



Commissioners Present: Lauren Bonner, Joseph Brown, Peg Falcone, Jerrold Hennrich, Eric McMillan, Faith Miller, Karriem Shariati, Dora Weaver

Commissioners Excused: Les O'Dell

Commissioners Absent:

Study Circle Staff Present: Sarah Heyer

Guests Present: Pastor Robert Gray, Margaret Nesbitt, Elius Reed

Staff Present: City Manager Kevin Baity, Administrative Services Director Deborah McCoy, Police Chief Jody O'Guinn

Call to Order

The meeting was called to order by Chair Hennrich at 6:30 p.m.

Minutes

Motion was made by Commissioner Shariati and seconded by Commissioner Brown to approve the minutes of the June 2, 2014, meeting with the correction that the public meeting to discuss a permanent farmers' market was sponsored by the City's Economic Development Department, and not the Neighborhood Action Group. Motion carried.

Announcements

Commissioner Weaver reported that Mr. Young filed a wrongful death suit against Richard Minton.

Chair Hennrich reported that Mrs. Varughese filed a complaint with the Carbondale Police Department.

Comments by Pastor Gray

Pastor Gray, former Chaplain of the Carbondale Police Department, SIU-C Department of Public Safety, and SIU-C Campus Ministries, spoke about the role of a chaplain and what he did during his 25 years as chaplain for the Carbondale Police Department. He reported that in 1989, he and Police Chief Don Strom attended chaplain training in Arlington, Texas. He was actively involved in many situations including those resulting from the Pyramid Apartment Fire in 1992 where five students died and eight were critically burned, the Jackson Street fire in 1994 where six young children were killed, and the Hosea Waite death where his body was found behind Checkers Bar (now Callie's). He stated that he rode with police officers on many occasions on Friday nights from 10:30 pm to 5:30 am, and officers were able to observe him handling domestic disputes. Pastor Gray participated with the police in hostage training. He stated that he was not involved in any hostage situations, but there were many instances of barricaded individuals. Pastor Gray commented that he organized 10-12 chaplains to work during the Halloween activities, and co-chaired the university committee to put a lid on Halloween.

When students were in fires or other accidents, he would travel to Deaconess Hospital in Evansville or wherever he needed to go. He met with Larry Young (father of Molly Young) who asked why he did not come to tell them about Molly. Pastor Gray said that he did not know anything about it, he was the chaplain at the time, and he wasn't always called. He was called by the Coroner's Office to speak with Pravin Varughese's parents, and was instrumental in them seeing their son. He was invited to the gathering at the Pavilion by Mrs. Varughese which he attended. Pastor Gray indicated that he is not political and does not wish to be a part of any political issue. He indicated that he was a chaplain with the Carbondale Police Department for 25 years and received a letter stating that he was no longer chaplain. Pastor Gray stated that he was asked years ago by the Director of Public Safety to serve as chaplain for the university, and he agreed with the understanding that he would not be able to ride with officers every Friday night and still be able to prepare for his church services.

Commissioner Shariati inquired as to whether the chaplain was a paid or volunteer position, and Pastor Gray responded that it was a volunteer position and he was called out at least once every 10 days. Pastor Gray stated that calls where the chaplain could assist, freed up officers to address other issues. Commissioner Weaver inquired about the current chaplain for the Carbondale Police Department, and Chief O'Guinn responded that the department uses the services of Katie Sermersheim, SIU-C Interim Dean of Students and Coordinator of the Saluki CARES Program. Commissioner Brown commented that Pastor Gray was involved with SIU-C Campus Ministries until former Chancellor Rita Cheng advised that he would no longer be part of that group. Commissioner Brown stated that part of the problem is having individuals who are seasoned, who have built relationships, and who are able to walk into a situation and be so present. He stated that Pastor Gray was able to do a good job because he was able to seek out others to help him when needed.

Commissioner Weaver asked whether the Carbondale Police Department could have another Chaplain, and Commissioner Falcone asked whether other people were being recruited. Chief O'Guinn explained that he doesn't have a problem with the chaplain program, and would happily embrace a program, with someone other than Pastor Gray in that role. Chief O'Guinn stated several different people have been asked, but it is a labor intensive position that requires a lot of after-hours activity, and no one has stepped forward to volunteer. Commissioner Weaver inquired whether the Interfaith Council group had been contacted, and Chief O'Guinn responded that they had not been contacted. Commissioner Weaver indicated that she might approach Father Bob Flanagan to see if there is any interest in organizing the Interfaith Council.

Questions were raised regarding the reason(s) for Pastor Gray's dismissal. Mr. Baity indicated that it is a personnel matter and a management issue that is not the purview of the HRC, and should not be discussed.

Public Comments

Mr. Reed provided an update on his report of the possible negative effect the unresolved Varughese and Young cases could have on SIU student enrollment. He commented that summer enrollment is low with about 2,400 students. He called attention to a Southern Illinoisan newspaper article that indicated the SIU Board of Trustees would not be renewing the contract with the Chicago-based Lipman Hearne marketing firm because it had not been successful in helping with the recruitment of students. Mr. Reed stated that approximately \$3.5 million was wasted on that contract. He stated that Chancellor Rita Cheng was on vacation until August 15, 2014, when she assumes her new position at Northern Arizona State University, but her last day at the university was June 30. Mr. Reed stated that on or about June 25, 2014, he was stopped by an Illinois State Police officer on Wall Street in Carbondale, who indicated that he was being stopped because his headlights were not on and he was not wearing a seatbelt. The officer asked Mr. Reed for his driver's license and proof of insurance, and issued him a warning. Mr. Reed stated that the reason he mentioned this incident was because the Illinois State

Police officer who stopped Gaege Bethune (driver of the vehicle with Pravin Varughese), only asked to see his driver's license. Mr. Reed indicated that it was his understanding that Mr. Bethune traded his vehicle at Vic Koenig auto dealership, the vehicle has been sold, and he is no longer in Illinois.

Mr. Reed stated that an article in the Southern Illinoisan paper on July 2, 2014, reported that Larry Young had filed a lawsuit against former Carbondale Police Department dispatcher Richie Minton concerning the Molly Young incident. Mr. Reed referenced a June 27, 2014, Southern Illinoisan newspaper article titled, "Carbondale Man Steals Two Cars – Flees," that indicated Bernard Adams was arrested after multiple vehicle accidents and a police chase. The article said that the Carbondale Police received assistance from Illinois State Police, Williamson County Sheriff's Department, Carterville Police Department, Crainville Police Department, and John A. Logan Campus Safety. Mr. Reed commented that at a previous HRC meeting, in reference to the Varughese situation when it was asked why the Illinois State Police officer did not call the Carbondale Police Department for assistance, it was stated that the Carbondale Police Department does not work well/cooperate with the Illinois State Police and other agencies, but cooperated in that situation. Commissioner Miller stated that what she got out of Mr. Reed's comments was that all of the different law enforcement agencies cooperated on that particular event, but do not cooperate on the Varughese case. At a previous meeting, it was stated that the Carbondale Police Department does not get a lot of cooperation from other agencies. Chief O'Guinn commented that the statement made earlier regarding authorities working together and communicating was inaccurate. He stated that the Carbondale Police Department has a very good relationship with them all. He indicated that the Department has a good relationship with Murphysboro, Herrin, Carterville, and Marion, and that they could be called and asked.

Chief O'Guinn stated that the Carbondale Police Department is getting blamed for investigations that are shoddy and all kinds of things. The Department did not communicate with any of Ms. Young's family, as the investigation was handled through the Illinois State Police, and any questions or conversations with the family went through the State Police. Carbondale secured the scene until the State Police arrived. Mr. Reed stated that Larry Young indicated at a HRC meeting that he had eight witnesses. Chief O'Guinn stated that he should produce them. Chief O'Guinn indicated that the Jackson County Sheriff's Department is the agency that comes into town and does not notify the Carbondale Police Department. They come into town and serve warrants and do different kinds of operations and oftentimes do not notify the Carbondale Police Department until afterwards. The Chief indicated that he speaks with the Jackson County Sheriff often, and the communication has gotten better. It is not perfect, but it has improved. He indicated that as far as State Police, FBI, and so forth, there is a good relationship. Technology is in place so they do not cross investigate or do something risky like buy drugs from another officer. The Chief indicated that technology is being worked on by the state (radios, frequencies, etc.), but it takes time and it is expensive.

Commissioner Falcone asked whether there was any role the Commission could play in advocating that there be more communication between agencies. Chief O'Guinn commented that the biggest role the Commission could play is to start trusting the Police Department, and recognize they do a good job and work hard and try to do the best job they can, and stop buying into the conspiracy theories, half-truths, misstatements, and misconceptions that are passed along through the press. If there are questions, ask the Police Department. There are things that cannot be shared, but he is more than willing to share what he can. He stated that he has invited several people to come and talk with him about that and the Police Department has done nothing wrong. Chair Hennrich stated that comments are not based on conspiracy theories, but based on the lack of information. The Commission has tried for two years to obtain information. Chief O'Guinn stated that the comments are based on conjecture and supposition. Chair Hennrich commented that it is based on the lack of information, and asked what should be done. Chief O'Guinn asked whether Chair Hennrich was suggesting that he violate the law, and Chair Hennrich stated that he was not suggesting that any law be violated. Chief O'Guinn stated that

has had numerous phone conversations with Chair Hennrich where he explained that the information being requested could not be provided because it was too time consuming to search thousands of reports. Chair Hennrich stated that he was commenting on the length of time taken to get reports and always being told that the report was forthcoming, and the hold-up was the new software that was coming. Mr. Baity stated that the data has to be put into a data base to be extracted, and if it is not put in, no information can be extracted. The data may not be in reports if the officer did not put it in the report, and a sergeant or lieutenant did not suggest additional information be included. So getting 100% data out may not be possible. There were no data fields in the software that collected the specific information requested by the HRC, and in this case the data doesn't exist. Chair Hennrich commented that he understands if the data does not exist and that is what should have been said rather than it is forthcoming. Chief O'Guinn stated that the HRC keeps bringing up the reports and beating the Police Department over the head when the software developer was the reason for the delays. Mr. Baity stated that this is a commission, it's advisory and there is a line between management and advisory boards formed by the Mayor and Council. And at certain points, management has to invoke that right. And he believes that at this point, further discussions on these reports will come from management. HRC can ask for the reports, but to continually bring them up month after month when the HRC has received nothing, does nothing to aid or solve the issue. He stated that the company that was responsible for the data was fired, and now other software companies are being reviewed. Chair Hennrich commented that it is the first that he is hearing about the software company. Mr. Baity stated that it is a management rights matter, and he does not divulge everything that happens in every department to every Council person or the Mayor. That is why cities hire a professional manager and department heads. If the HRC wants the Mayor and Council to run the City, then Commissioners need to petition to have the City Manager form of government done away with.

Commissioner Brown stated that the discussion was getting out of hand and he was feeling uncomfortable and emotionally attacked when he has not said anything. He commented that the level of anger and back and forth is moving them farther and farther away and is becoming toxic and is not going to help. It is helpful to know that there was a glitch and the software developer had to be fired. All should agree that in some things progress is being made. The HRC is only trying to carry out what is in its By-Laws, and this should not be an adversarial situation. He commented that he was happy to hear that HRC's request was being seriously considered, and that the software company was not able to deliver. He commented that the lines being drawn and the words being used are polarizing and are not helpful.

Commissioner Shariati asked whether the Carbondale Police Department and the Illinois State Police have a public relations department or representative. Chief O'Guinn stated that the State Police have their own public relations, but the Carbondale Police Department is not large enough to have its own. Commissioner Shariati spoke about a police satellite location where people could come in to visit with officers and those officers becoming the go-to person for the community. He inquired whether there were other ways officers could interact with the community. Chief O'Guinn indicated that they could be more involved in the community if there were more than 5-6 officers working at a time to handle 80,000+ calls for service a year. There are 68 officers. The Department works with SIU-C to conduct research and has internships available.

Mrs. Nesbitt inquired about the State Police coming into Carbondale without notification to the Carbondale Police Department, and the Carbondale Police not being in charge when they come. Chief O'Guinn explained that in some instances, it is not the Carbondale Police Department, but the State Police. He explained a call he received from Reverend Logwood regarding a situation where it was assumed the Carbondale Police were involved when it was actually the State Police. Mrs. Nesbitt stated that these things need to be called to the attention of the community so they are aware that it is not the Carbondale Police.

July 7, 2014

Study Circles Report

Neighborhood Action Group

Coordinator Heyer reported that the group did not hold a meeting in June and, would not hold one in July.

Non-Violent Carbondale Project

No report.

Old Business

Law Enforcement Reports: Discussed during Public Comments.

HRC Responsibilities, Role, Charges:

Annual Report: Sensitivity training was brought up at a previous meeting. Chief O'Guinn indicated that they were conducted bi-annually in Alton. He felt it was a good idea. Commissioner Brown stated that it would be a good idea for all employees, and that should be something coordinated by the City. Motion was made by Commissioner Falcone and seconded by Commissioner Bonner to finalize the HRC 2013 Annual Report document and forward to the Mayor and City Council. Motion carried. Commissioner Falcone will pull the draft and comments together and Chair Hennrich will provide other police data to be included in the appendices for the final report.

Educational Campaign: A Restorative Justice Committee, consisting of Commissioners Hennrich, Shariati, Falcone, Weaver, and Bonner, was established. Commissioner Bonner announced that Todd Kingston is facilitating a Restorative Justice retreat at the end of July at the Touch of Nature for the Carbondale School District. Commissioner Shariati will check with the CES District #95 for more information. Discussion regarding the Commission's involvement with SIU-C student orientation took place. Mr. Baity commented that he had spoken with Chancellor Cheng and someone else was tasked with that duty. He described his orientation experience with his daughter last year at SIU-C and spoke with the Chancellor about how some staff were providing inaccurate information about Carbondale. Mr. Baity commented that he did not think students and parents would come to the Civic Center for an orientation. Commissioners agreed that perhaps a representative of the City could be present at the tent with Carbondale Main Street and Carbondale Tourism and distribute the "Who to Call" map.

Retreat: Scheduled for Thursday, July 31, 2014, 5:30 pm to 8:30 pm. Commissioner McMillan reviewed the handouts/templates that provided the framework for goals and strategies. He indicated that the handouts are based on a strategic planning model and suggested the Commission use the retreat to come up with a vision and identify goals. Commissioner Shariati commented that he is excited about the information provided by Commissioner McMillan and believes it will help with professionalism and keep the HRC from being one dimensional. Commissioner Brown stated that Commissioner McMillan's document, along with the Ordinance and By-Laws, should be the focal point of the Retreat. Chair Hennrich commented that the document is good because it provides guidelines and directives for current Commissioners and new members. Commissioners should be trained on procedures to file various complaints, and perhaps establish a speakers' bureau.

Community Discussions:

Environmental Racism. Brightfields is sponsoring the first of two public meetings on Wednesday, July 30, 2014, 7:00 pm at the Eurma Hayes Center, to discuss the installation of solar panels on the old Koppers Tire Plant property.

Partnering for Social Justice: The following report was presented by Commissioner Shariati. The Racial Justice Coalition met on July 3, at 7:00 pm at the Church of the Good Shepherd. Agenda items included: 1) Brightfields Public Meeting – Wednesday, July 30, 7:00 pm at the Eurma Hayes Center, 2) Update from Education Subgroup, and 3) Update from Policing/Justice subgroup. Lively discussion took place relating to the “Community Growth Plan” recently adopted by the CES District #95 School Board. The Growth Plan replaces the Code of Conduct booklet, and has restorative practices and procedures at its core. Cautious optimism was the central theme among attendees as all looked for ways to contribute to its success. Some of the questions raised centered on whether the School Board is collecting data to determine which student demographics were causing problems and/or are in need of attention. Currently, the District has not presented any such data. The question - “Where do we go from here?” - was placed upon the floor, to which a number of ideas were promoted. The range was from monitoring CES District #95 public and committee meetings to the oversight of the actual implementation to an actual boycott of CES District #95 board meetings. The following is a brief background of events within District #95 relating to this issue: (1) In January 2014, the District #95 Superintendent began circulating ideas about a new approach to problem solving using restorative practices and principles. A committee was formed including several teachers with the assistance of an outside person with knowledge of restorative practices; (2) In March, a draft of the new Code of Conduct, titled “Community Growth Plan,” was presented along with a power point at the District #95 public meeting. Several suggestions for revisions and improvements were made, and eventually disregarded by the Board; and (3) At its May 22 public meeting, the CES District #95 Board approved the full draft of the “Growth Plan” as the new Code of Conduct for District #95. Throughout the process, concerns were voiced that the draft policy had been enacted prior to District Board approval; that since January 2014, students had routinely been taken out of class for restorative chats with a counselor/facilitator who 1) is not an employee of the District, 2) had/has no certification or formal training in restorative practices, 3) has no formal background in social work or with special populations, and 4) was allowed direct contact with students and confidential records. Reports were made of children being reduced to tears during restorative peer sessions before the entire class. Documented evidence exists that parents of students have opted out of restorative practices by unlicensed, uncertified persons. Confusion exists among administrators and staff at all four CES District #95 schools, as few have knowledge of or have received any training in restorative practices. Quantifiable procedures seem non-existent. Several administrators were admonished to use the services of an outside counselor who somehow was able to circumvent CES District #95 protocol. The teachers union is now getting involved. The Racial Justice Coalition meets the first Thursday of the month at the Church of the Good Shepherd at 7:00 pm. The Carbondale School Board meets the fourth Thursday of the month at 7:00 pm.

Commissioner McMillan commented that he had not had an opportunity to read the handout titled, “By Talking, Inmates and Victims Make Things ‘More Right’”, but starting with young people should be where the process begins. Commissioner Brown stated that the focus should be on creating intentional communities.

New Business

Commissioner Weaver suggested that there be some discussion at the Retreat regarding HRC’s response to

those who come before the Commission expecting for something to be done. Ms. Nesbitt commented that the community needs to know the Police Department's authority, and suggested something be put in the Carbondale

Times. Chief O'Guinn stated that he has spoken with the Carbondale Times and they have agreed to publish a weekly Chief's Corner. Mr. Reed suggested that a public meeting be held to address the negativity, as a public conversation needs to be had. There was mention of police substations and officers on bicycles. Commissioner Bonner suggested that a couple of officers be featured on "Talk of the Town" that is sponsored by WDBX.

Next Meeting: August 4, 2014, 6:30 p.m.

Adjournment - There being no further business, motion was made by Commissioner Weaver and seconded by Commissioner Brown to adjourn. The meeting was adjourned at 8:42 pm.

Recorded by Deborah McCoy _____