



**DEKALB CITY COUNCIL AGENDA  
JULY 13, 2020  
5:00 P.M.**

**\*\*NEW LOCATION\*\***

DeKalb Public Library  
Yusunas Meeting Room  
309 Oak Street  
DeKalb, Illinois 60115

**COMMITTEE OF THE WHOLE**

COVID-19 Notice: This meeting will be conducted in-person with a physically present quorum and open to the public. The corporate authorities of the City of DeKalb intend to conduct this meeting in compliance with all applicable social distancing and public health requirements. All persons attending this meeting in-person shall be required to wear protective face masks/coverings. Furthermore, the corporate authorities of the City of DeKalb intend to conduct this meeting pursuant to Illinois Governor JB Pritzker's Executive Order 2020-43 dated June 26, 2020 (the "Executive Order"), which prohibits gatherings of more than 50 people, unless the City of DeKalb determines that it is necessary to invoke the Governmental Functions exemption contained in Section 4(c) of the Executive Order "to ensure the operation of government agencies or to provide for or support the health, safety and welfare of the public."

As a convenience to the public, the City of DeKalb may also provide video, audio, telephonic or internet access for the public to monitor this meeting. The provision of any such remote means of access is not intended to provide for attendance by a means other than physical presence due to the COVID-19 public health emergency, nor is it intended to provide an opportunity for the public to address public officials, make public comment or otherwise participate in the meeting. Except as may otherwise be provided below, any person who wishes to provide public comment or otherwise address public officials during this meeting must attend the meeting in-person and comply with all applicable rules governing the conduct of this meeting including, but not limited to, the aforementioned social distancing and face covering requirements.

The City of DeKalb is providing the following conveniences for the public to monitor this meeting:

Persons wishing to view the meeting from home or elsewhere can tune in to Channel 14 or by following the link provided [here](#).

Persons wishing to make public comment to be read by the Mayor at the appropriate time during the meeting may do so by clicking on the link provided [here](#). Note that all submissions must be received no later than 4:00 p.m. on the day of the meeting.

**A. CALL TO ORDER AND ROLL CALL**

**B. APPROVAL OF THE AGENDA**

**C. PUBLIC PARTICIPATION**

**D. CONSIDERATIONS**

**1. Consideration of Recommendations from the Human Relations Commission.**

City Manager's Summary: On Tuesday, June 16, the Human Relations Commission (HRC) held a special "ZOOM" meeting to receive community comment that might assist them in making recommendations to the DeKalb City Council regarding relationships between the DeKalb community and the DeKalb Police Department. On July 7, the HRC met again following a series of other community gatherings including a town meeting at the DeKalb Park District Bandshell on June 18, a Juneteenth rally at Hopkins Park on June 19, a town hall ZOOM discussion at the DeKalb City Council meeting on June 22, and a number of ZOOM meetings sponsored by the DeKalb County government.

The HRC has forwarded two files for the Council's consideration. One is a compilation of all recommendations that Commission members have heard from persons at various live and virtual events around our community ([see attached](#)). A second document ([see attached](#)) contains specific recommendations from the Commission which were discussed at the regular HRC meeting on July 7.

**The specific recommendations of the Commission are as follows:**

1. As stated, the HRC strongly believes that the City of DeKalb should review all community recommendations in recognition of the need for changes overwhelmingly expressed at our recent community events.
2. The HRC strongly recommends that the city increase its commitment to a community policing model and the full implementation of its components.
3. The HRC also recommends that those community recommendations that have already been completed or are in process, should be immediately communicated to the DeKalb community via all media avenues.
4. The HRC recommends that the Campaign Zero organization document (included in the July 13, 2020 City Council Meeting packet) be used by the Mayor, City staff, Police Dept. and City Council as a good starting point for further information and research data to assist in reviewing the recommendations and formulating changes to be made.

5. It is recommended that the recommendations that require changes to State of Illinois statutes be identified and lobbying begin with appropriate State of Illinois Representatives, Illinois Police Associations, etc. and a staff member be appointed to be the lead in this effort.
6. The HRC recommends that the city provide updates to the community through all media to inform them about progress on the review and investigation and decisions of changes based upon the recommendations.
7. The HRC also recommends that city updates be presented to the HRC at its regularly scheduled meetings.
8. The HRC recommends that the City use resources in the community to assist with the task of reviewing and deciding upon recommendations (e.g. community social service agencies).
9. The HRC recommends that, if the city determines that the review of these recommendations or review of some groupings of recommendations would best be conducted by establishing a smaller task/coordinating group, then besides the task group members being selected from the City staff, Police Department, and a City Council liaison, that such a smaller task group include two community representatives.
10. The HRC recommends that whether a recommendation is assigned to a staff member, small group or other entity, that such individuals or groups need to:
  - a. Research the recommendation using recognized organizations and/or knowledgeable individuals/professionals.
  - b. Identify other municipalities that have implemented the recommendations and, if at all possible, visit the municipalities.
  - c. Share the information with all stakeholders.
  - d. Decide, only after the above steps are completed, whether the recommendation under study can be implemented as stated or with some modifications or record why the recommendation is not possible.
11. The HRC recommends that the City use an operating principle to not discard or discount any recommendation because it, at first, seems “impossible.”
12. The HRC also strongly recommends that the Police Department not be allowed to reject the consideration of any recommendation.

13. The HRC recommends that the community recommendations be considered and implemented as quickly as possible.
14. Finally, it is recommended that an Action Plan be developed to prioritize the recommendations with timelines and staff or groups assigned to coordinate and report the review of the recommendations. These prioritized recommendations and their timelines should also be made public.

**After careful consideration of the HRC recommendations as well as conversations with movement leaders, the Police Department's command staff, FOP Lodge 115, and many local residents and business owners, the City Manager presents a range of action steps as demanded at a series of recent public meetings. Some have already been taken administratively; others are recommended for Council action. There is no presumption that these are the only steps that might be taken over time, but they are steps that need to be taken now.**

- **POLICE REFORM: STANDARDS OF CONDUCT**

**Use of Force.** On May 25, George Floyd was handcuffed face down on a Minneapolis street while a police officer kept his knee on the right side of his neck for 8 minutes and 46 seconds, 2 minutes and 53 seconds of that time Mr. Floyd had become unresponsive. This is what we know from the criminal complaint. At the City Manager's direction and with the cooperation of Acting Chief Bob Redel, the Police command staff, and FOP Lodge 115, the DeKalb PD standards of conduct have been revised to prohibit any "lateral vascular technique" and "any type of forcible neck restraint" as well as any choke hold that would impair breathing or restrict blood flow to the brain. All DeKalb Police Department standards of conduct are published on the City's website. To see them, please visit the City webpage, go to "Government," then "Police," then "About Us," and then "Department Policies."

**Duty to Intervene.** As George Floyd was choking for air, none of the participating or onlooking officers intervened to help. The DeKalb Police standards of conduct have been revised to make it the affirmative duty of "any officer present and observing another officer using force that is clearly beyond that which is reasonable under the circumstances shall, when in a position to do so, intervene to prevent the use of unreasonable force."

- **POLICE REFORM: OFFICER ACCOUNTABILITY**

**Implementation of Body Cams.** The City Manager recommends that the proceeds from the sale of the former city hall at 200 S. Fourth Street should be deposited in the Capital Projects Fund (400-00-00-38600, "Sale of Surplus Property") and the estimated \$150,000 necessary for the initial

outfitting of all sworn officers with body cameras should be disbursed from that City fund for body cam purchases when the current pilot studies involving 3 body cam vendors are completed. At this writing, a Request for Proposals is circulating for the future use of 200 S. Fourth Street and proposals are due on July 20. Council action on the city property sale is expected in August, and the proceeds can be allocated for body cams thereafter. The price of maintaining the body cam system is estimated to be \$150,000 annually for the first five years, which includes the clerical support to archive and store the large volume of film data that the system is expected to generate.

**Public Posting of Disciplinary Records.** By action of the City Manager, as any and all disciplinary investigations are completed, the determination as to whether disciplinary action is taken or not shall be posted on the City's website. A monthly updating will occur. However, pursuant to the Illinois Personnel Record Review Act (820 ILCS 40/1, et seq.), the City cannot publicly post or release disciplinary records which are more than 4 years old, except if the release of such records is ordered to a party in a legal action or arbitration.

**No expungement of Disciplinary Action.** By action of the City Manager in accordance with a recent Illinois Supreme Court opinion filed on June 18, 2020, no disciplinary records will hereafter be expunged from officer personnel files. In *City of Chicago v. Fraternal Order of Police, Chicago Lodge No. 7*, 2020 IL 124831, the Illinois Supreme Court ruled that a provision in a collective bargaining agreement requiring the destruction of police disciplinary files without complying with the requirements of the Local Records Act (50 ILCS 205/1, et seq.) is void and unenforceable as a matter of public policy. While the City's collective bargaining agreement never required the City to destroy police disciplinary files, any such requirement is now void and unenforceable to the extent it violates the Local Records Act. Generally speaking, the Local Records Act requires that the City keep an employee's personnel records during the employee's tenure of employment and for a period of time thereafter.

**No-Knock Warrants.** The DeKalb County States Attorney issues search warrants, not the Police department. The Department has not sought "no-knock" warrants. If another law enforcement agency (e.g. FBI, State Police, etc.) seeks the assistance of the DeKalb Police in serving such a warrant, such assistance will only be provided if, in the opinion of the States Attorney and the DeKalb Police Chief, there is an imminent threat to life.

**Hiring Practices.** Police officers and firefighters in DeKalb are hired by an independent body of three civilian commissioners who form the Board of Fire and Police Commissioners. The rules and regulations of the Board are posted on the City's website. The Board creates candidate lists with persons who have met published eligibility qualifications including educational

attainment, physical agility, and the successful completion of a psychological exam, medical exam, background check, and polygraph check. In its due diligence, the Board consults with previous employers about the character of candidates. Going forward, the Board will be reviewing its procedures to ensure that no candidates previously employed in law enforcement have been disciplined for violations of “use of force” protocols adopted by the DeKalb PD.

- **POLICE REFORM: CULTURAL DIVERSITY AND RACIAL BIAS TRAINING.**

The department-wide racial intelligence training that was initiated in late September 2019 and initially conducted by NIU police officers Shaunda Wilson and Rob Williams has been slowed by the COVID restrictions of the past three months. All department members should complete the training in the coming months. The City Manager and the Police command staff agree that the department has an affirmative responsibility to develop compulsory, annual on-line diversity training for all sworn officers and community service personnel. Such training will conform to the provisions of the Illinois Police Training Act (50 ILCS 705), which mandates annual officer training. Under the Act, the guidelines for such training are established by the Illinois Law Enforcement Training and Standards Board. The DeKalb department's conformity to these guidelines was a key consideration in its accreditation in the Fall of 2019.

**Shared Principles.** The City Manager asks the City Council to approve the first Resolution on the July 13 Regular Council Agenda which adopts the set of principles reached between the Illinois NAACP and the Illinois Association of Chiefs of Police in 2018. The purpose is to help bridge the mistrust between Police officers and persons of color.

- **POLICE REFORM: COMMUNITY POLICING**

**Imbedding a Social Work Perspective.** The regular meeting of the City Council on July 13 requests contractual approval of an informal arrangement that has been established between the DeKalb Police Department and Northwestern Medicine's Ben Gordon Center for the services of a social worker who will ride with officers and maintain an office at the DeKalb PD. The funding for this contract has been granted by the Community Mental Health Board through the good offices of executive director Deanna Cada.

The framework for this program was first identified when the DeKalb Police department engaged in a one-year Police-Mental Health Collaboration grant in 2018, which was funded by the U. S. Department of Justice. During that time, the Police department engaged in a comprehensive study and analysis of behavioral health services performed by community social

service agencies in collaboration with the Department. In addition, Police department representatives attended a variety of training seminars, including the national Critical Incident Team (CIT) conference, and visited several police departments around the country that had developed successful behavioral health response units. The primary goal of the grant was to develop a strategic plan in identifying gaps in service in behavioral health responses. It was determined that an embedded social worker within the Police department was one of the highest priority items in improving behavioral health services as part of a Police department response.

Over the past year, a referral program has expanded with a designated social worker following up with frequent callers. When the Department identifies a person with mental or behavioral health issues that is generating a large number of Police responses, the social worker can contact that person in an attempt to provide services that will reduce the need for Police intervention. Over the last year, the Police department and NMBGC have been working towards embedding a social worker within the Police department. This social worker will still be expected to follow-up with behavioral health calls, as well as with additional victims. The social worker will also be available to respond to in-progress calls to help officers on scene when appropriate.

**Public Awareness of Police Methods.** The popular “Citizens Police Academy” which was discontinued several years ago because of inadequate funding will be revived this fall to invite community members to participate in various simulations and discussions of Police policies and procedures.

**Departmental Reorganization.** The DeKalb Police Department will be reorganized to focus on community interaction and support. This transition will require a re-configuration of personnel within two new divisions: Community Services and Violence Prevention. Such reassignments will require negotiations with FOP Lodge 115 as well as budget revisions which will be worked into drafts of the FY2021 City Budget this fall.

**Landlord-Tenant Relations: Prosecution for “criminal housing management.”** Not quite a year ago, at the regular City Council meeting of August 12, the Council discussed what the city government could do to promote safer and better living conditions in DeKalb’s larger rental properties, in particular. This dialogue was prompted by a pattern of landlord neglect and cynical indifference to tenant health and safety at Hunter Ridgebrook Properties at 808-832 Ridge Drive and 835 Edgebrook Drive, as well as Hunter Trifrat, LLC at 930-934 Greenbrier Road and 1024 W. Hillcrest Drive. Consistent with the City’s “Crime-Free Housing” initiative, created in December 2012 and expanded in 2013, all of these rental complexes had been declared disorderly houses. Although most local landlords follow the high standard of integrity and ethical standards of

conduct enumerated in the DeKalb Tenant’s Handbook and supported by the DeKalb Area Rental Association (DARA), the Hunter model of property management betrays all local landlords with its willful neglect, its rent arrangements outside the “crime-free-housing” model lease, and its preference in fighting tenant and city complaints in court rather than working collaboratively to make things right.

To break the “rope a dope” defense of Hunter Properties, a new approach is necessary. The City Attorney will pursue claims of **criminal housing management** under a home rule ordinance patterned after State statute 720 ILCS 5/12-5.1. This State statute permits the prosecution of those who manage or control residential real estate who are recklessly permitting the physical condition in their facilities to become or remain in a condition that endangers the health or safety of their tenants. The City Manager has opened dialogue with the DeKalb Area Rental Association to gain their support in order to hold landlords like Hunter Properties accountable, particularly in light of the fact that certain landlords refuse to obey court orders or pay property maintenance fines.

▪ **NEW ORGANIZATIONAL AND BUDGET PROTOCOLS**

**City Hiring Practices: Inclusion of Persons of Color on Hiring Panels.** Effective July 1, all hiring panels created to fill authorized management positions will include persons of color. In the near term, this includes the interview teams created for the positions of assistant city manager and police chief.

**City Support for Social Services.** The City’s fiscal year 2020 Budget, which runs with the calendar year, allocates the following resources for social services:

**2020 Community Services Allocations**

PROJECT	CDBG	COVID SUPPLEMENT
<b>2020 Public Services</b>		
CLC-bus subsidy for daycare	\$12,000	\$0
Elder Care Services	\$9,000	\$10,000
Hope Haven-salary support for Coordinator & Case Mgr.	\$18,000	\$25,000
Safe Passage-salary support for Residential Coordinator	\$16,000	\$15,000
VAC-summer meals at Univ Village	\$14,000	\$0
FSA-Emergency Rent Assistance		\$125,000
FSA-Emergency Utilities/Food Assistance		\$50,000
Subtotal:	\$69,000	\$225,000
<b>2020 Public Facilities</b>		
2018 carryover-Fiber Optic/Free Wi-Fi AGN neighborhood	\$210,000	
2019 carryover-AGN streetlights	\$200,000	
2020 Demolition-912 Edgebrook	\$250,000	

2020 Sidewalks Twombly Road	\$110,000	
2020 Optional Relocation Assistance	\$25,000	
Subtotal:	\$795,000	
<b>2020 Human Services (General Fund)</b>		
Adventure Works	\$10,000	
CASA	\$5,000	
Community Coordinated Child Care (4-Cs)	\$19,000	
DeKalb County Community Gardens	\$5,000	
Youth Services Bureau (counseling)	\$24,000	
Elder Care	\$9,000	
FSA/Club 55--Senior programming	\$10,000	
Friends of Regional Office of Educ: Kindergarten prep	\$2,000	
Hope Haven-emergency food & shelter	\$7,000	
KISH YMCA-Camp Power	\$11,000	
Nguzo Saba Men's Club-summer basketball	\$5,000	
RAMP-employment services for persons with disabilities	\$5,000	
Safe Passage-services for survivors of domestic violence	\$10,000	
VAC-nutrition for elderly and transit dependent	\$28,000	
Subtotal:	\$150,000	
<b>University Village Paid Partners</b>		
Adventure Works-Fiscal Agent	\$4,000	
Adventure Works-Resident Support Specialist	\$16,000	
Adventure Works-"university" at UV	\$4,150	
Adventure Works-cell phone service	\$1,000	
DCCG-Grow Mobile food distributions	\$4,800	
DCCG-Programming at UV	\$4,150	
Subtotal:	\$34,100	
<b>TOTAL:</b>	<b>\$1,048,100</b>	<b>\$225,000</b>
		<b>\$1,273,100</b>

This represents about a **25%** increase over the actual FY2019 Budget allocation for social services.

**Cost-Reduction in the Police Budget.** In 2015-2016, the City Council reviewed Police staffing in the context of rising crime numbers in many of the national crime categories. The Police budget for 2017 was voted the resources for 67 sworn officers. Due to retirements and turnover in the past two years, the threshold of 67 officers has never been reached but the Police department budget has carried an allocation to fund 67 officers. The total budgeted salary and benefit costs (including pensions, FICA, health insurance, etc.) for 67 police officers plus full-time support services (telecommunicators, administrative clerks and assistants) in the FY2020 Budget was \$13,494,343. On May 11, in the face of an estimated overall decline in General Fund revenues of \$4.5 million owing to COVID impacts, the City Manager proposed, and the Council supported, a reduction of Police staffing from 67 sworn officers to 64 sworn officers – a reduction of \$312,000. In all, the City Manager proposed the reduction of three firefighter/paramedics, three patrol officers, four Public Works employees,

and three part-time employees for a savings of \$1,009,500 in General Fund personnel costs, plus an additional reduction of \$1,116,333 in budgeted contractual and commodity expenses for FY2020.

**Any further reduction from 64 sworn officers must be weighed against the incidence of crime in our community, and the effectiveness of crime reduction efforts through a variety of departmental programs and local nonprofit services.** On June 8, 2020 the DeKalb crime statistics were presented in the department's annual report to the Council. The 2019 numbers showed a concerning spike in categories that had fallen from 2017 to 2018. The tables below show the Part I and Part 2 crime statistics:

**Part I Crimes**

Type of Crime	2017	2018	2019	% Change (2018 to 2019)
Homicide	1	0	1	N/A
Criminal Sexual Assault	40	45	41	-9%
Robbery	30	31	33	6%
Aggravated Battery/Assault	118	152	170	12%
Burglary	156	125	162	30%
Theft	1,130	939	1,081	15%
Motor Vehicle Theft	37	41	41	0%
Arson	7	6	12	100%
Human Trafficking	0	1	0	-100%
<b>Total</b>	<b>1,519</b>	<b>1,340</b>	<b>1,541</b>	<b>15%</b>

Five categories show a notable increase: Arson; Burglary; Aggravated Battery, Robbery, and Theft. Most of the Arson cases were tied to several Hunter properties.

Part II offenses encompass all other crime groupings. This group includes simple assaults, forgery and counterfeiting, embezzlement and fraud, receiving stolen property, weapon violations, prostitution, sex crimes, crimes against family and children, narcotics, DUI, disturbing the peace, etc. Many of these categories are down as well, but the sharp rise in intimidation and sex offenses is worrisome.

**Part II Crimes**

Type of Crime	2017	2018	2019	% Change (2018 to 2019)
Battery	624	656	752	15%
Deception	512	428	474	11%

Criminal Damage & Trespass	794	721	698	-3%
<b>Deadly Weapons</b>	<b>89</b>	<b>72</b>	<b>84</b>	<b>17%</b>
<b>Sex Offenses</b>	<b>64</b>	<b>49</b>	<b>55</b>	<b>12%</b>
Offenses Involving Children	100	81	82	1%
Cannabis Control Act	382	424	354	-17%
Methamphetamine Offenses	13	9	1	-89%
Hypodermic Syringes & Needles Act	13	17	8	-53%
Drug Paraphernalia	193	224	163	-27%
Controlled Substance Act	185	193	123	-36%
Liquor Control Violations	91	55	36	-35%
Major Motor Vehicle Offenses	1,967	1,453	1,530	5%
Disorderly Conduct	963	1,020	1,025	0%
Interference w/ Police Officer	171	194	177	-9%
<b>Intimidation</b>	<b>12</b>	<b>4</b>	<b>7</b>	<b>75%</b>
Kidnapping/Abduction*	39	50	23	-54%
<b>Violation of Sex Offender Registry Laws</b>	<b>17</b>	<b>3</b>	<b>10</b>	<b>233%</b>
Other Criminal Offenses	751	717	628	-12%
<b>Total</b>	<b>6,980</b>	<b>6,370</b>	<b>6,230</b>	<b>-2%</b>

\*Includes unlawful restraint, unlawful visitation interference, kidnapping, child abduction and harboring a runaway.

The City Manager does not recommend any further reduction in the Police Department's funding without significant reductions in the leading violent crime categories. As if to punctuate this point, on July 4<sup>th</sup>, as many enjoyed backyard cookouts, a brutal murder occurred at the Fas-Mart on S. Fourth Street and errant rounds penetrated a minivan, which held several young children. Violence remains a formidable threat to our community's safety and health, and it will take a resourceful Police department working in close concert with a variety of social service agencies to diminish its incidence and its toll on our community.

**Nevertheless, a reconfiguration of Police personnel to maximize community services while targeting crimes against persons (the growing crime categories), is recommended with the strict accountability measures outlined above.** This reconfiguration will go through a public review from the time the FY2021 City budget assumptions are presented to the Council and Finance Advisory Committee in August of this year, through the Council's adoption of the fiscal year budget in December 2020. In the process, peer agencies in Illinois will be consulted.

Unfortunately, it is not true in DeKalb that a high percentage of Police calls are in response to needs that can best be met by non-sworn personnel. There are some, of course, as the statistics show (e.g. offenses involving children; drug abuse, etc.) The high incidence of weapons offenses and assaults in our community demand a highly trained and responsive Police force. At current staffing levels, officer fatigue has risen in direct proportion to the rise in overtime. Such stresses cannot be relieved by overtime pay. When weapons-related offenses spike, our small but highly accomplished team of investigators are especially stretched.

### **Summary**

In late 2019, the DeKalb Police department created some new teams, including persons from all department ranks, whose focus was to purposefully engage neighborhoods and community groups that have grievances to share and insights to offer about how to build relationships with under-served communities. That was “by the book.”

Last week, Acting Chief Redel asked all patrol officers to get out of their cars whenever possible and engage residents and local businesses in friendly and unforced conversation in order to listen and learn. No amount of official guidance or impassioned speech is as important or effective in building trusting relationships as earnest, face-to-face communication.

**Action is what many local residents have demanded and action is at the root of the City initiatives and organizational recommendations described above. As in any time of rapid change, real progress is not linear or scripted. Lessons will be learned and further work will be needed. Every interested person must have an opportunity to speak, including the members of the Police department who are a focus, but not the only focus, of the local movement for social justice. We would all do well to listen with open hearts, open minds, and a sense of urgency.**

**City Council direction is requested.**

## **E. ADJOURNMENT**

**[FULL AGENDA PACKET](#)**