



Village of Oak Park

123 Madison Street
Oak Park, Illinois 60302
www.oak-park.us

Meeting Minutes

President and Board of Trustees

Tuesday, September 29, 2020

6:30 PM

Village Hall

I. Call to Order

President Pro Tem Buchanan called the meeting to order at 6:31 P.M. The Village Attorney read a statement from the Village President stating that the meeting is being held remotely due to COVID-19 restrictions and that it is not prudent to have people present at the Village Board special meeting location due to public health concerns related to the outbreak.

II. Roll Call

Present: 7 - Village President Abu-Taleb, Village Trustee Andrews, Village Trustee Boutet, Village Trustee Buchanan, Village Trustee Moroney, Village Trustee Taglia, and Village Trustee Walker-Peddakotla

Absent: 0

III. Agenda Approval

It was moved by Village Trustee Buchanan, seconded by Village Trustee Andrews, to approve the agenda as presented. A roll call vote was taken. The motion was approved. The roll call vote was as follows:

AYES: 7 - Village President Abu-Taleb, Village Trustee Andrews, Village Trustee Boutet, Village Trustee Buchanan, Village Trustee Moroney, Village Trustee Taglia, and Village Trustee Walker-Peddakotla

NAYS: 0

ABSENT: 0

V. Non-Agenda Public Comment

Stephanie Harris: Stephanie Harris wrote to urge the Village Board to consider doing away with the overnight parking ban completely and/or extend the release of the parking ban until the pandemic is over.

VI. Village Manager Reports

Village Manager Pavlicek introduced two items under Village Manager reports for Board presentation; COVID-19 response to Halloween and information related to the FY2021 recommended budget process.

Public Health Director Charley reported that current COVID-19 data for the State will permit participation in traditional Halloween trick or treating

respecting CDC guidelines. The Village will release guidelines and recommendations consistent with that of the State to keep everyone safe and respect those who choose not to participate. Recommendations may include signage on residences indicating whether that residence is participating or not. The Village asks that all respect those who choose not to participate and recognize that they may be more vulnerable to the virus. Director Charley informed the Board that staff has been considering recommendations for trick or treating hours with all factors in mind and their recommendation may be to consider daytime hours.

Director Charley thanked all involved, including community partners, for the collaborative response to COVID-19.

Village President Abu-Taleb reminded all to stay flexible and respect diligence in following CDC guidelines.

CFO Steve Drazner updated the Village Board on the FY2021 Budget process. He began by reminding the Village Board that \$16M in cuts were presented earlier in the year in response to COVID-19. Mr. Drazner advised that it is staffs intention to provide a report to the Village Board balanced with CIP revenues with the goal of not going to bond for 2021. The current budget deficit is \$6M. He believes that further recommended cuts can narrow that gap. Village Manager Pavlicek clarified for Village Trustee Boutet budget concerns are related to the general fund rather than the CIP. The October 5th Board meeting agenda will include Board calendars outlining a timeline for the FY2021 budget process.

Village President Abu-Taleb requested the Village Manager bring forward an agenda item for a future Board meeting in response to his concern that parking violation fees should not double when late. He feels municipalities operate unfairly with this practice. He also agrees with the public commenter to extend the parking ban, Village Trustee Walker-Peddakotla agrees. Village Manager Pavlicek responded that she will bring a timeline forward responding to parking violation fees. Additionally, she reported that leaf pick-up will begin on November 1. It is planned to observe the overnight parking ban beginning on October 26th for that purpose. It is expected that the Transportation Commission will be prepared to present their recommendations from the board referral on the matter.

VII. Regular Agenda

- A.** [ID 20-252](#) **A presentation to the Village Board to Provide an Update on Work Being Done in Response to Village Board Direction from June 22, 2020 Related to Examining Policing in Oak Park:**

- 1. Hold a Community Conversation;**
- 2. Identify a Third-Party Consultant;**
- 3. Perform a Review of the Citizens Police Oversight Committee (CPOC)**

via the Law Department; and

4. Evaluate Use-of-Force Polices in Accordance with Resolution in Support of the Obama Foundation Pledge.

Village Manager Pavlicek introduced the rescheduled agenda item from Village Board meeting August 25, 2020.

1. Community conversations

Assistant Village Attorney Jackson provided a summary of community conversations held on August 6 and 7th regarding policing matters and 11 private testimonials provided directly to Assistant Village Attorney Jackson. Citizen comment themes were of four categories; racial bias/ police profiling, dissatisfaction with service - lack of empathy, defund the police and redirect funds to social service agencies, and restorative justice practices.

Additional community conversations are not planned because there was enough time to hear all speakers at this time. Village Trustee Walker-Peddakotla urged her colleagues to take what has been shared by community members of color and use that to implement meaning change. Chief Reynolds highlighted resident beat officer meetings as a good way to engage directly with the police. He has been making himself available to join those zoom calls on occasion and has participated in community forums and interviews. Village Trustee Walker-Peddakotla believes the Village needs to continue a non-police response to hearing concerns with policing. Village President Abu-Taleb would be interested in exploring such a response.

2. Third Party Consultant

Assistant Village Attorney Jackson introduced the RFP for a third party consultant. Ms. Jackson highlighted the scope of services included in the RFP. Village Manager Pavlicek included that a qualified candidate may have additional recommendations for the scope of services. It is expected that the contract will come back to the Village Board before the end of the year with a proposed timetable.

Village Trustee Boutet suggested the Village Board reconsider the RFP process, she does not believe the Village Board has consensus on a goal. She would prefer our Chief of Police guide us on determining our next steps. Village Trustee Andrews agrees that defined outcomes have not been determined and would support reconsidering the RFP. Village Trustee Taglia does not see the point of reconsidering what has already been decided. He believes this process is a responsible one for moving forward. Village Trustee Buchanan shared her original thoughts for recommending a consultant. She had listened to a public conversation with speaker Rasheda Washington stating that municipalities and elected

officials may consider seeking help from professionals in determining how to best move forward in response to the Black Lives Matter movement, they don't have to figure it out alone. Village Trustee Buchanan is not in favor of this RFP because it is not responsive to what she originally wanted it to address, race and racial equity in policing. Village Trustee Walker-Peddakotla referenced recommendations that have been made by Freedom to Thrive as responsive and informed next steps, she was not in favor of seeking a consultant at any time. She would also suggest utilizing members of the Citizen Police Oversight Committee in the process. Village Trustee Moroney is not excited about seeking a consultant but he does agree that this RFP can help represent the broader community as we move forward on the topic. Village President believes the process needs to be lead by an independent person, he believes the investment is worth it. Staff has spent considerable time bringing this RFP forward at the Village Boards direction. Village Trustee Boutet reiterated that she believes there is enough guidance through organizations like 21st century policing that with the guidance of the Chief we can move through a police department review of policies and procedures related to race, racial equity and policing. The Village Manager cautioned that not only does the Chief already have a full job description but she would not recommend the Chief review his own department. The Village Manager was admittedly not the person who recommended an outside review in the first place but she does believe it will bring forward useful information. Chief Reynolds concurred with the Village Managers comments. After this discussion, Village Trustee Andrews is reaffirmed with an RFP for an independent consultant but he remains concerned that the document address defined goals more directly related to race and racial equity. Village Trustee continues to believe the Board can lead a conversation to reach goals of racial equity one step at a time without a consultant, following 21st century policing recommendations. Village President Abu-Taleb suggested members of the Village Board provide recommendations to the Village Manager for how to improve the RFP.

3. Perform a Review of the Citizen Police Oversight Committee (CPOC) via the Law Department.

Assistant Village Attorney Jackson reviewed the procedures and scope of CPOC according to Village code. She found that CPOC generally operates in compliance with the Village code outside of the missing semi-annual report to the Village Board. That has been rectified and the Village Board has a report stemming back two years. She outlined recommendations from staff. The first being to review complaints in open session. The challenge would be how parties involved can remain confidential and protect Village liability. The second suggestion was to make the semi-annual report available to the public. It is when released as part of the Village Board agenda. It was also recommended that CPOC

conduct their review at the end of the internal process to protect Village liability and not inadvertently release police department confidential investigation tactics.

Village Trustee Walker-Peddakotla understands that CPOC does operate generally according to the code. She believes CPOC needs to have stronger oversight authority and would refer to the Freedom to Thrive report for guidance on how to do that. CPOC needs more investigative power and access to information. Additionally, she believes the complaint process can be improved to permit a separation from police conducting their own review of police behavior. CPOC also needs access to the police departments general orders and those orders should be available online. Village Trustee Boutet agrees with placing general orders on the website, permitting CPOC access to investigate with subpoena powers, and for CPOC to be a mechanism for a checks and balances as needed with police behavior. She believes CPOC should more accurately represent the demographics of those that are needing of CPOC oversight. CPOC should have enough access to information to inform the Village Board if there is a pattern of police misconduct and racial bias. Village Attorney Stephanides clarified that the Village Board operates similar to CPOC when litigation is involved only. Village Trustee Taglia does not see CPOC as an investigative body. Village Trustee Buchanan would like further clarification on the role and how CPOC operates. She believes the documents and recommendations are in conflict with each other causing confusion, particularly on when CPOC reviews discipline recommendations (before or after the Chief implements his discipline decision). Additionally, Trustee Buchanan expressed her opinion that the Village President should not have the power unilaterally to make appointments to CPOC. Village Trustee Boutet believes discipline should be implemented by the Chief. CPOC gets involved when the citizens do not agree with the outcome. Her view is that CPOC should be immediately following the Chiefs decision without delay. Village Trustee Walker-Peddakotla believes CPOC should be an independent oversight commission as an evidence-based process that works to rebuild trust with the community. Village President Abut-Taleb does not believe it is the role of a citizen commission to have the level of oversight authority being described. Village Manager Pavlicek outlined how complaints are handled with a thorough and ethical process. Village Trustee Boutet requested the Village look into a grant from the Department of Justice for the RFP. Village Trustee Andrews would support CPOC having access to investigative information in a controlled environment to make informed recommendations but he cannot support subpoena power. Village Trustee Moroney trusts guidance from staff.

4. Evaluation Use-of-Force Policies in accordance with resolution in support of the Obama Foundation Pledge.

Chief LaDon Reynolds reported on the review of the use-of-force policy as compared to the Obama Foundation Pledge and more specifically the "eight can't wait" guidelines. Chief Reynolds was proud to report that the Oak Park policy has met all of the guidelines for many years. Lexipol has provided the opportunity to take all of the concepts mentioned into a more succinct policy, more clearly defined. General orders as they stand right now are combined policy and procedure for training. This is problematic and Lexipol is assisting in separating for General orders that can be published on the Village website for the first quarter of 2021. In the proposed budget for FY2021 the police department will be requesting funds for an IT consultant to develop an algorithm that allows the police department to more efficiently provide information to the public for better transparency. The goal is to provide a dashboard on the Village website with more information and money for a comprehensive survey to evaluate police satisfaction and public value. Chief Reynolds and his command staff have further reviewed their policies for 30 qualifying principles to identify further areas for improvement. They are working to identify opportunity for reports on police field activity and training. He will be looking forward to the results of the evaluation from an independent contractor to continue to make improvements.

Chief Reynolds responded to questions from Village Trustee Walker-Peddakotla on compliance with State law for use-of-force policy ban of use of choke hold or strangle hold unless deadly force is authorized. Chief Reynolds affirmed that choke holds are not authorized in Oak Park. Chief Reynolds also affirmed that current policy prohibits discharging a weapon into a moving vehicle unless an imminent threat. Oak Park officers are taught to not shoot at a moving vehicle. He further explained that all use-of-force incidents are fully investigated by command staff. Use-of-force incidents are not currently reviewed by CPOC. Village Trustee Walker-Peddakotla acknowledged that she believes the Village's use-of-force policy is solid, the only change she would recommend would be to assign review of use-of-force incidents to include oversight from CPOC. Chief Reynolds responded to questions from Village Trustee Boutet that in his view Lexipol has been a valuable partnership specifically for Oak Park.

B. [ID 20-215](#)

Citizen Police Oversight Committee Semi-Annual Written Report to the Village Board of Trustees

Village Manager Pavlicek provided an overview of the agenda item and introduced Assistant Village Manager/HR Director Kira Tchang. Ms. Tchang provided an overview of how CPOC operates. She stated that CPOC in Oak Park operates as a monitoring or auditing body. CPOC's authority is to focus on diversity of Police Force, monitoring citizen complaints, and provide reports to the Village Board. Ms. Tchang explained the process of how complaints can come to the Village regarding to police from citizens. Complaints are first

reviewed by command staff and or/ internal affairs division with the police department, make a recommendation of discipline if applicable. The Chief can agree or disagree for his implementation directly. Once the investigation is complete CPOC reviews the completed process with anonymously in closed session. Representatives are available during CPOC's review to respond to questions. CPOC votes on whether or not they agree with the process. Grievance procedures are separate. CPOC has agreed 100% of the time. If CPOC would were to disagree with a ruling the original result would remain but the Village Board would receive the information in their semi-annual report. CPOC only reviews incidents that result from a citizen complaint. The entire process needs to remain anonymous. Ms. Tchang informed the Village Board that review of dash cams would violate the anonymous nature of CPOC's process. Ms. Tchang referenced the report provided to the Village Board of cases from 2018- present, including demographic data for cases, diversity of the police department, and of CPOC members. The report provides information on the types of complaints and the final result. CPOC would like the committee to mirror the diversity of the population that it serves. CPOC would also like to complete a comprehensive review of their own policies and procedures and take action to address the community perception of racial bias in policing.

Village Trustee Taglia complimented the detail and data provided by CPOC in the report. Village Trustee Boutet thanked Kira for her thorough presentation. She supports the recommendations from CPOC. Trustee Boutet would like to hear more from the commission of how they would like to take action to address the community perception of racial bias in policing. She would also like to hear from CPOC whether they believe their to be patterns of concern in Oak Park policing. Village Trustee Walker-Peddakotla believes the policy should change to allow for immediate referral to the Village Board when/if CPOC were to disagree with the police departments decision on an incident. Additionally, she would like to see cases that are a split vote from CPOC to come forward to the Village Board. She referenced a specific meeting date from the report. Ms. Tchang pointed out that the meeting date referenced was related to one incident with three officers that were involved rather than three incidents. It was recommended that the data reflect that it was one complaint. Trustee Walker-Peddakotla would prefer in the future that a member of CPOC be present to answer questions. Additionally, she would recommend current commissioner Kevin Barnhart be appointed Chair of CPOC. She would also support CPOC provide additional information for how to address community concerns of racial bias and would like to see CPOC take the lead on this. Village Trustee Boutet would prefer to hear a report on concerning cases and not act as a hearing body potentially in conflict with the grievance process. She has an expectation that cases be resolved in a timely manner. Village Trustee Boutet would support members of CPOC having information identifying officers, still in closed session, so that members of CPOC can identify officer patterns to report to the board fully. Village Trustee Moroney thanked CPOC for the report and would like it to continue semi-annually as is the expectation. He stated that the report is informative and encouraging.

VIII. Adjourn

It was moved by Village Trustee Andrews, seconded by Village Trustee Taglia, to adjourn. A roll call vote was taken. The meeting was adjourned at 9:19 P.M.
The roll call vote was as follows:

AYES: 7 - Village President Abu-Taleb, Village Trustee Andrews, Village Trustee Boutet, Village Trustee Buchanan, Village Trustee Moroney, Village Trustee Taglia, and Village Trustee Walker-Peddakotla

NAYS: 0

ABSENT: 0

Note

Respectfully submitted,
Village Clerk Vicki Scaman