



VILLAGE BOARD
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POLICE PUBLIC SAFETY COMMITTEE

Westmont Village Hall - 31 West Quincy Street

Meeting Minutes - July 28, 2022

[Approved at the October 20, 2022 Meeting](#)

- I. **CALL TO ORDER** - Trustee Simonovich called the meeting to order at 4:30 pm.
- II. **ROLL CALL**

<u>Committee</u> Trustee Simonovich (Chair) Mayor Gunter Clerk Szymiski Trustee Liddle Trustee Nero Trustee Brady Trustee Guzzo Trustee Barker (arrived 5:18pm) <u>Visitors</u> Chairman Bob Kovanda	<u>Staff</u> Village Manager May Assistant Village Manager Parker Police Chief Gunther Fire Chief Riley (via zoom) HR Director Brainerd Finance Director Cunningham Deputy Chief Thompson Assistant to the Police Chief Olsson Communications Director McIntyre (via zoom)
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- III. **PLEDGE OF ALLEGIANCE**
- IV. **PUBLIC COMMENTS** - None
- V. **APPROVAL OF MAY 5, 2022 POLICE PUBLIC SAFETY COMMITTEE MINUTES** - Trustee Nero made a motion to approve and Trustee Liddle seconded the motion.
- VI. **NEW BUSINESS**

1. Body Worn Camera Presentation

Deputy Chief (DC) Thompson provided an update on the Body Worn Camera (BWC) project that the department will roll out soon. Axon Body 3 was selected since the package has the most up-to-date version of the equipment. All of the equipment has been received but not yet deployed. The contract with Axon Enterprise allows for upgrades every two years. He presented background information on Axon and stated that their products are currently used by over 100,000 officers in over 6,000 agencies, which are in 85% of major cities. Mayor Gunter asked how many municipalities in DuPage County are using body

cameras. DC Thompson responded that based on a recent survey, there were not many agencies that have implemented BWC's yet. There were some agencies that did not even have squad car cameras. He named a number of neighboring towns that have deployed BWC's. Some municipalities use Panasonic. Villa Park is using Watchguard, but wished they could have implemented Axon. Mayor Gunter asked if another product was selected, would the equipment interface with another community and if other municipalities can gain access to our BWC footage. DC Thompson stated that the agency needs to submit a formal request to gain access to the BWC footage.

DC Thompson discussed the plan to implement BWC's. The current stage is policy development. An application for a partial grant of approximately \$80,000 has been submitted which requires a BWC policy. A draft policy was submitted with the application. Once the policy is developed and approved, the next phase is testing/pilot deployment and then ultimately full implementation.

DC Thompson described that the policy is required to incorporate language from the Law Enforcement Officer-Worn Body Camera Act as outlined in 50 ILCS 706/10. Notable items from the act were identified:

- BWC must be activated during any law enforcement related activity or encounter
- BWC must be worn by any law enforcement officer in uniform
- BWC must have minimum of 30 seconds of buffering time

Mayor Gunter asked if officers need to have the BWC turned on while monitoring a special event, such as the Taste of Westmont. DC Thompson replied that BWC's do not have to be turned on if the officer is only monitoring. However, if a situation arises where an officer witnesses a violation and/or enforcement is required, the officer must activate the BWC. Trustee Nero asked where the data was stored. DC Thompson replied that the data is initially stored on the device and then transmitted to Axon's cloud when the BWC is cradled. The agreement with Axon includes cloud storage for proprietary information related to their devices. Squad car cameras will work similarly. Currently, the squad car cameras are Panasonic which requires the data to upload to the servers first. With Axon, there is no need to use server space.

Mayor Gunter asked how long the BWC needs to be activated on an average shift. DC Thompson replied that the policy will dictate the activation times and duration. Mayor Gunter commented that some communities require BWC to be activated once the officers leave their squad car. DC Thompson stated that the BWC needs to be activated every time officers take a law enforcement action, which will be part of the policy. There will also be triggers where the BWC will activate automatically such as turning on squad car lights, use of tasers, and unholstering a gun. He gave examples when the cameras may be turned off versus when they must be turned off.

DC Thompson discussed policy considerations which include:

- Privacy issues
- Retention period is a minimum of 90 days and longer depending on the incident. Statute of limitations for crimes also dictate the retention period. Mayor Gunter

asked if there is a committee that decides on the retention of the footage. DC Thompson responded that the footage will be classified and tagged when stored, and the classification will dictate the retention period.

- FOIA
- BWC placement is decided by the agency so that all officers wear the BWC on the same location.

DC Thompson discussed the BWC pilot program which is currently planned to start in September and squad car cameras to start in October due to delays with squad car camera equipment. Four patrol officers will be identified to participate in the pilot program which will allow the department to observe system operations and reveal any unpredicted issues. Adjustments will be made as needed. All issues need to be resolved before full scale deployment. Trustee Nero asked when BWC is required to be implemented. DC Thompson replied that the implementation requirement is January 1, 2025. However, efforts are being made to implement by January 1, 2023.

Concerns that would impact full implementation include:

- Squad car camera hardware have not been received
- Possible changes in the state law which could impact the policy
- Disciplinary issues with contract members
 - Manager May asked if there is a quality control review process to determine if discipline is required. DC Thompson replied that the BWC Act includes language related to a BWC auditor, which could be DC Thompson, that performs the reviews. The review process is already in practice with randomly selected officers and their squad car cameras. Details of the review process still need to be determined. There are required reports submitted to the state that audits are performed on video footage. In addition, the grant requires audits of the video footage. Manager May recommended that there should be two people performing the audits.
 - Trustee Simonovich asked if there have been any incidents where an audit resulted in disciplinary actions. DC Thompson replied that there have been instances, such as driving at a high speed in certain areas of the town, where the incidents were discussed during the monthly reviews and disciplinary actions were taken.
- Officer learning curve
- Increased staff time to handle court and FOIA requests
 - DC Thompson noted that the Downers Grove Police Department has one person dedicated to responding to FOIA requests since the process is very time consuming. Mayor Gunter asked about FOIA requests that are specific to the police department. DC Thompson replied that the Records department receives and responds to police related FOIA requests. If the Deputy Clerk receives a police related FOIA request, it is forward to the Records department. The redaction of images in the footage will be the most time consuming.
- Cloud storage vs. village server

- Manager May asked how much storage is available in the BWC. DC Thompson replied that there should be enough storage for a full 12-hour shift at 720p resolution. The issue is the battery power for the device. There are multiple resolution settings that can be selected for the image. However, the higher resolution uses more battery power.

DC Thompson presented the tools that come with the Axon Body 3 which include:

- Enhanced lighting and video
- Organizational efficiency
 - Linked with Axon fleet
 - Triggers for automatic capture
 - Axon Capture on all district/supervisor phones
 - Axon Citizen can link to Ring cameras and can upload to Axon cloud
 - Axon direct upload to State's Attorney's evidence management system
 - Redaction software included

DC Thompson discussed the limitations:

- Rapid movement and low light can deteriorate image
- Field of view limited to directly in front of officer
- Buffering mode has no audio
- Variable capture pixelation; default and preferred resolution is 720p
 - Mayor Gunter asked if the officers can adjust the settings of the BWC. DC Thompson stated that the administrators control all the settings which include buffering time and resolution.
 - Trustee Guzzo asked if the microphone can pick up surrounding audio even if the image is not in the direct line of sight of the camera. DC Thompson replied that there are four different microphones that can pick up sound, if within close proximity of the microphones, even if the images are not in front of the camera.

Statistical information resulting from use of BWC were summarized:

- Case studies of five large towns showed significant decreases in citizen complaints and use of force
- Complaints down 88%
- Use of force down 75%
- Guilty pleas up 20%
- Officer court time reduced by 70%

DC Thompson concluded that the BWC's will be implemented soon but only when all the equipment are fully operational and any issues have been resolved. The goal is to ensure a successful implementation.

Mayor Gunter asked if BWC will be worn by a civilian in the department. DC Thompson discussed the possibility of the Community Service Officer (CSO) wearing a BWC. He stated that the CSO mostly handles community care taking, but without law enforcement action. If a sworn officer is responding to a complaint and law enforcement action is required, the

BWC is activated. The complainant may request not to be recorded if they provide a reason. The responding officer may accept or deny the request depending on the situation and provide a reason to the complainant for leaving the BWC activated at the time of the response as well as in the report. The BWC is not deactivated just because the complainant requested it. Manager May asked if there is an indicator that the BWC is activated. DC Thompson stated that there is a red light that illuminates when the BWC is activated and the light should be visible to the officer as well as to anyone in close proximity to the officer. Trustee Nero asked if the officer has to announce to the complainant or offender, such as in a traffic stop, that the BWC is activated. DC Thompson replied that the current law requires BWC's to be activated if there is law enforcement action taken, therefore, there is no need to announce it. DC Thompson passed the camera around to Mayor Gunter, the Trustees, and Manager May. Manager May noted that cameras installed in Public Works vehicles are used to protect village employees.

Chief Gunther stated that he prefers the higher resolution from 720p to 1080p for better analysis, enhancement, and zooming in on images captured such as license plates or determining if an offender pulled out a cell phone or a firearm. As previously discussed, higher resolution requires increased storage and costs. Mayor Gunter asked if the cameras are installed in the new MERIT Task force vehicles and if the MERIT members that respond to callouts will wear their home agency issued BWC's. Chief Gunther replied that MERIT has their own BWC policy where every municipality is responsible for their BWC equipment and storage. The law states that the home agency retains the BWC footage for their incident which centralizes information to respond to FOIA and State's Attorney's requests.

2. FOID/Clear and Present Danger reporting

Chief Gunther discussed the Firearm Owners Identification (FOID) cards that are required to legally possess firearms or ammunition in the state of Illinois, which are managed by the Illinois State Police (ISP). There are various reasons for revoking FOID cards which include:

- Move out of state
- Demonstrated behavior that poses an actual or imminent threat of substantial bodily harm to themselves or others , or who will likely act in a manner dangerous to public safety, which triggers the Clear and Present Danger reporting

The Clear and Present Danger reporting law has been in effect since 2013, and has become more relevant due to recent events with individuals who have mental issues that possess firearms and were involved with shootings. Chief Gunther explained that the law involves law enforcement officials, school administrators, and mental health professionals required to prepare a Clear and Present Danger report to ISP when they observe or suspect that an individual poses a clear and present danger to themselves and others. On July 18, 2022, Governor Pritzker signed an executive order that defined "Clear and Present Danger".

Mayor Gunter asked if ISP notifies the department if the FOID card is revoked. Chief Gunther replied that the department receives FOID card revocation notices from ISP and are tracked on an internal spreadsheet. The patrol supervisors and officers will attempt to contact the FOID card holder to surrender their revoked FOID cards. For the most part, the

revoked FOID card holders are compliant since firearms are not requested to be surrendered by the department. Though the department will accept guns that are voluntarily surrendered, ISP handles confiscating guns. Trustee Simonovich asked if the department will try to confiscate guns. Chief Gunther stated that there still needs to be probable cause and a warrant to seize firearms. Chief Gunther added that ISP is proposing an MOU that would empower police departments to confiscate guns along with revoked FOID cards. The departments disagree with the proposal. Mayor Gunter asked if the FOID card is returned, will the firearms also be returned. Chief Gunther replied that the FOID card and firearms will be returned if ISP approves. Trustee Nero asked if ISP has a timeline for surrendering firearms due to revoked FOID cards and if ISP monitors the status of the surrender. Chief Gunther agreed with Trustee Simonovich that ISP does not have enough staff to monitor the status of firearms with revoked FOID card holders. Mayor Gunter asked how many revoked FOID cards are being tracked. DC Thompson replied that there are 76 FOID cards revoked in Westmont since the department started the spreadsheet in 2016. Trustee Barker asked if the department has any proof of firearms owned by FOID card holders. Chief Gunther replied that the department has no access to firearms owned by a FOID card holder. Trustee Nero commented on the lack of knowledge transfer from ISP to departments.

Chief Gunther concluded that the department is compliant with the Clear and Present Danger reporting law, as well as monitoring FOID card revocations. Trustee Simonovich asked if ISP provides detailed information related to FOID card revocations to the departments. Chief Gunther stated that the only information provided is that the FOID card was revoked and the department is required to attempt to confiscate the card. There are no plans to establish an agreement with the ISP to confiscate firearms with revoked FOID cards.

3. Side Street Patrol Data

Chief Gunther presented side street patrol statistics from January 1, 2022 to present. Traffic stop violations were categorized and tracked as follows:

- Disobey stop sign = 93
- Speeding = 78
- Other = 34 which include equipment, license plate, and cell phone usage violations

For traffic stops, there were 59 citations and 145 warning issues. It is up to the officer to decide whether a citation or a warning is issued. Trustee Nero asked if there was a quota for issuing citations. Chief Gunther replied that there is no quota since there is a state law that prohibits evaluating officers based on the number of citations issued. However, officers can be evaluated on the officer's judgment on the traffic stop.

A chart of the residence of traffic violations showed that 42.9% are Westmont residents and 57.1% are non-Westmont residents. Mayor Gunter asked if there was a breakdown of residents for warnings issued. Chief Gunther replied that the data is available to distinguish between resident and non-resident warnings issued. Mayor Gunter predicted that 75% of the traffic stops were Westmont residents. Manager May agreed since residents spend most of their driving time close to their homes. Chief Gunther will add that statistic to the next report.

Additional charts comparing violations from August to December 2021 to January 1, 2022 to current showed increased traffic violations in all three categories, as well as citation and warnings. The charts also showed consistency in issuing citations from year to year. Trustee Nero asked if DUI citations are higher now in DuPage County versus pre-pandemic. Chief Gunther stated that the department does not have the data, however, he speculated that there has been an increase in DUI citations due to the stress of the pandemic, increase in cannabis use, and increase in traffic. Cannabis related DUI's require specialized training for officers. Trustee Barker asked what percent is attributable to cannabis related DUI. Chief Gunther was not aware of the statistic, but will research for the next meeting.

4. Crisis Preparedness

Chief Gunther reassured the Board, the residents, and the community that the Westmont Police Department is prepared for unthinkable and unspeakable events. He discussed the recent mass casualty events that occurred at a grocery store in Buffalo NY, a grade school in Uvalde, TX, and a 4th of July parade in Highland Park, IL.

Chief Gunther explained the decisions and adjustments made to the operations when the judgment was made to continue with the 4th of July fireworks despite the fact that the offender at the Highland Park shooting was still at large and later determined that he went to Madison, WI and came back to Highland Park. After Chief Gunther consulted with Mayor Gunter, Manager May, and Fire Chief Riley, Chief Gunther was confident that the modifications made to the operations plan would allow the community to enjoy the fireworks at Ty Warner Park and still keep everyone safe. Some of the modifications included:

- AR-15's openly carried by officers
 - The overall feedback from the community was positive during the 4th of July and Taste of Westmont. Trustee Barker agreed that accessing the weapons quickly is beneficial since response time is critical during an incident. Chief Gunther stated that specific officers were selected to carry the AR-15's.
 - Trustee Simonovich asked if operations are being re-evaluated for future events. Chief Gunther replied that operations can be re-evaluated on an annual basis and used in perpetuity if successful. Trustee Simonovich asked to clarify what type of event openly carrying AR-15's. Chief Gunther replied that AR-15's will not be openly carried at car shows due to staff assignments and dependent upon Board approval. Trustee Barker asked if other departments have taken steps to openly carry their AR-15's. Chief Gunther thought that Lisle carried AR-15's during their Eyes in the Skies event. He added that AR-15's are a political decision and each municipality has their own perspective and act accordingly.
- Switched officer partners - Junior and Senior officers
- Armed protection and analyst in 1888 Unified Command Center
- Increase squad car presence around Ty Warner Park

Chief Gunther discussed the long term plans for crisis preparedness include:

- Officers tour buildings to learn layouts
- SWAT trained SRO Durst
- Active shooter drills and education to various entities
- Command staff flexing hours to expand accessibility
- Increased school patrols during arrival and dismissal
- Officers receive scenario based training including Rapid Deployment and multifunctional drills on the range
- MERIT and ILEAS mutual aid task forces
- Excellent equipment including newly centralized and deployable ballistic plates and shields

Mayor Gunter asked if there was a policy to keep squad car windows down for sound awareness. Chief Gunther replied that there is no policy, but it is practice to keep windows down as practicable to allow officers to hear their surroundings above the noise of the radios and other car equipment.

Trustee Nero discussed a training simulation room in Hampshire. Chief Gunther stated that the department is part of a consortium with 14 other agencies to use a mobile training simulator for scenario based training for two weeks per year. In addition, the department has access to the Village of Lemont range where officers perform physically challenging training exercises while practicing shooting.

5. Staffing Update

Chief Gunther discussed the recent changes in staff:

- PPO Wolfer resigned as of August 10, 2022 to Highland Park
- New hires: PPO Riley graduates from Cook County Academy on August 18, 2022 and an offer was just tendered to Ofc. Erdmann from Willowbrook
- With Sgt. Gomorczak's retirement, Sgt. Weibler transferred to Administration from Operations. Sgt. Radtke will transfer out of Investigations at the end of the calendar year. The Operations and Investigative Sergeants will be selected soon. Thereafter, Chief Gunther will submit a request to Manager May, who will request the Fire & Police Commission to promote an officer to a Sergeant to fill the open Sergeant position.

6. Cop on a Rooftop

Chief Gunther discussed the Cop on a Rooftop scheduled for August 19, 2022 from 5:00 a.m. to noon to raise funds for the Special Olympics at both Dunkin' locations in Westmont.

7. CPA and Jr. CPA preview

Chief Gunther discussed the upcoming Citizens' Police Academy (CPA) and Junior Citizens' Police Academy (Jr. CPA) starting on September 28 and 29, 2022 respectively. DC Gruen is organizing the CPA which is close to capacity. If anyone is interested, please contact DC Gruen. SRO Durst is organizing the Jr. CPA and DC Thompson believed that the class was full.

VII. MISCELLANEOUS

1. Chief Gunther presented the layout for National Night Out/Open House which will be held on August 2, 2022 from 5:00 p.m. to 8:00 p.m. Many local companies are attending, two bounce houses are available, Uncle John's Music will have a polka band playing, hot pretzels and hotdogs will be served, and there will be tours of the station.
2. Mayor Gunter asked what is the process when a detective comes out of the division. Chief Gunter replied that officers can apply to be transferred to the Detective division by submitting a cover letter, a resume, and three of what they deem to be their best reports. An interview panel will review the submission and interview the candidates. The detective assignment is a five year rotation. Mayor Gunter asked if there is still a detective assigned to the DEA. Chief Gunther confirmed that Det. Dominguez is still assigned to the DEA, and she is one of three candidates being considered for a promotion to Sergeant. The other candidates are Ofc. Hausner and Ofc. Sage. Mayor Gunter asked if a detective stays in the Detective division if they are promoted to Sergeant. Chief Gunther replied that if Det. Dominguez gets promoted, she will be transferred out of DEA. If a detective gets promoted, they will be transferred out of the Detective division.

VIII. ADJOURN Motion to adjourn by Trustee Brady, seconded by Trustee Nero at 5:57 pm.