Memorandum

To: Human Services Committee Chair, Alderman Eleanor Revelle
   Members of the Human Services Committee

From: Members of Citizen Police Complaint Assessment Committee
       Kimberly Richardson, Acting Administrative Services Director

Subject: Citizen Police Complaint Assessment Committee Status Report

Date: May 7, 2018

Recommended Action:
The Committee recommends that the Human Services Committee receive the status report.

Background:
Resolution 51-R-1 established the Citizen Police Complaint Assessment Committee (CPCAC) on May 22, 2017 with the nine members of the committee appointed by Mayor Stephen Haggerty and approved by City Council in September 2017. The Committee's first meeting was October 12, 2017 at which Mr. Matthew Mitchell was appointed Chair by Mayor Haggerty.

The Committee organized itself into three working groups to divide and organize the workload. The groups are:

- The Data Working Group
  Composed of Ms. Karen Courtright, Dr. Meggie Smith and Mr. Jared Davis

- The Process Working Group
  Composed of Dr. Peter Demuth, Mr. Randy Foreman and Mr. Jeff Parker

- The Best Practices Working Group
  Composed of Ms. Joi Russell, Dr. Vincent Thomas and Mr. Matthew Mitchell

The original proposed date of completion was May 2018. The Committee requested to extend their deadline to complete the full report to the Human Services Committee until October 2018 and to submit this status report in May 2018.
The goal of CPCAC is to present a written recommendation regarding the process of civilian complaints against police officers to the Human Services Committee of the Evanston City Council. In the coming months, the committee plans to address the specific community concerns regarding the current complaint process in Evanston and to get input from all stakeholders regarding possible solutions and recommendations.

Committee Status Report:

The Committee was tasked with answering the following questions. The current responses to each question follow.

1. **How does Evanston Police Department civilian police complaint process currently work?**

   A. The key aspects of the civilian police complaint process are:

      1. Complaint forms are completed by civilians. They are submitted to the Office of Professional Standards (OPS) of the Evanston Police Department (EPD).
      
      2. OPS conducts an investigation.
      
      3. The EPD chain of command reviews the OPS report and the Chief of police makes a determination (referred to as a disposition). The Chief sends his determination to the Citizens' Police Advisory Committee (CPAC). They vote on whether they agree with the Chief’s determination. CPAC’s decision is advisory and non-binding. CPAC’s decision goes back to the Chief of Police for review.
      
      4. The Chief of police presents EPD’s disposition of the complaint to the Human Services Committee (HSC) of the Evanston City Council for review. HSC’s review is advisory and non-binding.

   B. **Process Working Group Response:**

      The Process working group has begun documenting the end-to-end citizen experience – from the time the complainant decides to fill out a complaint form through the final disposition. On March 1, 2018, the working group submitted its initial inquiries for additional information and clarification on various steps of the process to the EPD. The Process working group has worked extensively with Deputy Chief Barnes and her team at EPD and are appreciative of their cooperation. The Process working group has also been researching the role of CPAC and HSC in the current process.

   C. **Data Working Group Response:**

      The Data Working group analyzed police complaint data collected by city staff. The data collected was from 2011 to 2016. The data was organized by rule violation, rank of police staff being complained about and the disposition of the complaint.
2. What issues, if any, are there with the current complaint process?

The current complaint process in Evanston has been created over time and is a bit disjointed and lacks a coherent fundamental structure. The citizen complaint process is very clear for the EPD through the June 26, 2013 General Order 4.1. Evanston’s process becomes less clear at the CPAC and HSC levels.

A. Review of the Complaint Register Form:

The Process Working Group reviewed the forms of the complaint register form. The form is the first interaction that citizens have with the complaint process and acts as the initial source of information for the investigation. Currently, the form is available online or in a printed form. The printed version is available at the Evanston Police Department, City Clerk’s Office, and the lobby of the Civic Center.

In evaluating the form, three objectives were established:

- How to solicit the most useful and necessary information in order to produce effective investigations.
- How to eliminate factors that may discourage potential complainants from using the form.
- How to increase transparency during the complaint process.

Feedback issues of the current Complaint Register Form (printed version):

- Information requested
- Formatting
- Use of language
- Lack explanation of the complaint process on the form

Based on all the information collected during this phase of the working group, a revised Complaint Register Form was drafted and submitted to the Committee for review.

B. Community Feedback Survey:

The Committee solicited feedback from community regarding the complaint process in two steps. The creation of the survey was overseen by the Data Working Group.

The Group established and employed recognized best practices for the development of the survey. The survey was disseminated both electronically and on paper. It was available in Spanish and English online at the City’s website and in print at community churches, schools, community centers throughout Evanston, and at organizations such as the YWCA and the Moran center. In total, 125 surveys were completed and returned.

The evidence gathered from the survey has been helpful to gain an understanding about concerns in the community about the current complaint process.
C. In Person Interviews Feedback:

Additionally, the Committee conducted in-person interviews with members of the Evanston community. From these one-on-one interviews, the Committee received a broader understanding of people’s perception of the complaint process. Members of the Data Working Group, as well as other members of the committee have also had individual conversations with current and former members of the EPD.

D. FOP Outreach:

The Committee has started to work with the FOP to get the impressions and experiences of EPD officers about the current system. From these conversations, the Committee hopes to gather information about how the police perceive the process as well as their individual perceptions of its strengths and weaknesses. The Committee will continue to work with the FOP to gather additional information.

3. **What is the complaint process for communities similar to Evanston?** and

4. **Are there any nationally recognized best practices related to how municipalities, similar to Evanston, handle civilian complaints? Are there other best practices the Committee discovered?**

There is no recognized singular best practice for handling civilian complaints against police officers. The consensus is that different communities should enact different systems to address concerns particular to their community. However, there are three recognized police oversight models that most systems in the United States adhere to.

**Police Oversight Models**

A. Review and Appellate model
   The police department investigates all complaints against police officers and an outside board reviews the police leadership’s decision regarding a finding and any appropriate discipline. The board in this model usually has non-binding recommendation authority after reviewing the police investigation and finding.

B. Investigative and Quality Assurance model
   An oversight body outside of the police department receives and investigates complaints against police officers. That independent entity has binding authority to impose discipline arising out of police misconduct.

C. Evaluative and Performance-Based model
   The police retain control over investigation of civilian complaints of police conduct, but report their findings to a neutral auditor who oversees the complaint process and the investigation in the police department. The final disposition can be made by the auditor in conjunction with police leadership. The auditor is responsible for reviewing widespread police issues not just individual complaints.

   Most communities tailor an oversight model to address the specific concerns of their community and can incorporate mechanisms from different models into a
hybrid solution. While there is no consensus as to a model that constitutes a best practice, there are recognized key attributes of best practices of police oversight.

Key attributes of best practices:
- Credibility
- Integrity
- Fairness
- Due process
- Transparency
- Personal accountability and structural accountability

5. What suggested changes can Evanston make to address any issues identified with the current process?

In the coming months the CPCAC will focus on making a final recommendation. Some small changes can be made at this time with the cooperation of OPS and CPAC that could immediately improve the process. There are also some large foundational changes that would require significant buy in from stakeholders but would result in a significantly more independent, transparent and trustworthy process.

We look forward to further discussions about those recommendations. CPCAC intends to submit a final written recommendation to the HSC in October 2018.

Attachment:
Data Working Group Interim Report
Process Working Group – Complaint Form Improvements
Best Practice Working Group – Overview of Police Oversight Models in the United States
City of Evanston
Citizen Police Complaint Assessment Committee
Process Working Group

Complaint Register Form
Improvements
Overview

The working group was tasked with analyzing the current Complaint Register Form, determining areas where improvements should be made, researching forms currently in use in other municipalities, and producing a new Complaint Register Form for the City of Evanston.

We focused on three main goals:

• To solicit the most useful and necessary information, in order for OPS to investigate allegations effectively

• To eliminate factors that may discourage potential complainants from using the form

• To increase transparency during the complaint process
Deficiencies in the Current Form

• The form provides little to no explanation as to the purpose and use of the form

• The complainant contact information section is incomplete, out-dated and provides no information on how this will be used

• The placement and wording of questions are not user-friendly
The New Complaint Register Form

The Evanston Police Department is committed to a partnership with the Evanston community, striving to serve it professionally and lawfully. We attempt to serve with the highest standards of ethics and integrity. At times, we fall short and when we do, we welcome your input and will investigate all complaints of alleged misconduct on the part of our personnel, both officers and civilians.

ALL COMPLAINTS AGAINST THE DEPARTMENT WILL BE KEPT CONFIDENTIAL BY THE DEPARTMENT
YOU MAY ALSO COMPLETE THIS FORM ONLINE, IN ENGLISH AND SPANISH, AT [Insert website]
[Same language as above but in Spanish]

My complaint is alleging (Optional):
☐ Excessive Force ☐ Inappropriate Language or Attitude ☐ Discrimination ☐ Theft
☐ Harassment ☐ Failure to Provide Protection ☐ Retaliation ☐ Other ________________

• User-friendly introductory language
• Notification that the form is available online and in Spanish
• Checkboxes to allow the complainant to quickly categorize their complaint if they choose
The New Complaint Register Form

When and where did the incident occur?
Date: _____________________________
Time: _____________________________
Location: ___________________________

1. To the best of your abilities, please provide a full account of the incident in question. The more detail you provide here, the better able we will be to investigate this complaint. Please use additional pages if necessary.

• Questions have been reworded and simplified, where needed, to solicit more accurate responses from complainant and more useful information for OPS

4. What would you like to see happen as a result of reaching out to the Office of Professional Standards?

• This question has been added to assist in better understand the complainant’s concerns and to suggest alternative ways to resolve the complaint
The New Complaint Register Form

The Office of Professional Standards takes all complaints seriously. After an initial review, you will be contacted within 7 days to provide a statement and to answer additional questions so we can further investigate and properly adjudicate the complaint. Provide your contact information below –
Name:
Address:
Phone Number:
Email Address:
Age:

How do you identify your gender?
☐ Male
☐ Female
☐ Non-Binary
(Preferred Name/Pronouns:__________)

How do you identify your race/ethnicity?
☐ Caucasian
☐ Hispanic/Latino
☐ Black/African American
☐ American Indian/Alaska Native
☐ Native Hawaiian/Pacific Islander
☐ Asian
☐ Middle Eastern
☐ Other ______________

• User friendly language included here to give the complainant an idea of what will occur when they file the complaint
• Demographic information is included, with LGBTQ-friendly identification prompts.
The New Complaint Register Form

We are here to service you. Should you have any questions regarding this complaint, do not hesitate to call –
Office of Professional Standards – 847-866-5009
Evanston Police Department – 847-866-5005 or 847-866-5000
City of Evanston Government – [Insert Here]

Your reference number is __________. Use this reference number when contacting the Office of Professional Standards regarding your complaint.

Mail completed form to Evanston Police Department, Attn: Office of Professional Standards, 1454 Elmwood Ave, Evanston, IL 60201
or drop your completed form off at the following locations:
Evanston Police Department (See address above)
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Evanston

Additional Notes:

• Instructions added to indicate how to return the form to OPS and who to contact regarding questions regarding the complaint
Overview of Police Oversight Models in the United States
Police Oversight Models

Based on a 2005 report by the Police Assessment Resource Center for the City of Eugene, OR Police Commission
Three groupings of Police Oversight Models

I. Review and Appellate Models

I. Investigative and Quality Assurance Models

II. Evaluative and Performance Based Models
I. Review and Appellate Models

• Police conduct an internal investigation arising out of a complaint.

• Citizen Review Board reviews the completed investigation.

• Citizen Review board has an advisory role to the Chief of Police.
  – The Review Board may find as follows: sustained, not sustained, exonerated, or unfounded.
Benefits of Review and Appellate Models

- Opens investigations of police misconduct to a public body.
- Public Body can be comprised of different representatives of public constituencies.
- Holds Chief of Police accountable for discipline.
- Police are well suited to investigate police misconduct.
- No problems with FOP contract.
- Low financial cost.
Weaknesses of Review and Appellate Models

• Limited to non-binding advisory role.

• No investigative powers (reliant on police investigation).

• Perception of partiality of police investigating police misconduct.

• No ability to make Police policy recommendations.

• Who appoints the Board members? What are the criteria?
II. Investigative and Quality Assurance Models

• Outside investigation
  – Private investigators
    • Third Party investigators (Consultants)
    • Board’s investigators
  • Civilian Board
  • Inspector General/Ombudsman/Special Counsel
  • Police Internal Affairs reports to Civilian outside of police hierarchy.
Investigative and Quality Assurance Models

• Investigators report findings to an independent entity.

• Independent entity has binding authority to impose discipline arising out of police misconduct.
Benefits of Investigative and Quality Assurance Models

- Independence (real and perceived).
- Ability to hire/use experienced investigators.
- Often have a board with different community representatives.
- Binding disciplinary authority.
Weaknesses of Investigative and Quality Assurance Models

- Expensive.
- Overkill.
- Possibility of investigators without experience.
- Who appoints investigators and Board members? What are the criteria?
- FOP contract issues.
- Lack of accountability for Police Chief.
- No ability to make Police policy recommendations.
III. Evaluative and Performance-Based Models

• Police retain investigative role but add an Auditor.
• Auditor is committed to transparency.
• Police hierarchy are held strictly accountable for discipline.
• Police Chief responsible for police discipline.
• Auditor responsible for reviewing widespread police issues. (Complaints, use of force, policy, legal judgments, patterns of misconduct.)
Benefits of Evaluative and Performance-Based Models

• Hold Police hierarchy accountable for police misconduct.

• Ability to address systemic problems in a police department.

• Auditor adds a layer of independence.

• Auditor is has experience/expertise in law enforcement.

• Ability to address problems outside of a specific complaint.
Weaknesses of Evaluative and Performance-Based Models

- More focused on systemic change than on addressing individual complaints.
- Auditor not directly accountable to community.
- Auditor can be perceived as biased towards police.
- Lack of transparency.
- Who hires the Auditor?
- Who is the Auditor accountable to?
IV. Alternative Dispute Resolution

• It is possible to incorporate Alternative Dispute Resolution (ADR) practices into a policy of complaints against police officers.

• There could be an ADR component incorporated into any of the models of police oversight.

• ADR practices include:
  – Mediation
  – Conciliation
  – Restorative Justice
  – Arbitration
Best Practices

• There is no consensus as to a “Best Practice” of one model of police oversight over another.

• Different communities have different needs that can be addressed through different specific oversight mechanisms.

• It is possible to employ mechanisms from different models in a final policy.
Best Practices Attributes

Key attributes of Best Practices of mechanisms of police oversight include:

– Credibility
– Integrity
– Fairness
– Due process
– Transparency
– Personal Accountability
– Structural Accountability
Data Working Group
Interim Report

April 4, 2018
Opportunities exist to improve the citizen complaint process:
- Satisfaction with complaint handling is 1.5 on 5-point scale
- 95% of complaints in 2016 resulted in no action reported to HSC
- 51% of survey respondents reported an experience that caused them to want to make a complaint yet only 22% did make a complaint

Complaint process has low awareness: nearly 2/3 of respondents were unaware – or aware but lacked any knowledge – of the process.

The process for making a complaint may be improved with:
- Better intake process characterized by support, courtesy, respect; and which makes complainant confident that their complaint will be taken seriously
- Better communication of how the process works
- Better communication during the process/transparency of process

A lack of trust in the current process among those who have filed complaints/decided not to file complaint is apparent in that:
- Many want to make complaint to and independent/neutral party (not the police)
- Many fear retaliation from officers
- Preference for venue other than police department (already addressed but not well known)
Interview findings
Five interviews conducted

Interview 1: Youth arrested for “playing while black”
  • Inconsistent messages to parents at police station
  • Inconsistent explanations of disposition
  • Lack of communication during complaint process
  • Disappointment in lack of proper/consistent policies regarding youth
  • Disappointment in lack of appeal process following investigation/lack of independent review

Interview 2: Detailed for “walking while black”
  • Never given explanation for contact by police
  • Did not file complaint due to belief that it would not be treated seriously; concern about retaliation by police (further unwarranted contacts)
  • Confirmed suspicion of EPD as not being worthy of trust
Summary

- Interview 3: PhD candidate from out of state
  - Stopped by EPD in traffic several times for minor/lack of traffic infractions
  - Several incidents worthy of a complaint, but not filed concern about further contact with police
  - Wishes for independent review process and clear repercussions for police officers for disproportionate contact with minorities

- Interview 4: Driving while black
  - License shows address in Skokie/Evanston; asked “what are you doing in (downtown) Evanston?”
  - Another incident: traffic stop by undercover NET, three cars called for back-up, searched person three times and car; instructed to “be careful” after no findings

- Interview 5: Arrested for not identifying a suspect
  - Police treated subject aggressively, described pejoratively to the state’s attorney, identified incorrectly as a repeat offender in court
  - Resolution due to ability to hire attorney and bring influence to bear on the prosecutor
Survey findings
Q1 Evanston has a formal process for making a complaint against any member of the Evanston Police Department. How familiar are you with this process? (n=125)

<table>
<thead>
<tr>
<th>Response</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>I never knew there was a process</td>
<td>37%</td>
</tr>
<tr>
<td>I know there is a process, but don’t know anything about it</td>
<td>30%</td>
</tr>
<tr>
<td>I generally understand the complaint process</td>
<td>14%</td>
</tr>
<tr>
<td>I’m very familiar with the complaint process</td>
<td>19%</td>
</tr>
</tbody>
</table>
Q2 Have you ever filed a complaint with the Evanston Police Department? (n=125)

- Yes: 22%
- No: 78%
Q3 – Q7 Asked of those who answered Q2 “Yes”: Q3 How satisfied were you with how your complaint was handled? (n=23)

**Average:**

1.5

1  3  5

1

Very dissatisfied

Neither satisfied nor dissatisfied

Very satisfied
Q4 How could the complaint process have been improved in your case? (n=20)

<table>
<thead>
<tr>
<th>有更好的处理投诉的方式</th>
<th>百分比</th>
</tr>
</thead>
<tbody>
<tr>
<td>更高的透明度/跟进投诉</td>
<td>20%</td>
</tr>
<tr>
<td>不要因为投诉而被说服/不要让投诉被拒绝</td>
<td>20%</td>
</tr>
<tr>
<td>被认真对待/尊重投诉者</td>
<td>15%</td>
</tr>
<tr>
<td>需要独立审查委员会（不要向EPD投诉EPD）</td>
<td>15%</td>
</tr>
<tr>
<td>更好的沟通/跟进投诉者</td>
<td>10%</td>
</tr>
<tr>
<td>采取行动反对官员</td>
<td>10%</td>
</tr>
<tr>
<td>不要被威胁</td>
<td>10%</td>
</tr>
</tbody>
</table>
How could the complaint process have been improved in your case?

*The supervisor with whom I spoke talked me out of filing a complaint through the formal process, and told me that he would make a note in the officer's file instead.*

*Action was not taken against the police. Pain and suffering endured was not remedied or acknowledged.*

*We were treated as though we were the perpetrator and with disrespect as though we were a nuisance. I never felt that there was any empathy with our loss. This was 12 years ago and I am still mad at how we were treated even if was not of stereotyping that others have dealt with.*

*I would have liked to have taken seriously. I could tell when I made the complaint at the Evanston Police Station that nothing was going to be done.*
Q5 How satisfied were you with the clarity of the complaint form? (n=23)

Average:

1: Very dissatisfied
2:4: Neither satisfied nor dissatisfied
3: Average
5: Very satisfied
Q6 How much do you agree or disagree with the following statements? (n=22)

The directions on the form were *clear*.

The form was *complicated*.
Q7 How could the complaint form be improved? (n=19)

<table>
<thead>
<tr>
<th>Improvement</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Never offered form/NA/don’t know</td>
<td>37%</td>
</tr>
<tr>
<td>Handled by 3rd party/independent review board</td>
<td>11%</td>
</tr>
<tr>
<td>Online form</td>
<td>11%</td>
</tr>
<tr>
<td>Easy to use/step by step instructions</td>
<td>11%</td>
</tr>
<tr>
<td>Misc.</td>
<td>11%</td>
</tr>
<tr>
<td>Assistance completing form/advocate</td>
<td>11%</td>
</tr>
<tr>
<td>Don’t ask for info not related to complaint, e.g., DL number</td>
<td>5%</td>
</tr>
</tbody>
</table>
How could the complaint form be improved?

*It should be handled by a third party, not EPD, to ensure it is filed.*

*Give step by step instructions.*

*Was not offered a form.*

*Remove questions that do not have any connection to the complaint, like one’s driver license [number].*

*Turn this over to an independent board.*

*Should be able to complain online.*
Q8 Have you ever had an experience with Evanston Police that caused you to consider making a complaint? (n=116)

Considered making complaint

Q9 Have you ever gone to the Police Department (or other location) to make a complaint, but did not follow through with the complaint process? n=116
Why complaint not filed

Asked of those who answered Q9 “Yes”
Q10 How or why did you decide not to follow through with filing a complaint? (n=19)

<table>
<thead>
<tr>
<th>Reason</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fear of retaliation</td>
<td>21%</td>
</tr>
<tr>
<td>Would not be taken seriously/listened to</td>
<td>16%</td>
</tr>
<tr>
<td>Persuaded not to file complaint by supervisor/OPS/victims services</td>
<td>16%</td>
</tr>
<tr>
<td>Not given/offered complaint form/not informed of process</td>
<td>11%</td>
</tr>
<tr>
<td>Treated disrespectfully</td>
<td>11%</td>
</tr>
<tr>
<td>EPD refused to take the complaint</td>
<td>11%</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>11%</td>
</tr>
<tr>
<td>Not in EPD jurisdiction (internet scam)</td>
<td>5%</td>
</tr>
<tr>
<td>Too busy/want online process</td>
<td>5%</td>
</tr>
</tbody>
</table>
Why did you decide not to follow through with filing a complaint?  

I wasn't given a complaint form nor was the process explained to me.

I was told that I would have to completely redo my assault report and I did not want to relive it at that time.

The supervisor with whom I spoke refused to tell me how to make a civilian complaint and ultimately persuaded me not to file a complaint. He said that he would put a note in the officer's file so that I didn't need to file a formal complaint. I was also afraid that the officer, who knows where I live, might retaliate against me if I filed a complaint.

Did not want continued harassment by officers.

The victim [advocate] social worker strongly advised me that if I filed a complaint against an officer, I'd open myself up police officers inventing problems and harassing me.

I attempted to file a complaint with [OPS], but he refused to accept or investigate it as an official complaint.
Specific wants: to be comfortable when making complaint

Q11 What specific things would help you feel comfortable when making a complaint? (n=76)

<table>
<thead>
<tr>
<th>Specific Want</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Report complaint to a neutral third party</td>
<td>17%</td>
</tr>
<tr>
<td>Complaint be taken seriously/respectfully/honestly</td>
<td>16%</td>
</tr>
<tr>
<td>Remove fear of retaliation</td>
<td>14%</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>14%</td>
</tr>
<tr>
<td>Independent review board/police not involved/not at PD</td>
<td>13%</td>
</tr>
<tr>
<td>Understanding/support through the process</td>
<td>13%</td>
</tr>
<tr>
<td>Complaint gets resolved</td>
<td>11%</td>
</tr>
<tr>
<td>Anonymity assured</td>
<td>8%</td>
</tr>
<tr>
<td>Improve complaint form</td>
<td>5%</td>
</tr>
<tr>
<td>Having an advocate to support complainant</td>
<td>4%</td>
</tr>
<tr>
<td>Intake by Spanish speaker</td>
<td>3%</td>
</tr>
</tbody>
</table>
What specific things would help you feel comfortable when making a complaint?

A guarantee that there will be no retaliation as a result of the complaint and that my complaint would be judged fairly.

Feeling like what I had to say was of importance to them and that they had an interest in helping to address and remedy the problem.

Anonymity from the EPD to avoid being targeted again or retribution, being able to trust the process, having a review board that was COMPLETELY independent from both the city and the EPD and knowing that in cases that are proved valid, that there will be accountability. The EPD should not at all be involved in the review of the complaint process.

I wish there was a complaint process for "lower level" matters -- not major complaints, but instances when you feel the police could have done better.

Knowing what information I would need.

More receptive to hearing that there are problems being ignored. I felt as though my complaint wasn't acknowledged and brushed aside.
What specific things would help you feel comfortable when making a complaint?

*Interacting with trained personnel who can listen and make you feel heard and believed.*

*I want to be able to talk to a representative of the police force without being judged.*

*Knowing that there was going to be follow-up*

*Knowing that my concerns were going to be taken seriously and not just excused.*

*EPD listening and taking my complaint seriously.*

*Clear process; open minded investigators.*

*Being able to make the location at another place, other than the Police Dept.*

*Knowing I would be respectfully heard.*

*Officer would be respectful and communicative.*

*Knowing the process. Knowing who is involved. Knowing my complaint would be heard and considered.*
What specific things would help you feel comfortable when making a complaint?

An independent board.

Being assured that as a citizen and as an employee of the city that I would not be retaliated against due to making my complaint known.

A clear process, and a very explicit statement that any instance of retaliation on the part of the police against complaint-makers will be punishable to the full extent of the law.

A complaint process that took place somewhere other than the police department. People other than police employees who would tell me how to complete the process.

Knowing that I will not get a backlash from filing a complaint. I don't feel comfortable filing one just for that reason. I feel if I do file one and it gets around the station that the "blue wall" will look out for their officer and I may be targeted.

Being able to make complaint to someone who speaks Spanish.
Specific wants: to be confident with process

Q12 What would make you feel confident that your complaint will be thoroughly investigated and a good outcome will occur? (n=77)

<table>
<thead>
<tr>
<th>Specific Want</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Independent Review Board/neutral 3rd party/not EPD</td>
<td>28%</td>
</tr>
<tr>
<td>Better communication and follow up with complainant/treated respectful</td>
<td>24%</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>20%</td>
</tr>
<tr>
<td>Better transparency of process</td>
<td>14%</td>
</tr>
<tr>
<td>Improve sense of trust between citizens and EPD/have confidence in process</td>
<td>12%</td>
</tr>
<tr>
<td>Address fears of retaliation</td>
<td>3%</td>
</tr>
<tr>
<td>More original source documentation</td>
<td>3%</td>
</tr>
</tbody>
</table>
What would make you feel confident that your complaint will be thoroughly investigated and a good outcome will occur?

A credible committee doing the review. One from various walks of life.

Someone to listen and take a report and reach out to me when anything happened.

That I have the option to ask questions -- and get real answers -- at any point in the investigation process.

Knowing that there was a fair and independent review and that accountability is a factor when necessitated.

Good communication and follow through.

If the person investigating is independent and not tied to the police department in any way.

A written response from a supervisor.
What would make you feel confident that your complaint will be thoroughly investigated and a good outcome will occur?

I don’t know. As far as I understand it from police officers themselves, I have good reason to be afraid of retaliation from not just the officer in question, but the whole force.

When the [EPS’s] reputation improves. Lots of work ahead.

The Office of Professional Standards actually doing it's job. Also making all relevant records publicly available would be nice.

Not sure since trusting them isn’t there.

Trust in the integrity of the process. At the moment I do not believe that is true.

Nothing; I’m Black they don’t care and always feel like I’m lying.

That a 3rd party/independent board, etc. not a part of EPD reviews ALL complaints.

The investigation should also be insulated from political influence and should not be evaluated by the same people who oversee the police. It should not be managed by the city manager or the mayor's office.
Q13 If you wanted/needed to make a complaint, how much does the location where you make the complaint (e.g., police station or at a different location) matter to you?? (n=94)

Average: 3.0

1

Does not matter at all

Matters somewhat

Matters a lot

5
Q14 What is the appropriate amount of time for a complaint to be resolved? (n=94)

- Less than a month: 32%
- 1 to 2 months: 43%
- 3 to 4 months: 16%
- 4 to 6 months: 5%
- More than 6 months: 4%

Time for complaint process
Q15 At which of these locations would you prefer to make a complaint about an Evanston Police Department employee? Please select your top two choices. (n=85)

<table>
<thead>
<tr>
<th>Location</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civic Center</td>
<td>48%</td>
</tr>
<tr>
<td>Evanston Public Library</td>
<td>45%</td>
</tr>
<tr>
<td>Evanston Police Department</td>
<td>29%</td>
</tr>
<tr>
<td>Your home</td>
<td>31%</td>
</tr>
<tr>
<td>Other</td>
<td>18%</td>
</tr>
</tbody>
</table>

“Other” locations

<table>
<thead>
<tr>
<th>Location</th>
<th>No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>YMCA</td>
<td>1</td>
</tr>
<tr>
<td>Park district/Mayor’s office</td>
<td>3</td>
</tr>
<tr>
<td>Church</td>
<td>3</td>
</tr>
<tr>
<td>Online</td>
<td>1</td>
</tr>
<tr>
<td>Neutral/independent office</td>
<td>3</td>
</tr>
<tr>
<td>Street/outdoors</td>
<td>1</td>
</tr>
</tbody>
</table>
Q16 If you wanted/needed to make a complaint, to whom would you like to make your complaint? Please select your top two choices. (n=94)

- Evanston citizen/volunteer; appointed committee member: 47%
- Evanston citizen/volunteer; independent of City: 41%
- Police supervisor: 33%
- Police chief: 19%
- City of Evanston employee: 14%
- Other: 14%
- Police officer: 6%

“Other”
- Assistant Police Chief: 1
- Independent oversight board: 3
- Mediator: 2
- Attorney (not City employee): 1
- Clergy: 2
- Alderman: 1
- Professionals/not volunteers: 1
Q17 If you wanted/needed to make a complaint, how would you prefer to make a police complaint? Please select one. (n=91)

- Complete complaint form in-person at designated location: 35%
- Complete complaint form online: 33%
- Other: 9%
- Email: 10%
- On the telephone: 9%
- Use postal mail to submit completed form: 2%
- By leaving a phone message: 2%
- Upload a video I make myself: 1%
Q18 How important is it to you to be able to make a complaint in your/your family’s first language? (n=94)

Average: 3.9*

*4=very important
Q19 What languages do you speak? (n=90)

<table>
<thead>
<tr>
<th>Language(s) spoken</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>English (only)</td>
<td>81%</td>
</tr>
<tr>
<td>Spanish and English</td>
<td>9%</td>
</tr>
<tr>
<td>Spanish (only)</td>
<td>4%</td>
</tr>
<tr>
<td>Spanish, English and other*</td>
<td>2%</td>
</tr>
<tr>
<td>English and other (not Spanish)*</td>
<td>2%</td>
</tr>
<tr>
<td>Spanish and other (not English)*</td>
<td>1%</td>
</tr>
</tbody>
</table>

*Other languages mentioned: Portuguese, French, German, Patois
Q20 Which of these statements best describes your opinion? (n=92)

- I would prefer to make a complaint to someone of my own gender/identity
- The gender/identity of the person who takes my complaint is not important

Prefer my own gender: 18%
Gender does not matter: 82%
Q21 Which of these statements best describes your opinion? (n=93)

- I would prefer to make a complaint to a person of my race
- The race of the person who takes my complaint is not important
- I would prefer to make a complaint to a person who is not of my race

- Prefer my own race: 14%
- Prefer other race: 1%
- Race not important: 85%
Q22 Which of these best describes your race? (n=90)

- **White/Caucasian**: 46%
- **Prefer not to say**: 26%
- **Black or African American**: 10%
- **Hispanic/Latino**: 10%
- **Asian/Pacific Islander**: 0%
- **Multiple, please specify**: 8%

**Multiple race descriptions**

- Mix: 2
- Asian/white: 1
- Black/white: 1
- Black/Latino: 1
- Jewish: 1
- Don’t believe in race: 1
Q24 What gender do you identify with? (n=90)

- Female: 57%
- Male: 38%
- No answer: 5%

Gender of respondents
Q25 What is your age? (n=89)

- 182

Age of respondents

Prefer not to say: 10%

- Under 18: 0%
- 18-24 years: 2%
- 25-34 years: 8%
- 34-44 years: 16%
- 45-54 years: 24%
- 55-64 years: 20%
- 65+ years: 20%
Historic Complaint Data
## Complaints made

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>51</td>
</tr>
<tr>
<td>2012</td>
<td>62</td>
</tr>
<tr>
<td>2013</td>
<td>44</td>
</tr>
<tr>
<td>2014</td>
<td>18</td>
</tr>
<tr>
<td>2015</td>
<td>22</td>
</tr>
<tr>
<td>2016</td>
<td>22</td>
</tr>
</tbody>
</table>

![Line graph showing the number of complaints by year from 2011 to 2016. The number of complaints decreases from 2011 (51) to 2016 (22).]
Complaints made

Rank/position of EPD staff receiving complaints

- Officer (not Service Desk): 84%
- Sergeant: 4%
- Detective assigned to NET: 4%
- Detective (not NET or TAC): 3%
- Service Desk Officer: 2%
- Detective assigned to TAC: 1%
- Commander: 1%
Dispositions (selected) by year

- **Unfounded**
- **Not sustained**
- **Exonerated**
- **Sustained**
- **Shift level reprimand**
- **EAP-based training in coping with unruly/uncooperative persons**
- **Written Reprimand**
- **Oral Reprimand**

Yearly distribution of dispositions:
### Dispositions (selected) by year

<table>
<thead>
<tr>
<th>Disposition Type</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unfounded</td>
<td>32%</td>
<td>27%</td>
<td>47%</td>
<td>56%</td>
<td>43%</td>
<td>57%</td>
</tr>
<tr>
<td>Not sustained</td>
<td>11%</td>
<td>22%</td>
<td>12%</td>
<td>28%</td>
<td>26%</td>
<td>24%</td>
</tr>
<tr>
<td>Exonerated</td>
<td>27%</td>
<td>25%</td>
<td>12%</td>
<td>6%</td>
<td>22%</td>
<td>14%</td>
</tr>
<tr>
<td><strong>TOTAL no action</strong></td>
<td>70%</td>
<td>74%</td>
<td>71%</td>
<td>90%</td>
<td>91%</td>
<td>95%</td>
</tr>
<tr>
<td>Sustained</td>
<td>11%</td>
<td>12%</td>
<td>6%</td>
<td>6%</td>
<td>4%</td>
<td>5%</td>
</tr>
<tr>
<td>Shift level reprimand</td>
<td>7%</td>
<td>2%</td>
<td>6%</td>
<td>0%</td>
<td>4%</td>
<td>5%</td>
</tr>
<tr>
<td>EAP-based training in coping with unruly/uncooperative persons</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>5%</td>
</tr>
<tr>
<td>Written Reprimand</td>
<td>2%</td>
<td>6%</td>
<td>6%</td>
<td>6%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Oral Reprimand</td>
<td>0%</td>
<td>2%</td>
<td>6%</td>
<td>0%</td>
<td>4%</td>
<td>0%</td>
</tr>
<tr>
<td>Disposition</td>
<td>Interpretation</td>
<td></td>
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<tr>
<td>----------------------</td>
<td>-------------------------------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unfounded</td>
<td>Allegation is false; no credible evidence to support them</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Withdrawn</td>
<td>Complainant withdrew complaint</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unresolved</td>
<td>Complainant failed to cooperate in the investigation</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Not Sustained</td>
<td>Insufficient evidence to prove or disprove the allegation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Exonerated</td>
<td>Incident occurred but was lawful and proper</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Policy Failure</td>
<td>Allegation true, but officer acted in conformance with policy resulting in harm to the complainant</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Not City Related</td>
<td>Outside the jurisdiction of the City</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sustained</td>
<td>Allegations supported by sufficient evidence to justify a reasonable conclusion of guilt</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SOL</td>
<td>The complainant failed to cooperate further</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oral reprimand</td>
<td>Self-explanatory</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Written reprimand</td>
<td>Self-explanatory</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shift level reprimand</td>
<td>Self-explanatory</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Counselling by Chief of Police</td>
<td>Self-explanatory</td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>
An increasing percentage of complaints are found to be unfounded, not sustained or exonerate the officers.

The definitions of these and other dispositions are easily confused, can be interpreted differently and may be confounded (i.e., not mutually exclusive).
Common Alleged Rule Violations by Year

% of coded rule violations

- Disrespectful behavior (Rule 18)
- Any action/conduct that impedes department's goals/mission/values (Rule 2)
- Violation of any law or department regulation (Rule 1)
- Incompetency (Rule 6)
- Failure to provide prompt, correct, courteous service (Rule 20)
- Harassment, discrimination, bias on basis of race, etc. (Rule 74)
- Make false report (Rule 40)

• OPS codes the complaint for alleged rule violations; complainant is not informed of how their complaint is coded
  • Recent example of racism alleged in complaint but it was not coded for alleged discriminatory behavior (Rule 74)

• Data seems to show that rule violations go in and out of use
  • Rule 6, incompetency, is coded less than twice per year in last three years, after 13-18 reports in each of the prior two years
  • Rule 18, disrespectful behavior, swings up and down in past three years
  • Rule 74, discrimination, was coded only 0-2 times in 2012-2015, after 4 uses in 2011; followed by large increase in 2016