

Proposed Meeting Agenda

Subcommittee on Elgin Civilian Review Board

Date: Tuesday, January 18, 2022

Time: 6:00 p.m. – 8:00 p.m.

Attendees: Habin, Chief Lalley, Blanchard, Cordova, Councilwoman Powell, Battles

Absent: Crigler, Zaldivar

Larry Schooler is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://kearnswest.zoom.us/j/81054451446?pwd=a0liNW43K0xiNTILSm9pclI3ZzZEUtO9&from=addon>

Meeting Objectives:

- Review discussion from meeting #1
- Discuss roles and responsibilities of civilian review board
- Develop consensus recommendations

Discussion Agreements:

- Speak for yourself about what has heart and meaning
- Honor the agenda or modify by agreement
- Learn from and understand each other's perspective
- Be respectful, candid, and constructive
- Provide balance of speaking time
- Test assumptions by asking questions
- Explore innovative solutions based upon common interests
- Strive to resolve differences and seek common ground
- Discuss topics together rather than in isolation
- Limit side conversations and actively participate

Agenda

Time (CT)	Topic	Notes
6:00pm	Call to Order and Agenda Review	Meeting started @6:00pm. Will share resources after presentation by Chief Lalley. Agenda approved by subcommittee

<p>6:05pm</p>	<p>Public Comment</p> <ul style="list-style-type: none"> • <i>Any member of the public who wishes to address the task force may do so via Elgin City Hall</i> 	<p>No member of the public present. Remanded that the public can continue to make public meetings through the City of Elgin website.</p>
<p>6:10pm</p>	<p>Review of Meeting #1 deliberations</p> <ul style="list-style-type: none"> • Recap of discussion, preliminary recommendations 	<p>Summary of key points from meeting #1</p> <ul style="list-style-type: none"> • The term duration of the Civilian Review Board is 3 years up to 6 years. Capped at 6 • Size of the body 7-9 number range. Odd number agreed • General feeling that folks that have had the most interaction should be on the board. • No particular district has more representation. All different parts of the city were represented. • Desire to see very specific seats for African Americans, Inclusive of all genders, young adults, could be a member of the clergy (possible). • Having an attorney subcommittee was split on that decision.
<p>6:25pm</p>	<p>Discussion of current EPD processes for investigating complaints</p> <ul style="list-style-type: none"> • Chief Lalley 	<p>Chief Lalley: Want to go through the process of complaints that are received. Presentation will be placed in the Box. Hold questions until the end.</p> <p>Receive the complaint: External generated from a citizen/community member 2021 10 external complaints</p> <p>Internal complaints are generated within the department..(policy violation, Self policing 22 complaints in 2021 entire complaints 32.</p> <ul style="list-style-type: none"> • Citizens can go to the Elgin PD website, fill out a form, go to the police station in person, or complain through an advocate. Communityadvocateofelgin.com or phone number is on the website. • Any person that comes in to make a complaint at the front desk citizens can ask to speak to a supervisor or we hand them a complaint form. In the

		<p>past when asked to see a supervisor they were turned away. Not anymore.</p> <ul style="list-style-type: none">● The determination is made on the complaint. Outside source is brought in to investigate if internal. The criminal case will proceed to the administration case.● Investigation: Informal or formal investigations.● If a complaint goes to the outside the law fir handles and the deputy chief provides them with all information requested. The Deputy Chief is the liaison. <p>If it stays inside might go to a commander or a supervisor</p> <p>Out of 32 complaints 21 went to an outside agency. 12 were not police officers, they were civilian personnel. It could take a couple of months depending on how extensive the investigation is. If a complaint stay inside it goes to a lieutenant, commander, deputy chief, then chief.</p> <p>Investigations are extensive its' not just signing off.</p> <p>Per our contract with outside sources, the final investigation comes to Chief Lalley. Don't talk to the source until the investigation is complete.</p> <p>When investigation concludes..Sustained (allegation supported by evidence, Unsustained not enough evidence)., policy failure; when the police dept don't follow policy. Closed if person is no longer there,</p> <p>Unfounded, exonerated; notifications are sent to the complainant and the officer</p> <p>Office contract is on page 21.</p> <p>As chief I can rule, terminate, and verbal reprimand. Suspension, written. The City Manager has the final say of discipline for officers. As the Chief I have done all of them. The office has the right to a pre deprivation hearing...at that time that is the opportunity for the officer to have a second chance to</p>
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		<p>explain what happens if given the opportunity to take responsibility. After the hearing, the Chief makes the final decision.</p> <p>Offices have the right to file a grievance. Process is covered in their contract. Grievance procedure found on pg. 15. Lawyers, arbitrators get involved. Since I've been here, that has happened maybe once. After this the office takes the discipline and it's done. Each officer is different and the reprimand is meant to be progressive. We look at the magnitude of the effects of the community, how long they have been employed, and pass disciplinary actions. Mitigating circumstances, what was the intent. In most cases the union is involved and present at most hearings. Will send the Disciplinary Act to Larry.</p> <p>Try to update the complainant accordingly but if it's with third party updates can't be given.</p> <p>Last year was our lowest year as far as internal complaints. Any traffic crashes are internal..the minor ones will be moved to a traffic committee. There is a level of accountability in the Elgin Police Department. Transparency Hub started in January: go into Professional Standard Investigation you will find all the complaint data. Give you contacts, complaints, and complaint forms. Chief Lalley will send a link to the Subcommittee.</p> <p>Transparency hub is filled with data.</p> <p>A lot goes into the recommendation for discipline meant to be progressive but also for training and guidance. Process could take a couple of months. Some infractions are minor and some there's no coming back from.</p> <p>Larry: The presentation has been loaded in Box as well as Due Process(General Assembly)</p> <p>Larry: Might be helpful to understand how you see the Civilian Review Board being best suited?</p> <p>Chief Lalley: When Powell and Dixon about 2 years ago, created the framework of that oversight. Discipline is in the officers contract. As Chief of police if the officer disagrees with my decision there are safeguards in place to</p>
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	<p>protect them. The Civilian Review Board should have a conversation with the Chief before the final decision is made to the officer. The Civilian Review Board has to make sure to do their homework on the processes before making any recommendations. Just because I disagree it may not be for the police or against the police it all depends. But decisions need to be explained to the board and I don't have a problem doing that. Legality is involved that I don't think civilians want to take on.</p> <p>Larry: The process concedes up until you take measures then you present to the board for recommendations.</p> <p>Chief Lalley: There is a need for privacy and confidentiality. Some investigations are not being publicized because of the protection of the person coming forward. Officer is removed and the civilian name is removed and only facts are being considered.</p> <p>Battles: Confirm the data on the complaints. With non sworn employees will the complaints be against the swon members</p> <p>Lalley: Police have nothing to do with it.</p> <p>Battles: What a bout a complaint within the department officer against officer</p> <p>Lalley: The process is the same. Not all complaints have disciplinary actions.</p> <p>Lalley: Sworn personnel is police officers Non-sworn, clerks, dispatcher, parking and animal control office, animal control officers</p> <p>Habun: Do you have information on people making the complaint and who the complaint is on.</p> <p>Lalley: Yes, we do have that data.</p> <p>Habun: Is it on the Transparency site. Transparency site has the officer information, not the citizen complaining.</p> <p>Habun: Will like to have demographics of the person complaining,</p> <p>Lalley: Will have that info at the next meeting.</p> <p>Cordova: Though that the Civilian Review Board will be recommending discipline for sworn officers.</p> <p>Powell: Initially it was for the sworn positions</p>
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		<p>not non sworn that we were hearing from the public to address. That is what we were hearing from the TF.</p> <p>Cordova: That should be discussed for non sworn administration. All engagement should be considered with Elgin Police Dept. So I think that it should be considered for all personnel. If it's easier for just sworn officers than that is fine.</p> <p>Powell: There have been a lot of changes made within the department that addresses that. It addresses how people make complaints and how they can feel comfortable making complaints. No sworn personnel is something that I don't think the Civilian Review Board should waste time with. Should be focused on interactions with the police. That is my opinion.</p> <p>Cordova: When external investigation is reviewed about discrimination. Where is the gray area?</p> <p>Powell: It can be handled by a review board or external entity. Discrimination/racial profiling will possibly go to outside entity and the results will be shared with the board and it will be for the body to make recommendations.</p> <p>Blanchard: Is there something in place for policy failure. Is there something in place to correct?</p> <p>Lalley: Yes, we have just done a complete review of policies that have been in place for over 10 years. Don't happen that often but procedures are in place to review frequently.</p> <p>Blanchard: What is the turnaround time for filing a complaint?</p> <p>Lalley: 30 to 60 day but some investigation is extensive but will check in the complainant: Everyone receives a letter from the Deputy Chief upon conclusion. If it's external will call for updates. Officers have in contract we have to make notification within 48 hours then 30 days for turnaround. The outside entity has a more extensive process.</p> <p>Larry: Chief has the discretion on policy failure.</p>
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	<p>Lalley: Confirmed but it does not happen often.</p> <p>Blanchard: Is there a process for an officer with a repeated complaint.</p> <p>Lalley: Yes, referrals, early action plan, wellness checks</p> <p>184 officers in the Elgin Police Department. It is important to have a conversation with the officer. Have a small enough department so that I am able to do that. There are things in place to get to the root before there is a bigger issue.</p> <p>Larry: We can utilize the last 40 minutes on roles and responsibilities or take some time to digest the information.</p> <p>Cordova: Want to review and process and come back with things next meeting</p> <p>Battles: Agree</p> <p>Powell: Agree (1) recommendation by Habun to invite some feedback from other existing citizen review boards within the state of IL. Aurora, Champaign. Might help without Civilian Review Boards (2) This is a Elgin City Council TF so recommendation has to be that we have the authority to charge. We cannot change state law. Don't mean recommendations can't come in, but we don't have authority in certain areas. Due process portion is laid out in police officers Bill of Rights. Want us to understand why we have to do things the way that it is done.</p> <p>Larry: K&W working on putting the best answer of the how's and why.</p> <p>Habun: Want to hear from colleagues on the TF about inviting someone to the next meeting.</p> <p>Blanchard: Yes</p> <p>Battles: Yes</p> <p>Larry: Look at the ordinances, send up questions so that way it will be more Q&A.</p> <p>Habun: Specific questions</p> <p>Cordova: Yes, submit questions to the facilitation Team.</p> <p>Larry: This portion could be 30 to 45 minutes will be good</p> <p>Habun: No more that 30 minutes</p>
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		<p>Habun: How do we bring this forward to the City Council? Send time with this on our next meeting. How would we frame as a recommendation to the TF?</p> <p>Larry: Will recirculate a document that spells out recommendations. Member of this SC to serve as a spokesperson for the TF and also for the council.</p> <p>Habun: What is the best way?</p> <p>Powell: Will review what Larry is referring to. Recommendation of TF as a whole will. Hav a preview meeting. Then assuming it passes then in two weeks it will come before us at regular council for approval. As recommendations come forward a presentation should accompany. So that thought process is fully understood. TF members do presentations and should be present to provide content.</p>
6:50pm	Break (if needed)	6:50pm-Returned from Break @7:02
7:00pm	Discussion of Roles and Responsibilities for Civilian Review Board	Subcommittee members agreed to pick up next week
7:50pm	Review, Wrap Up & Next Steps	<ul style="list-style-type: none"> ● Reconvene next week ● Check Box folder for Ordinances ● Email any questions you would like answered by Aurora ● Danise to share questions with the delegate ● Define roles and responsibilities, mission, objective ● Review comments made by TF ● Consider recommendation from Aurora delegate ● Have an additional meeting to review recommendations and come to final consensus.

		<ul style="list-style-type: none">● Resources, reports on different Civilian review board across the country are operating in Box. <p>Powell: Reminder that Aurora board is fairly new will recommend Champaign, been in place longer</p> <p>Habun: Just got confirmation that he can make it for 7:00pm.</p> <p>Larry: Support inviting another person from another board: Subcommittee members agreed</p> <p>Meeting adjourned @7:45pm</p>
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