August 5 the Complainant came to the station and filed a burglary-to-vehicle report with Witness Officer One. That report states,

"An unknown offender made entry into her vehicle and took a pink-colored journal that had the number 5 on it. The Complainant stated forced entry was not made to the vehicle and she believes the offender may have used an electronic device to gain entry. She further stated that other more valuable items such as a computer were not taken. The vehicle did not appear to have been ransacked and no items were out of place. The journal was beneath her purse on the floorboard behind the driver's seat. Her purse was left untouched. The Complainant stated she has a habit of losing items but does not believe this was the case this time."

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Findings/Recommendation, Patrol Sergeant

Assigned to investigate the Complainant's allegations the Sergeant reviewed the OPS file and all police reports relevant to the incident, including three wherein the Complainant reported "stolen" items that, it transpired, she merely had misplaced. On two of these occasions she blamed her mother for the items' disappearance. Her mother says the Complainant suffers from diagnosed anxiety/paranoia.

The Sergeant also requested individual memoranda from the Accused Officer, from Witness Officer One, and from Witness Officer Two, who was in the report-writing room at the time the Accused Officer was taking the Complainant's report. All three officers complied.
The Accused Officer stated he met with the Complainant on August 3 (5:00 p.m.) in the report-writing room at the police station. He listened to her account of an alleged burglary to vehicle, then reminded her that he has responded to several similar calls at her residence. In each instance the items deemed “stolen” subsequently were found to have been misplaced. The officer suggested the current “burglary” might be yet another such instance—especially since only a personal journal is missing while a laptop computer, a purse, additional personal journals and other items were left undisturbed in her vehicle. The Complainant responded angrily, stating, “You aren’t going to fucking tell me what was taken and what wasn’t.” The Accused Officer said he asked her to stop swearing and stated he gladly would take the report if she was confident a burglary occurred. She chose not to discuss the matter with him any further, requested his name and badge number, and stated she was going to file a report against him and notify the Chief of Police.

Witness Officer One stated she met with the Complainant on August 5 (2:30 p.m.), at the station. The Complainant said she believes an unidentified offender has been following her and, at some unknown juncture, made a copy of her vehicle’s electronic key, available only through her dealership. On August 1, alleged the Complainant, the unidentified offender removed from her vehicle the most recent (#5) of a series of medical journals she’s been keeping. The offender did not take the other four journals, nor did s/he disturb the Complainant’s purse and/or a laptop computer, also in the vehicle. The Complainant noted she has a habit of losing items when she gets upset. The officer said she wrote a report to appease her.

Witness Officer Two stated he was in the report-writing room when the Accused Officer entered with the Complainant, who wished to file a report. Witness Officer Two overheard the Complainant describe the incident—an alleged burglary from vehicle—and heard the Accused Officer note that he has taken similar reports from her in the past and they all have come up unfounded. Witness Officer Two said this observation upset the Complainant, who raised her voice and said, “You’re going to take my fucking report.” The Accused Officer directed her to calm down and she refused. He then advised her she would have to leave the station. She replied that she was going to call the Chief of Police and wanted the officer’s badge number. He provided it before escorting her out of the room.
Based upon the foregoing, the Sergeant concluded the Accused Officer acted professionally, took the Complainant’s report, and did nothing to violate departmental General Order 1.3.5A and the City of Evanston’s customer service policy. Therefore, the Sergeant recommended (8/19) to his immediate supervisor, an Acting Commander, that no further action be taken and that the matter be closed with a disposition of unfounded. The Acting Commander concurred with the Sergeant’s recommendation and so advised (8/21) his immediate supervisor, the Deputy Chief of Field Operations. She likewise concurred and recommended (8/24) a disposition of unfounded to the Chief of Police, who approved (8/24) that disposition.

Disposition: Unfounded

Kmt

CPAC: All members agree with disposition
EPAC: All members agree with disposition
Allegation: On July 30 the Complainant reported to the department’s Office of Professional Standards (OPS) that during a traffic stop on July 28 the Accused Officer cited her erroneously while being rude, discourteous and threatening.

If the above allegations are true, the Accused Officer will be in violation of departmental rule 18.

The Precipitating Incident, per the Complainant

The Complainant said she saw the Accused Officer go around the car behind her and then motion that he was going to pull his motorcycle in front of her vehicle. After detaining her, and without a preliminary courteous greeting, he said, “You didn’t yield to the pedestrians in the crosswalk.” He asked to see her driver’s license and proof of insurance. She gave him her license promptly, she said, but fumbled for the insurance. Without waiting for her to produce it, he immediately wrote a citation. The Complainant noted that as the officer was about to leave her husband exited their vehicle and asked the officer to show him the video camera allegedly mounted on his motorcycle. The officer pointed to the camera and said loudly, “Get back in the car.” Her husband replied, “Do you think I’m threatening you?” whereupon the officer repeated, “Get back in the car,” and dropped his hand to his weapon. Her husband complied.

The Precipitating Incident, per the Accused Officer’s Police Report
On July 28 (4:30 p.m.) the Accused Officer was on motorcycle patrol, southbound in the 900 block of Custer, when he observed an adult female pedestrian and a child enter the crosswalk southbound at the Main/Custer intersection. While they were in the crosswalk an eastbound Toyota SUV failed to stop for them. The Accused Officer detained the Toyota in the 800 block of Chicago Avenue and informed the driver (the Complainant) of the reason for the stop. She said she did not see the pedestrians. The Accused Officer served her with a citation, whereupon she became hostile, accused him of attempting to meet a quota, and asked him for proof of the violation. He informed her that a video system mounted on his motorcycle had captured the violation. She told him to be sure to bring the video to court, as she intended to contest the citation. The officer provided her with a copy of the citation she'd signed and a diversion envelope. He gave her driver's license back to her and started to return to his vehicle, whereupon an adult male (he Complainant's husband) exited the rear of the Toyota and inquired about viewing the video. The Accused Officer told him the video would be available for viewing later, at the police station, then directed the man to return to his vehicle. He complied, on the second command.

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September 2015
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Investigation/Recommendation, OPS Commander

On July 30 the Complainant and her husband came to the police station to lodge a formal complaint. Both clearly upset about the incident, they stated that not only was the citation written erroneously, but also the Accused Officer behaved rudely, thereby "violating the Law Enforcement Code of Ethics"—which the Complainant had printed from the internet. She also had printed a quotation, which she wanted the OPS Commander to deliver to the officer. It read, "If you want to know what a man's like, take a good look at how he treats his inferiors, not his equals."
Together the Commander, the Complainant and the Complainant's husband viewed the video. It depicted the violation clearly. It also revealed that the Accused Officer did greet the Complainant courteously—to which greeting the Complainant responded rudely. The officer remained polite and professional despite the Complainant's ongoing argumentative and disrespectful demeanor. Her husband, also uncooperative, attempted to prompt a confrontation.

The Commander advised the Complainant and her husband that the video indicates their complaint is without merit. They disagreed, declined an offer to discuss it frame-by-frame during a second viewing, and stated they would deal with the matter in court. The Commander then concluded the interview by explaining the department's review process, even though the Complainant indicated she is very familiar with its process and quoted statistics from the department's annual report to support that claim.

**Recommendation, Traffic Sergeant**

In a memo (8/27) to his immediate supervisor, the Deputy Chief of Field Operations, the Traffic Sergeant stated he had reviewed the OPS investigation and found this complaint to be clearly without merit. He recommended that no further action be taken and that the matter be closed with a disposition of **unfounded**. The Deputy Chief concurred (8/27) and recommended a disposition of **unfounded** to the Chief of Police, who approved that disposition (8/28).

**Disposition: Unfounded**

Kmt

**CPAC:** All members agree with disposition

**EPAC:** All members agree with disposition
<table>
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<th>Disposition</th>
<th>Description</th>
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<td><strong>Unfounded</strong></td>
<td>Allegations false; no credible evidence to support them</td>
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<tr>
<td><strong>Withdrawn</strong></td>
<td>Complainant withdrew complaint</td>
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<tr>
<td><strong>Unresolved</strong></td>
<td>Complainant failed to cooperate in the investigation</td>
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<tr>
<td><strong>Not Sustained</strong></td>
<td>Insufficient evidence to prove or disprove the allegations</td>
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<td><strong>Exonerated</strong></td>
<td>Incident occurred, but was lawful or proper</td>
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<tr>
<td><strong>Policy Failure</strong></td>
<td>Allegation true, but the officer acted in conformance with policy resulting in harm to the complainant</td>
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<tr>
<td><strong>Not City Related</strong></td>
<td>Outside the jurisdiction of the City</td>
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<td><strong>Sustained</strong></td>
<td>Allegations supported by sufficient evidence to justify a reasonable conclusion of guilt</td>
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<td>The complainant failed to cooperate further</td>
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COMPLIMENTARY EMAIL OR COMMUNICATION FOR A MEMBER(S)

DATE OF COMPLIMENT: 9/23/2015

CALLER

ADDRESS/ EMAIL:

COMPLIMENTING PRAISEWORTHY WORK BY: Officer William Arzuaga

REFERENCE: Just a quick note to recognize Officer Will for a job well done on a daily basis. Officer Will came to the Library yesterday to conduct one of a few informal question and answer sessions with the Library employees. He was thorough and patient with his presentation and offered up some great information for our staff. He also clarified several topics for us that had to do with dealing with the library patrons from all different walks of life. We appreciate the services Officer Will and EPD offer us each day.

SUBMITTED BY: Michelle Smith

CC: Shift File ☑
Administration Personnel File ☑
Officer/ Staff Member ☑
HR Personnel File ☐
COMPLIMENTARY EMAIL OR COMMUNICATION FOR A MEMBER(S)

DATE OF COMPLIMENT: 9/22/2015

CALLER: 

ADDRESS/ EMAIL: 

COMPLIMENTING PRAISEWORTHY WORK BY: Officers Enjoli Daley and Tanya Jenkins

REFERENCE: I would like to thank you for your assistance and the EPD participation in the 7th Annual Family Fun and Safety Fair on Sunday, September 20, 2015. We had a good turnout and absolutely beautiful weather. It was so nice to have Officers Enjoli Daley and Tanya Jenkins represent EPD at the Safety Fair again this year. I hope they found their participation in the event valuable to them and the Police Department.

Again, thank you so much and I look forward to working with you again in the future. If myself or anyone in Emergency Medical Services at Saint Francis can be of any assistance to you and your officers, please do not hesitate to contact me.

Have a good day!

SUBMITTED BY: Michelle Smith

CC: Shift File ☒
    Administration Personnel File ☒
    Officer/ Staff Member ☒
COMPLIMENTARY EMAIL OR COMMUNICATION FOR A MEMBER(S)

DATE OF COMPLIMENT: 9/16/2015

CALLER:  

ADDRESS/ EMAIL:  

COMPLIMENTING PRAISEWORTHY WORK BY: Sandra Hernandez

REFERENCE: I wish to take this opportunity to commend one of the 311 operators. I believe her name was Sandra. She was friendly, courteous and very patient with this 90 yr. old senior. She went above and beyond to see that I was transferred to the right person. My experience with 311 has always been positive. I believe they are doing their job well. Customer Service is not priority for business today. Whenever I encounter really good service I try to acknowledge it. I think we all like to hear "Job Well Done"

SUBMITTED BY: Michelle Smith

CC: Shift File  
Administration Personnel File  
Officer/ Staff Member  
HR Personnel File
COMPLIMENTARY EMAIL OR COMMUNICATION FOR A MEMBER(S)

DATE OF COMPLIMENT: 9/16/2015

CALLER: [Redacted]

ADDRESS/ EMAIL: [Redacted]

COMPLIMENTING PRAISEWORTHY WORK BY: Shannon Sheriff

REFERENCE: [Redacted] was very pleased when Shannon Sheriff filled a detail at the Fortnightly North End Mother’s Club on very short notice. She expressed her appreciation stating, “I greatly appreciate your help and am now confident that everything will fall into place nicely.” Shannon diligently work for fill this detail and her efforts are to be commended. Thank you.

SUBMITTED BY: Sergeant Dennis Prieto

CC: Shift File ☑
    Administration Personnel File ☑
    Officer/ Staff Member ☑
    HR Personnel File ☑
9/18/15

Dear Chief Eddington,

I've written a note of thanks to the two officers who responded to my house alarm earlier today. My neighbors met them outside and told me how thoroughly they investigated the alarm. I really appreciate their willingness to respond with so much patience. As I found out later, my neighbors cut smoke in the house as we were making our way out in the morning to Indiana and I was not able to return quickly to check out the alarm.

I have lived in Evanston for 16 years and during the handful of times I have had encounters with the police, they have been professional and quick to respond.

Thanks to you and the entire force for looking out for our community. Very truly,
Hello Chief Eddington, Manager Bobkiewicz, Mayor Tisdahl:

I would like to express my appreciation to you for placing the "surveillance vehicle" on the corner of [obscured]. And surprise, surprise, how quiet the sidewalks and corner has become! Especially at the [obscured] house! And the constant foot/bicycle traffic between [obscured] and the convenience store at [obscured] has been reduced to a trickle!!!

It so happens that I own the property with the vacant house at [obscured]. I had planned to build a brand new modern house, but got spooked after the shooting in summer a year ago, which was connected to the [obscured]. It seems things have not gotten any better a year later either. It's too bad that area is too risky for investment and human life right now. We all lose; except the hoodlums and gangbangers...

I have met a lot of good, law abiding people in the neighborhood who just want peace and safety; and I know many people who would like to move to that area. I'm sure you know more than anyone else what's what and who's who.

As far as I'm concerned, you can keep that vehicle parked at that corner year round; you are welcome to park it in my yard, if you want!!! Thanks again.
Officer Thomas Devine
Officer Larry Miller

9-4-15

I wanted to send you a quick email to let you know that I was throughly impressed by Officer Devine, and the responding evidence technician (I didn't get his name!) who responded to a call I made this morning at [redacted]. It was a basic report of burglary in my basement common area, items have gone missing over the course of several months.

I was incredibly impressed with their professionalism and tact as they listened to my story and accurately took down the details. They both deserve a big pat on the back and thank you! They were fantastic. Living in Evanston for a year and a half now I am continually impressed each and every day by the Evanston Police Department.

I want you all to know that my husband and I appreciate your service and we want to thank you and your entire force, especially Officer Devine and the Evidence Technician for keeping us safe! You all make the world a better place. :)

Thanks again and stay safe,
September 10, 2015

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

RE: EFD/EPD Joint ASI/RTF Training

Chief Eddington:

Over the past three days members of our respective departments joined together to conduct highly effective in-house drills focusing on how we could best respond to an active shooter incident within the City.

Our principal goal was while using accepted best practices, resource allocation and effective hands-on training to save lives in a potentially highly complex and dangerous environment. That goal was achieved, but only with the outstanding support of the EPD.

In particular, I would like to thank and commend Commander Dan Russell who first met with me back in February and assisted in every phase of our response development and equipment purchases. I would also like thank Officers Brian Rust, Slava Leontiev, Lou Velez, and Anna Ostap, who assisted across all three days of the training and offered invaluable expertise and insight to our members.

I know I speak for the entire department when I express the pride and respect we have for our brothers in blue as we work “shoulder to shoulder” to better serve the City of Evanston.

If there is anything we can do to return the favor, please do not hesitate to ask.

Sincerely,

Brian R. Scott
Division Chief
Operations/Training
Date: August 31, 2015

Caller: [redacted]

Complimenting praiseworthy police work by: EPD

Reference: Caller states she is grateful for the years she was able to use the Police Outpost on Howard St. for her parent association meetings. She remembers the times (years ago) that officers would assist by cooking for those meetings. She thanks EPD for their hospitality

Submitted by: Michelle Smith, Admin. Secretary

Cc:

Compliment Board