

**MINUTES
CITY OF DEKALB
CITIZEN POLICE REVIEW BOARD
February 13, 2025**

The Citizen Police Review Board (CPRB) of the City of DeKalb, Illinois, convened on February 13, 2025, at the DeKalb Police Department, 700 W. Lincoln Highway, DeKalb, Illinois.

A. CALL TO ORDER AND ROLL CALL

Chair Maurice called the meeting to order at 6:00 p.m.

Board Secretary Melissa Neblock called the roll, and the following members of the CPRB were present: Maurice McDavid, Kelvy Brown, and Justin Carlson.

B. APPROVAL OF THE AGENDA

MOTION: Mr. Brown moved to approve the agenda; seconded by Mr. Carlson.

VOTE: Motion carried by a 3-0 voice vote of the CPRB members present.

C. APPROVAL OF THE MINUTES

1. October 10, 2024

MOTION: Mr. Carlson moved to approve the minutes; seconded by Mr. Brown.

VOTE: Motion carried by a 3-0 voice vote of the CPRB members present.

D. PUBLIC PARTICIPATION

Mr. Charvat wanted to thank the board secretary for updating the draft minutes that were posted online before the meeting. Mr. Charvat asked if the board membership was 5 members and Mr. McDavid confirmed that the board should have 5 members. Mr. Charvat expressed his concern that the board had not met since 2024 and the majority of the cases up for review are from 2024 as well. He is concerned that the board is not meeting in a timely manner with complaints that have been submitted. He was unsure if it was due to members not being present. He would like to see the board provide more background material when the agenda has been published. He noted that Melissa and the staff at the Police Department have been very good about getting him the information through FOIA but felt like the public should not have to go through that step. Mr. Charvat wanted to bring up comments he had heard from the public regarding body worn camera. He said he knows when he gets the FOIA responses he only sees one officers view when there are multiple officers on scene. He noticed that ISP had been very good with transparency by releasing the footage from the Brian Bemis incident, but he noticed that Chief Byrd's camera was not part of that footage released. He is under the impression that all officers were to have cameras on. He wanted to know why Chief Byrd's camera was not on that horrible day. Ms. Neblock urged Mr. Charvat to look at the Body Worn Camera policy in regard to those who work in administrative functions because that might help answer his question. He wanted to thank Illinois State Police for providing the footage on their YouTube channel but pointed out that no city of DeKalb site provided that footage. Ms. Neblock pointed out that once ISP puts out the video the police department is not able to put out its own video but the police department did share the ISP YouTube link with the press release on social media.

E. CHAIRMAN UPDATE

Mr. McDavid stated that he has been unsuccessful in connecting with COPA for in-person training. He also stated that NACOLE has online training and the conference coming up in Chicago. He stated that he spoke with city officials to see if the city could help the members get to the conference but was told there are no city funds available for the board. He urged members to attend the conference and seek training, especially with a new member recently appointed and another member slated to be appointed in the near future. Ms. Neblock stated that she was on the NACOL website gathering information for the new members and noticed there were a few webinars that would be beneficial for the members regarding reviewing body worn camera footage. She pointed out that there were two different tabs to look for webinars and training coming up in February. Mr. McDavid said he would look at the website and push information to Ms. Neblock to push to the board for review.

F. CASE REVIEW

1. 24CPRB06
2. 24CPRB07
3. 24CPRB08
4. 24CPRB09
5. 25CPRB01

Mr. McDavid wanted to give updates to the board regarding the complaints. Mr. McDavid asked the board to look for the letter from State Attorney Riley Onken and State Attorney Special Prosecutor Derek Dion. Mr. McDavid said that both letters relate to the municipal code chapter 46 that created the board states if there is an ongoing investigation and if it could be compromised the board should wait to hear the case. Mr. McDavid said that when reading through the letters he noticed that both make the statement "in my opinion I reasonably believe that proceeding with the hearing may interfere with a pending case". He stated that when he hears the word was unsure if it means the board has to follow the request or not. He also said he talked to the mayor who had talked to the city lawyer, and he said the board should not hear the case. Ms. Neblock then provided the next court dates cases for 24CPRB06, 24CPRB07, 24CPRB08, and 24CPRB09. Mr. McDavid said that the letter from SA Riley Onken mentions the name of the complainant in 24CPRB06 but the cases 24CPRB07 and 24CPRB09 were brought by his son but are for the same event. He stated that if the board decided to follow what the city lawyer and state attorney letters asked them to do, he would think the board should not hear any of those cases connected to the same event at this time. Mr. McDavid has already emailed the complainants regarding when the cases were to be heard up to this point. Mr. Carlson asked what would have happened if the board had met prior to getting the letters. Ms. Neblock said that the letter from SA Riley Onken was received prior to the meeting that was canceled in January. Mr. Brown said that before the letter came in, he read through the complaints and felt that the complaint was more for his attorney to bring up in court and he feels that any determination on the complaint possibly could be used in trial. Mr. McDavid expressed to the board that he is for the people and that the city and government have their own people to protect their own interests, but he feels like his role is to push for the people. His concern is that not hearing the case is written in the municipal code that the board needs to pause when asked to. Mr. McDavid feels it is important for the board to know that they are an independent board that is sanctioned by the city, but the job is for the people, the board does not work for the city, the state, or the police but to work for the people. Mr. McDavid stated that based on the municipal code his recommendation is to put a hold on these complaints at this time. Mr. Carlson said he feels the same as Mr. McDavid and that if he were the person who submitted the complaint, he would want his voice heard without having to wait for a trial, especially since he feels the board is separate of the process. Mr. Brown said he feels that the complaint looks like a trial and that if it hasn't gone to trial they should wait but would go along with the consensus of the board. Mr. McDavid said what he would like to do in regards to the case with SA Riley Oncken's office, since he already asked the city lawyer and was told to wait they should.

He would go back to the lawyer and ask again to clarify and relook at the cases in March. Due to the way the city code is written, Mr. McDavid suggested they look into how to rewrite it so that the board is not weakened by the municipal code. Mr. Carlson asked when the code was written, and Mr. McDavid reiterated that the code was written when the board was created. Mr. Carlson asked if the board's decision could help the person, why would they wait until the case was already heard in court because it would not be helpful to their court case. Mr. Brown pointed out that the decision of the board could possibly be used in an appeals process. Mr. McDavid brought up that a previous case was made after the case was already heard and being appealed. Mr. Carlson said that if he was the person who submitted the complaint, he would really want the avenue of using the board to prove his innocence. Mr. McDavid agreed and pointed out that the municipal code is created to protect the city and not the people. He suggested the board read the code as written to see if they had any suggestions on changes. Brief discussion ensued regarding how Mr. McDavid makes contact with the people making the complaints. Mr. Carlson suggested postponing it for a month but feels that if the board waits until a trial takes place the public would not rely on the board. Ms. Neblock asked if the board would like her to reach out to SA Oncken to get a recommendation on when he feels that the board would be able to hear the case. Mr. McDavid said that he would appreciate that. Mr. McDavid and Mr. Carlson feel that they should press this issue. Mr. McDavid feels like the language of the letter is a request and not a command. Mr. McDavid suggested the board bring a motion to postpone cases 24CPRB06, 24CPRB07, 24CPRB08, and 24CPRB09.

MOTION: Mr. Brown moved to postpone the cases; seconded by Mr. Carlson. VOTE:

Motion carried by a 3-0 voice vote of the CPRB members present.

Mr. McDavid brought up 25CPRB01 and said that the board usually hears every case that is brought forward if it is for an officer in the city. Ms. Neblock pointed out that there was an error, and the executive session was not on the agenda for this case so if the board wanted to hear the case it would need to be postponed as well since the agenda was already approved. Mr. McDavid said that there is the municipal code that created the board, but the board has created the structure of the board and there is nothing in the code that mandates the closed session. He pointed out that the reason for going into a closed session was to discuss the performance of the officers, police training that is not made public knowledge, and to protect the privacy of the complainant. Mr. McDavid suggested adding this case also to the next meeting and that he would reach out to the complaint on this case as well. Mr. McDavid suggested the board bring a motion to postpone case 25CPRB05.

MOTION: Mr. Brown moved to postpone the cases; seconded by Mr. Carlson.

VOTE: Motion carried by a 3-0 voice vote of the CPRB members present.

G. DATE OF NEXT MEETING

Mr. McDavid pointed out that tonight is the first of the 6 meetings required for the year. Due to the postponement of the cases, a brief discussion ensued regarding the availability of members for the next meeting. Mr. McDavid would like to meet before the next meeting scheduled in March and asked Ms. Neblock to reach out to Ms. De La Cruz to see if she would be available on a date before the next meeting scheduled on March 13th. Mr. Carlson said waiting until March would be a good idea to possibly have an answer regarding the postponed cases. He also asked if the board wanted to take an individual vote to see if members wanted to hear the postponed cases at the next meeting, regardless of the direction by the state's attorney since the board has been setting the ground rules of how the board will operate going forward. Brief discussion ensued.

H. ADJOURNMENT

MOTION: Mr. Brown moved to adjourn the meeting; seconded by Mr. Carlson.

VOTE: Motion carried by a 3-0 voice vote of the CPRB members present.

Board Chair Maurice McDavid adjourned the meeting at 6:49 p.m.

Respectfully submitted,

Melissa Neblock, Board Secretary

Approved: 03/13/2025