

MEMORANDUM
COMMUNITY POLICE REVIEW BOARD
(formerly Citizens Police Review Board)
A Board of the City of Iowa City

DATE: July 15, 2015
TO: CPRB Members
FROM: Kellie Tuttle
RE: Board Packet for meeting on July 20, 2015

Enclosed please find the following documents for your review and comment at the next board meeting:

- Agenda for 07/20/15
- Minutes of the meeting on 06/16/15
- ICPD Department Memo #15-17 (May 2015 Use of Force Review)
- ICPD Quarterly Summary Report IAIR/CPRB, 2nd Quarter 2015
- ICPD General Order 99-06 (Internal Affairs Investigations)
- Office Contacts – June 2015
- Complaint Deadlines
- DRAFT CPRB FY15 Annual Report

Other resources available:

National Association for Civilian Oversight of Law Enforcement
NACOLE provides information regarding civilian oversight in law enforcement nation wide. For more information see: www.NACOLE.org

AGENDA
COMMUNITY POLICE REVIEW BOARD
(formerly Citizens Police Review Board)
July 20, 2015 – 5:30 P.M.
HELLING CONFERENCE ROOM
410 E. Washington Street, IC

ITEM NO. 1 CALL TO ORDER and ROLL CALL

ITEM NO. 2 CONSIDER MOTION ADOPTING CONSENT CALENDAR AS PRESENTED OR AMENDED

- Minutes of the meeting on 06/16/15
- ICPD Department Memo #15-17 (May 2015 Use of Force Review)
- ICPD Quarterly Summary Report IAIR/CPRB, 2nd Quarter 2015
- ICPD General Order 99-06 (Internal Affairs Investigations)

ITEM NO. 3 OLD BUSINESS

ITEM NO. 4 NEW BUSINESS

- DRAFT CPRB FY15 Annual Report

ITEM NO. 5 PUBLIC DISCUSSION

ITEM NO. 6 BOARD INFORMATION

ITEM NO. 7 STAFF INFORMATION

ITEM NO. 8 CONSIDER MOTION TO ADJOURN TO EXECUTIVE SESSION based on Section 21.5(1)(a) of the Code of Iowa to review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition for that government body's possession or continued receipt of federal funds, and 22.7(11) personal information in confidential personnel records of public bodies including but not limited to cities, boards of supervisors and school districts, and 22-7(5) police officer investigative reports, except where disclosure is authorized elsewhere in the Code; and 22.7(18) Communications not required by law, rule or procedure that are made to a government body or to any of its employees by identified persons outside of government, to the extent that the government body receiving those communications from such persons outside of government could reasonably believe that those persons would be discouraged from making them to that government body if they were available for general public examination.

ITEM NO. 9 MEETING SCHEDULE and FUTURE AGENDAS

- August 11, 2015, 5:30 PM, Helling Conference Rm
- September 8, 2015, 5:30 PM, Helling Conference Rm
- October 13, 2015, 5:30 PM, Helling Conference Rm
- November 10, 2015, 5:30 PM, Helling Conference Rm

ITEM NO. 10 ADJOURNMENT

**CITIZENS POLICE REVIEW BOARD
MINUTES – June 16, 2015**

CALL TO ORDER: Chair Melissa Jensen called the meeting to order at 5:42 P.M.

MEMBERS PRESENT: Fidencio Martinez, Joseph Treloar

MEMBERS ABSENT: Royceann Porter, Mazahir Salih

STAFF PRESENT: Legal Counsel Pat Ford and Staff Kellie Tuttle

STAFF ABSENT: None

OTHERS PRESENT: None

RECOMMENDATIONS TO COUNCIL

- (1) Accept CPRB Forum Summary
- (2) Accept CPRB Report on Complaint #15-01

CONSENT CALENDAR

Motion by Treloar, seconded by Martinez, to adopt the consent calendar as presented or amended.

- Minutes of the meeting on 05/20/15

Motion carried, 3/0, Porter and Salih absent.

OLD BUSINESS

Community Forum – A second draft of the forum summary was handed out at the meeting. After review there were no changes by the Board.

Moved by Martinez, seconded by Treloar, to forward the forum summary to the City Council.

Motion carried, 3/0, Porter and Salih absent.

NEW BUSINESS

None.

PUBLIC DISCUSSION

None.

BOARD INFORMATION

None.

STAFF INFORMATION

None.

EXECUTIVE SESSION

Motion by Treloar, seconded by Martinez to adjourn into Executive Session based on Section 21.5(1)(a) of the Code of Iowa to review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition for that government body's possession or continued receipt of federal funds, and 22.7(11) personal information in confidential personnel records of public bodies including but not limited to cities, boards of supervisors and school districts, and 22-7(5) police officer investigative reports, except where disclosure is authorized elsewhere in the Code; and 22.7(18) Communications not required by law, rule or procedure that are made to a government body or to any of its employees by identified persons outside of government, to the extent that the government body receiving those communications from such persons outside of government could reasonably believe that those persons would be discouraged from making them to that government body if they were available for general public examination.

Motion carried, 3/0, Porter and Salih absent. Open session adjourned at 5:51 P.M.

REGULAR SESSION

Returned to open session at 6:11 P.M.

Motion by Treloar, seconded by Martinez to dismiss CPRB Complaint #15-01 and forward the Public Report to City Council.

Motion carried, 3/0, Porter and Salih absent.

Motion by Treloar, seconded by Martinez to set the level of review for CPRB Complaint #15-02 to 8-8-7 (B)(1)(a), On the record with no additional investigation.

Motion carried, 3/0, Porter and Salih absent.

TENTATIVE MEETING SCHEDULE and FUTURE AGENDAS (subject to change)

- July 14, 2015, 5:30 PM, Helling Conference Rm (Rescheduled to July 20th)
- July 20, 2015, 5:30 PM, Helling Conference Rm
- August 11, 2015, 5:30 PM, Helling Conference Rm
- September 8, 2015, 5:30 PM, Helling Conference Rm
- October 13, 2015, 5:30 PM, Helling Conference Rm

Motion by Jensen, seconded by Martinez to reschedule the July meeting to Monday, July 20th at 5:30 P.M.

Motion carried, 3/0, Porter and Salih absent.

ADJOURNMENT

Motion for adjournment by Treloar, seconded by Martinez.

Motion carried, 3/0, Porter and Salih absent.

Meeting adjourned at 6:14 P.M.

**CITIZENS POLICE REVIEW BOARD
(Formerly Police Citizens Review Board)
ATTENDANCE RECORD
YEAR 2014-2015**

(Meeting Date)

NAME	TERM EXP.	8/26	9/15	10/13	11/10	11/25	12/3	12/8	12/29	2/10	3/10	4/7	4/28	5/20	6/16
Melissa Jensen	9/1/16	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Joseph Treloar	9/1/17	X	X	X	X	X	O/E	X	X	X	X	X	O/E	X	X
Royceann Porter	9/1/16	X	O	X	O	O	X	X	X	O	X	X	X	O	O/E
Mazahir Salih	9/1/17	O	X	X	X	X	X	X	O/E	X	O/E	X	X	O/E	O
Fidencio Martinez	9/1/15	---	---	---	X	X	X	X	O/E	X	X	O	X	X	X

KEY:

- X = Present**
- O = Absent**
- O/E = Absent/Excused**
- NM = No meeting**
- = Not a Member

CITIZENS POLICE REVIEW BOARD
A Board of the City of Iowa City
410 East Washington Street
Iowa City, IA 52240-1826
(319) 356-5041

June 16, 2015

Iowa City City Council
City of Iowa City
410 East Washington St
Iowa City, Iowa 52240

Re: Citizen Police Review Board Annual Community Forum

The Iowa City Citizen Police Review Board (CPRB) held the annual Community Forum, Tuesday, April 28, 2015 at 6:00 p.m. Members at the forum were Melissa Jensen (Chair), Royceann Porter, Mazahir Salih, and Fidencio Martinez. Legal counsel Pat Ford was also present. Joe Treloar (Vice Chair) was absent.

The forum opened with a roll call vote and an introduction of members. No correspondence was received for the forum. Jensen shared there was information was available in the back of the room including brochures, both in English and Spanish, as well as complaint forms. There was a brief overview of the CPRB given, along with an update on the video soon to be available.

Following the above, Jensen opened up the forum for public discussion. Julie VanDyke, Fatima Omar, Brianna Gore, Robert Smith, Adam Sullivan, Shawn Gerden, Heidi Kuchata, Harry Olmstead, Joseph Hall, Laticia McDaniel, Tessa Heeren, and Annie Tucker (all from Iowa City) spoke.

Questions and concerns raised at the Forum are addressed below.

1. Community member asked for clarification on the responsibilities and authority of the Citizen Police Review Board.

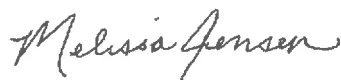
Established in 1987, by ordinance #97-3792, the Iowa City Citizen Police Review Board (CPRB) consists of five members, appointed by the City Council. The CPRB has its own legal counsel. The Board was established to review investigations into claims of police misconduct, and to assist the Police Chief, the City Manager, and the City Council in evaluating the overall performance of the Police Department by reviewing the Police Departments investigations into complaints. The Board is also required to maintain a central registry of complaints and to provide an annual report setting forth the numbers, types and disposition of complaints of police misconduct. The Board holds at least one community forum each year for the purpose of hearing citizen views on policies, practices and procedures of the Iowa City Police Department. TO achieve these purposes, the Board complies with Chapter 8 of the Iowa City Code and the Board's By-Laws and Standard Operating Procedures and Guidelines. The Board has limited powers under City and State law, and has no authority over criminal matters or discipline.

2. A concern was expressed about the use of repurposed military equipment, particularly “MRAP’s. MRAP or Mine Resistant Ambush Protection is a term for vehicles that were originally designed to withstand IED’s and ambushes, or allow occupants to survive gunfire. Johnson County Sheriff Department has a MRAP that can be utilized or deployed by any local law enforcement agency or the Emergency Management Agency for emergency and disaster responses and for a variety of public safety missions.

According to the Iowa City Police Department, the MRAP has been utilized only for high risk situations. Permission must be obtained and there has to be a high risk of a firearms encounter. The department does have a Special Response Team (SRT) and they do have weapons and tactics that are above the skill set of the average police officer. These officers train constantly and are highly disciplined for the sole purpose of minimizing the risk to themselves and the potential rescue of an innocent member of the community should there be an armed encounter.

3. There was discussion on the use of body cameras. In checking with the Iowa City Police Department, body cameras have been ordered and delivery is expected very soon. An exact date for delivery is unknown. The policy regarding the use of video cameras will be supplied to the City Council and public prior to implementation. The ACLU and City Legal provided assistance in the drafting of the policy.
4. A couple community members shared personal belief and expressed concern about the perception of racial disparity and profiling.
5. Other concerns expressed were regarding diversity in the police department, and the need to address human slave trade.

At the conclusion of comments from the public, the Board thanked the audience for their input. Jensen called for the meeting to be adjourned.



Melissa Jensen
Chair
Citizen Police Review Board

Additional Resources:

Iowa City City Code – Chapter 8 – Citizen Police Review Board:

To view the City Code online, go to www.icgov.org. Go to Government, select City Code, Title 8, Chapter 8.

Citizen Police Review Board – Website Information:

General information about the Board and its current members is on the main webpage. To access board packets, the complaint form, forum summaries, public complaint reports, and annual reports, click “More Information Available” on the main webpage. To view information online, go to www.icgov.org, Government, select Board & Commissions, Citizen Police Review Board.

Iowa City Police Department General Orders:

Wide ranges of written directives guide members of the Iowa City Police Department. These directives range from Federal, State, and Local laws or Codes to Memorandums, which identify the manner in which the department does its business. Included in these directives are the General Orders of the Iowa City Police Department.

General orders provide guidance to officers in how to handle a variety of different situations. While they may provide specific recommendations, they are not necessarily intended as a step by step guide, but more as a “how to conduct business” reference, for members of the department. The orders are divided into multiple general headings ranging from Personnel to Operations. To view information online, go to www.icgov.org, Police Department webpage, select General Orders from the list on the left side of the page.

Iowa City Diversity Initiative:

In June 2012, the Iowa City City Council established the Diversity Committee which was formulated to serve as an ad-hoc council committee to review issues relating to diversity within the City organization. The Equity Director is appointed by the City Manager, the Equity Director serves as advisor to the City Manager on issues of equity and diversity, and coordinates the City’s efforts and initiatives with regard to education, customer service, partnerships, and publishing an annual comprehensive equity report. To view information online, go to www.icgov.org, Human Rights, Diversity Initiative.

Johnson County MRAP Fact Sheet:

See attached.

JOHNSON COUNTY MRAP FACT SHEET

What does MRAP stand for? Mine Resistant Ambush Protection.

What is an MRAP (an armored vehicle)? It is designed to allow its occupants to survive gunfire of any caliber and to allow for the survival of its occupants from either a rocket propelled grenade, a pipe bomb, a car bomb or for that matter against any type of explosive charge.

Who made it? The Federal Government bought MRAPs from two United States companies, Oshkosh and BAE Industries (formerly known as Armor Holdings). Johnson County and several Iowa counties have a Caiman MRAP Variant which was built by BAE Industries in Sealy, Texas. It was used by the U.S. Department of Defense as an armored troop transport to get people out and back alive during conflicts. There are many different variants, but this is what this model of MRAP did when the U.S. Army originally owned it

Does it have any offensive weapons? No! The Federal Government 1033 Program removes the only offensive weapon system that was originally installed on top of it. That system was used by the military for counter assault when the vehicle came under attack. It also removed the night vision, communications, active armor that was used to counter rocket propelled grenades the ballistic turret and gun mount systems. Offensive weaponry is always removed by the Federal Government prior to releasing any MRAP to law enforcement agencies nationwide.

How old is the Johnson County MRAP and what are the specs? The U.S. Department of Defense required upgrades to all MRAPs to meet the latest technology before the conclusion of the wars in Afghanistan and Iraq. The Johnson County MRAP was factory rebuilt to "like new" condition in February 2013 and early 2014. At that time, the data plate was updated to reflect its entirely new drive train, power plant/engine and new front engine; mechanically, all but the crew area has seen upgrades. (See photo below). The MRAP has six new run flat tires, ten new seats and new spare parts including additional tires. It has an emergency light and siren/p-a system, a large spotlight mounted on the roof, and a backup camera. All told, the MRAP can haul 10 people in seats with additional room in the center, and it is capable of transporting two additional people lying flat on a stretcher. In addition to being a 6-wheel-drive vehicle, the MRAP has a CTIS or central tire inflation system that allows for air adjustments for snow, sand, mud or highway driving and inflates and deflates or refills air in and out of each tire as needed for the different modes. It has a 110 power-inverter and both a 12-volt and 24-volt system and a new recovery winch on the front. It uses a commercial Caterpillar C7 diesel 6 cylinder engine and Allison transmission, both of which have readily available parts that can be obtained locally and through dealers.

How was it acquired? It was obtained as a Federal Property Transfer which means it wasn't purchased by a local agency; instead it was transferred from a Federal agency to a local law enforcement agency. The program is open to only law enforcement agencies and is called the LESO 1033 Program.

Who owns it? The short answer is the Johnson County Sheriff's Office; however, it is a shared countywide resource much like the special response vehicles such as the Countywide Bomb Truck, and

the Countywide Haz Mat Truck. These vehicles, along with the MRAP, are all covered by the Emergency Management Commission for liability insurance. The MRAP has been signed over to the Johnson County Sheriff's Office, but once it is at the end of its useful life, it must be returned to the Department of Defense for disposal.

What does it cost to insure per year? Since the MRAP can be returned to the Federal Government in any condition at its end of its useful life, the MRAP is only covered for liability insurance. The cost to cover liability insurance for 12 months is presently \$270.00 through ICAP municipal insurance carrier and is insured on the policy carried by the Johnson County Emergency Management Commission.

What did the Federal Government pay for it originally? The cost to U.S. Department of Defense new was \$733,000.00

What did it cost locally to get it and make it so it was useful to Johnson County? Local costs to date were covered using local drug forfeiture or "seizure" funds. This included shipping it on a flatbed semi from the BAE Plant in Texas to Johnson County for \$3,500.00 and it was painted tactical black instead of the original military sand brown color. That cost was just over \$5,000.00 and there were also costs for adding a backup camera and emergency lights to it. The total covered by seizure funds split equally from the drug taskforce member agencies is right at \$13,000.00 which even included the fuel it has used and the fees for instructor operator training.

Why get it? It was acquired as a Defensive Vehicle. It has no weapons systems, gun mounts or a turret on it. It allows officers to save lives and safely remove wounded persons as well as deflect the blasts from bombs. Pipe bombs (which are not uncommon) will have little impact on this vehicle. Parking this vehicle on or near a volatile situation will provide shielding until bomb team professionals can come and safely remove a hazardous device. The MRAP will also allow officers to go into hostile situations reducing the risk of being shot and would allow safe rescue of citizens from gunfire situations. Johnson County is not immune to shootings and other dangerous situations. Since its primary use is for hostile active shooter or explosive device situations, it is basically a ballistic shield on wheels for up to 10 seated occupants and is capable of transporting 2 medical stretchers patients lying flat for use in transporting wounded or injured people. The MRAP can also be used in natural hazards. Johnson County as recently as 2011, had winter storms so severe that 4x4s and HUMVEES got stuck. Deep snow or high water events, where ground clearance and mobility are a problem for standard four wheel drive vehicles, can now be handled with the acquisition of the MRAP.

What are its uses? It can be utilized or deployed by any local law enforcement agency or the Emergency Management Agency for emergency and disaster responses and for a variety of public safety missions. In fact, during the 2014 summer floods its first call out was to rescue people from their flooded property south of Hills. The area in question had no way to get a boat to the residence but yet the water was too deep for a standard 4x4 patrol truck to respond to. Therefore a deputy in a lifejacket and waders with a rescue tether was used as a spotter to make sure the vehicle stayed on the hard surface of the roadway and led the MRAP operator and team to complete the rescue. The truck made its way through waist high water at the deepest point to access the properties and allow the people to evacuate their

residence in the safety of the vehicle. The story was covered by KCRG TV and is available on their website.

How much does it weigh? After removal of all the non-useful mounts and other non-essential items, Iowa DOT motor vehicle officials determined the following:

Left Side		Right Side	Total
Axle 1	9,700 lbs.	9,100 lbs.	18,800 lbs.
Axle 2	8,700 lbs.	8,500 lbs.	17,200 lbs.
Axle 3	8,600 lbs.	8,100 lbs.	16,700 lbs.

Total Vehicle Weight is: 52,700 lbs.

So how does that compare to other vehicles on the road?

Here are the weights of some common vehicles you will see in Johnson County. A fully loaded tandem axel Johnson County Secondary Roads dump truck hauling a load of gravel or sand weighs in at 65,000 lbs. loaded, a fire department ladder truck, like the one Iowa City Fire Department calls Truck 1, weighs in at 73,400 lbs., and a standard fully loaded cement truck weighs about 70,000 lbs. The MRAP is slightly lighter than these types of trucks and has similar fuel standards at about 5-7 miles per gallon of diesel fuel.

Are the drivers trained? Yes, drug seizure funds were used to hire a U.S. Army Reservist to teach the 24-hour MRAP operator course to members of various local public safety agencies that had experience in driving large trucks or had prior military experience. Though not required, most operators have Class-A drivers licenses with airbrake endorsements. Many had driven similar or sometimes even the exact same trucks in the military. Presently eight people are MRAP operators. Operation and maintenance manuals were provided to the mechanics and the drivers who operate it by the government.

Can it go anywhere? No! Every vehicle has its limitations and part of the 24-hour driver training and safety course required for MRAP driving certification took the trainees to the Iowa City landfill with the purpose of teaching them its limitations and what gets it stuck and what it can get through. It is a 6x6 all terrain high ground clearance vehicle with a heavy duty recovery winch on the front of it. The high ground clearance combined with the 6-wheel-drive capability plus the vehicle weight, allows it to go through deep snow, water, some dirt and mud etc.

Has it ever been stuck since we got it? Yes, twice intentionally at the landfill and it was pulled out with a bulldozer both times. This was to allow operators to see what it can and can't do and its limitations. Also during training, one operator pulled over on the shoulder of a gravel road to switch drivers and the truck sank into the soft shoulder and had to be pulled out by a towing company. That towing bill was also paid for using drug seizure funds. Though it was an unplanned incident it also proved to be a

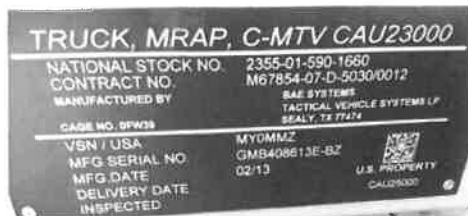
valuable lesson to the operators taking the course. The rut was re-graded after the truck was pulled free.

Who else has them? There are 15 MRAP or armored vehicles used by public safety agencies in Iowa. Below is the list as of August 2014.

Station Name (LEA)	Item Name	Quantity	Model
JOHNSON COUNTY SHERIFF DEPT	MRAP	1	6x6 Caimen MRAP
BLACK HAWK COUNTY SHERIFF DEPT	MRAP	1	6x6 Caimen MRAP
MUSCATINE POLICE DEPT	MRAP	1	6x6 Caimen MRAP
SIOUX CITY POLICE DEPT	MRAP	1	6x6 Caimen MRAP
MARSHALLTOWN POLICE DEPARTMENT	MRAP	1	6x6 Caimen MRAP
STORM LAKE POLICE DEPT	MRAP	1	6x6 Caimen MRAP
JASPER COUNTY SHERIFF DEPT	MRAP	1	6x6 Caimen MRAP
WASHINGTON POLICE DEPT	MRAP	1	6x6 Caimen MRAP
MASON CITY POLICE DEPT	MRAP	1	6x6 Caimen MRAP
STORY COUNTY SHERIFF'S OFFICE	MRAP	1	6x6 Caimen MRAP
BUENA VISTA COUNTY SHERIFF'S OFFICE	MRAP	1	4X4 OSHKOSH MAX PRO
SCOTT COUNTY SHERIFF'S OFFICE	MRAP	1	6X6 MRAP RG33
WATERLOO POLICE DEPT	LENCO BEARCAT	1	Lenco Bearcat
DES MOINES POLICE DEPT	LENCO BEAR	1	Lenco Bear
LeMars POLICE DEPT	PEACEKEEPER	1	PEACEKEEPER

Can we see photos?

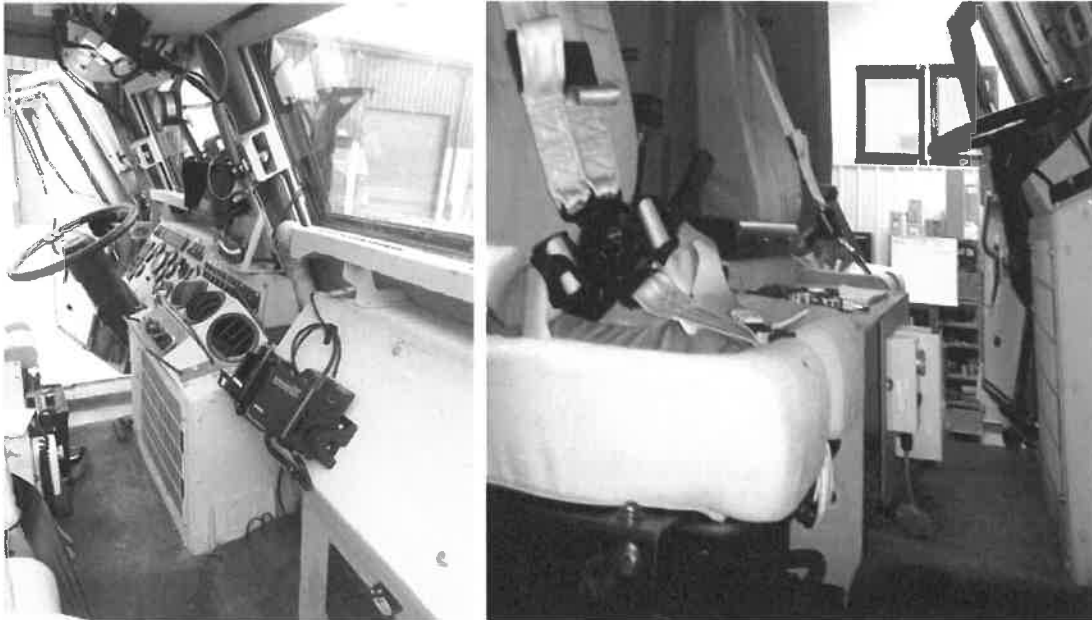
Data Plate below:



Rear crew compartment with 4 seats per side. The stretcher mounts are in between seats and swing down when needed and up out of the way when not in use



Inside up front with portable radio mounts, antenna connections, the siren/pa box, and the backup camera monitor shown



Picture of the side and front of it below with winch and spotlight shown



Board Members Present: Melissa Jensen (Chair), Royceann Porter, Mazahir Salih, Fidencio Martinez

Board Members Absent: Joseph Treloar

Staff Present: Pat Ford (legal counsel)

CALL TO ORDER & ROLL CALL:

Jensen/ Okay, if we could go ahead and like to call the meeting to order. Um, first off I gotta do roll call. So...Joe Treloar is our Vice Chair and he's absent. Fidencio Martinez.

Martinez/ Present.

Jensen/ Royceann Porter.

Porter/ Present.

Jensen/ Mazahir Salih.

Salih/ Here.

Jensen/ And Pat Ford.

Ford/ I'm here as well.

Jensen/ Thank you very much!

INTRODUCTION OF BOARD & BRIEF OVERVIEW:

Jensen/ Okay, um, just a really quick overview for the folks in attendance. Sorry about that! Have to remember to speak into the microphone. Um, we're going to do just a quick introduction of the Board Members. So...if you don't know some of the Members, you can learn who they are and...if...if we would, uh, as we share the information, how long we've been on the Board just for...for everybody's information, and then if there's anything else I'd like to share. So...Royceann, if you want to start!

Porter/ My name is Royceann Porter and I've been on the Board since March of 2010.

Jensen/ Okay, and I'm Melissa Jensen. I'm the Chair of the CPRB and I've been on since... November of 2010. Uh, Joe Treloar, our Vice Chair, has been on since...I believe 2009.

Saliah/ Mazahir Salih, I'm on the Board for two years now.

Martinez/ My name is Fidencio Martinez and I've been on the Board for about five months.

Ford/ My name is Pat Ford. I am not a Board Member. I am the legal counsel for the Board. I'm an attorney here in Iowa City and I've been, uh, in that capacity about a year.

CONSIDER MOTION TO ACCEPT CORRESPONDENCE AND/OR DOCUMENTS:

Jensen/ Okay! Um, Item #3 on the agenda tonight is...uh, considering a motion to accept correspondence and/or documents. We received no correspondence, so there is nothing to accept. So we'll move on to...um, just a...I'd like to do just a quick overview. If you've heard this before bear with me, um, but I feel...I'd be remiss if I didn't share the information. A couple of things on the table, the back table, there are, um, brochures about the CPRB. They are both in English and in Spanish. It...just kind of an overview, talks about the process. There's also some other information that lists things like the City web site, um, and other resources, places you can get information, and then there are forms for the complaint process, so that you can see how that works, as well. Um, so those are back there. Feel free to pick those up, um, and read through those. Um, quick overview. The Board was, uh, originally formed in 1990, and...couple things kind of interesting – it was originally named the Police Citizen Review Board, and a couple of years ago that was changed, based on feedback from the community, to the Citizen Police Review Board. Most recently, um, upon recommendation from the Charter Review Commission, there was a suggestion to Council to...change the name again, but, uh, I think a...a great change, but to change it to the Community Police Review Board. So again, keeping more that community rather than citizen, and using that language. That does have to go through three readings at Council, if I...if I'm correct, and so that change has not been made yet, but you will probably see that coming down the road. Um, there are five of us Board Members and...as Pat mentioned, we do...he is our legal counsel. Um, he is legal counsel to the Board and doesn't work for the City. Um...and again, the information in the back kind of explains what we do. Um, and how things work. So...hopefully that information is helpful. Um, just this past year, we did, uh...one thing I want to mention and I was hoping that this would be finished by now, but we're very, very close to finis...finishing a short educational video that, um, will be on City Cable Channel. It will be possibly used some other places, and so that's really close to being done. We had it pretty much finished, made some modifications, and that should be done here shortly. Um...and then information, um, about...complaints and information that...about reports that we do, um, that come through. That information is all available on the different complaints that are filed. The...the final reports on those are available on the City web site. So, you can go there, and again, that...that web site is listed on the document in the back of the room. So you can go there and you can look at those, that information on...the variety of those complaints. Those are the reports that go to Council. You can see that. So, um...other than that, um, let's move on, if we would, to Item #4, that's public discussion and a couple of things about that. We are being recorded, obviously, and that's so it will be, um, this will be available on...the City Channel at a later date. Um, if you come up to the microphone, we ask that you please sign in and then introduce yourself. Let us...use the microphone, let us know who you are, and then I would ask, um, that you be respectful of others that are here tonight, so try to limit, um, your...your comments to five minutes, and then once everybody's had a

chance to speak that wants to, if you have something additional you'd like to share, you can get back up. Absolutely! And we'll stay as long as we need to, um, you know, to make sure we get through everything. So, if that sounds fair, why don't we go ahead and open it up to public discussion!

PUBLIC DISCUSSION CITIZENS POLICE REVIEW BOARD:

VanDyke/ It's a really difficult time right now for everybody and I'm thankful I live in Iowa City. More thankful than...I am, or not in Iowa City, but in the Iowa City community, and I'm rather thankful for it more...more so than I have in the past. Um, I'm much older than I often act and...I'm turning 50 next year and I grew up with Eric Shaw, um, knew him very, very well. Um...Professor Goertz, who was killed by Gang Lu, was the father of a, um, two of my friends that I went to high school. I went to high school here, and over these years that I have lived here, gone to San Francisco for nine years and come back, I have seen a significant change in culture here. And I'm really appreciative for the work that you guys do and for what you've done and what you've opened up, because you've opened up a lot of that change and you've helped affect that culture. Cultural change here, which is, you know, always...needs to be...you know, fine-tuned and worked on, and it's not something that ends. It's...it's a...it is a community engagement and...and...and the work that you guys have done has been really, really important. Um, but I'm also really, really happy.

Jensen/ Ma'am, if I could (both talking) I apologize!

VanDyke/ Julie VanDyke, 3635 490th Street SW. I won't usually do that for the School Board cause I get stalked! But...(both talking)

Jensen/ Thank you for sharing that! I forgot, I should have (both talking) apologize for interrupting you.

VanDyke/ My bad! I'm out of my element as you all may well know, but um, I just, you know, I'm very upset about the things that are happening in the world and in this country, and I foresee a very dangerous summer for a great many people across the United States, and I'm fearful of it, but I'm thankful for the culture that you guys have helped affect change to here, because I've seen change here, and I'm thankful for the...the...the changes that Hargadine has affected here, and I've seen, you know, I've lived through what, three, four different police chiefs here? And...um, what I've seen is openness to...self-examination of the Department that I don't think we see in very many other police departments in this country right now. Um, and...and um...and you guys have helped with those things. I...I've seen...a very different relationship with the Iowa City Police, um, and the community. I've seen the entire shift show up to the Homeless Children's Trust, and I'm really proud of them for doing that, and I've seen so many officers show up to the Martin Luther King celebration at Grant Wood, and that was on their own time. You know, we can't even get our School District to recognize the holiday or talk about it, but they all showed up there and they respected the community and they respect other communities as well, and I appreciate this, and I appreciate this as we go into a summer

that I think is going to be very dangerous, and I would actually say that the relationship that you guys have s...have worked on with them and the changes that you've all contributed to are actually an example to other communities throughout the country, because we have a police department here that actually works in the community and wants to make positive change, and yet they make mistakes. We make mistakes, but... but they're actually looking at them and doing things, and you guys helped do that, and I appreciate that. Um, I look at our...our police and we were some of the first to have body cameras on there, instead of fighting it! You know, and that protects everybody – them and the people that they pull over. It protects everybody! And, um, you know... (sighs) I just...I see increased cultural competency and a willingness to look at that. I see what's happened with the report that, as I understand it, Hargadine actually went after, the study that was done, that actually showed where there were officers that had issues that were not in-line with what our community wants, and my perception is that those issues are now being addressed because of that, and a lot of police departments and a lot of police chiefs (laughs) wouldn't have gone after that study, and they sure as hell wouldn't have released it when it showed something that wasn't perfect, or they would have spun it, and they didn't! They got it out there and they took responsibility. And know that after what I've watched happen over the last year and two years, in...in other communities that when I've seen re...some recent issues that were, um, in the...in the media, such as the man who was pulled over, and I won't, you know, say names or anything like that, but the man who was pulled over who had a...a wea...who was drunk driving and had a weapon in his sweatshirt. I look at that and I read that and I'm like, Oh my god! We are so lucky because nobody got hurt! That was actually handled so beautifully here that he didn't get shot and the officer didn't get shot, and I'm just really thankful for all of this and I'm thankful for the work you do, and please continue, and please continue to, you know, examine. It...it is on-going, but um...I thank you and I thank the Iowa City Police Department for...for actually examining the cultural relationships between the police department and the variety of communities that we have in...within our community, and that you are all open to that and working at it, instead of just getting defensive and, um, digging in. So, I appreciate that, and I appreciate the officers here who, um...who...are the kind of officers that I want to see on the street, and I have to say, I have sympathy for many, many different factions in what's happening around us right now, and I of...also have sympathy for them because...just because they have the uniform on, they end up becoming a target for the rage that we're not able to...to...to deal with, um, and um...I appreciate them sticking it out in that and I appreciate the officers that...that show up at the Homeless Children's Trust and Martin Luther King Day celebration that I was at, because...um...they're setting an example and they're setting an example for other people with on...within the police force here, but also for other police departments, and thank you for engaging with them and allowing them to do that too and encouraging it, because it helps them do it, and I think we actually set a really pretty darn good example here to other communities throughout the United States, and definitely throughout Iowa, and thank you so much for all that you do!

Jensen/ Thank you.

Omar/ Hello, my name's Fatimah (can't hear) Omar and I'm from Iowa City, Iowa. Um, I'm a sophomore in college. I'm a business management student and I'll be going to Iowa in the fall and I've always had a huge interest in socio...um, in societal issues and the whole, um, socio...sociological aspect, and um, I would like to start off with this quote. The hottest place in hell is reserved for those who remain neutral during a crisis. This quote is originally from Italian poet, Dante Alighieri but was used a lot by President, um, John F. Kennedy. I'm here because I would like to talk about the racial dis... disproportionality when it comes to non-traffic arrests. Between 2009 and 2011, Johnson County prisons held an average of 40% or more African American inmates when they only make up 28% of the residents here in Johnson County. Not only is this a local issue or a national issue, but...it's also a global issue. Take Australia, for example. The majority of people there are white and are from Irish or English descendants, but their prisoners are most...their prisons are mostly filled with Australian natives, the Aborigines, and Asians, such as Filipinos, Indians, and Laotians. Most African Americans and Latinos I know...here, um, said they have had an experience where they have felt that they were racially profiled by an Iowa City police, or know someone who has been, and...not saying all Iowa City police are bias. Um, Iowa City police...um, some Iowa City police need to do a better job of practicing equitable policing procedurals and practices. There needs to be a stop on Fourth Amendment violations and unnecessary strip searches when it comes to African Americans and Latinos. Growing up here my whole life, I have heard many boast about how diverse and liberal this community is. But, diversity is more than just University racial demographics or diversity banquets where you get to sample different cultural foods. Many people here focus a lot on animal rights, woman's rights, and friendly environmental practices, but are hesitant or at a discomfort...discomfort when it comes to racial issues here in this community, such as...unequitable policing and racial dis...and racial disproportionality and crime. The only time people are...interested in black issues or other minority issues or saving a black, uh, life is when it comes to breeding good athletes or entertainers. I just hope one day our community will be as diverse as we say it is, because I want to settle down here after I graduate from college and raise a family here in Iowa City, and... I don't want my future children or grandchildren to be racially profiled. I know we can make a change in this community and we can start with the Iowa City police, because if we don't strive for soc...for social change then this just might...this might be the next Ferguson and we might have some future Trayvon Martins or Eric Garners. Thank you. (applause)

Jensen/ Thank you.

Gore/ Hi (clears throat) Excuse me! Have kind of a sore throat. My name's Brianna Gore. I've been in Iowa City since I was one years old. You know, basically born and raised here in Iowa. Whoohoo, Hawkeyes! (laughter) Um, I've been going to Grant Wood Elementary School...I went to Grant Wood Elementary School, Southeast Junior High, and City High, been growing up here. At first, I didn't really see a lot of...a lot of people of my race, you know, when I was younger. So, it was kind of hard like to find out who you really are if you don't have like a lot of culture here, you know. And...growing up, it was kind of difficult for our family because we lived in a predominantly white

neighborhood and I got told even...when the black people I would see at school, like oh, you talk white! Or you talk this certain way, you know, I wasn't black enough. So, it kind of affected me. When I got older, I started to realize a lot of people in our communities when a lot of...a race would start to move in, like near Broadway and all those places, I noticed the police was patrolling really well over there and just waiting for something to happen, and it's mighty funny like how even my dad, I mean, no...no bad... he has a really good driver's record and everything, but he stop...he's stopped by the police and he's immediately asked, 'Can we see your license, registration, insurance,' quickly, without even...and he's wondering like, 'Why did I get pulled over?' and 'Oh, your taillight is out,' you know, little excuses, and asking, 'Sir, can you step out of the vehicle,' you know, asking small things that's unnecessary and...I was looking, I'm like, okay that's kinda awkward like for my dad to be stopped. So...I'm riding along with a couple of my friends and I and yes they were speeding and they get stopped by the police and...I was, and they're predominantly white, and...when they get stopped, it's a whole different attitude when they're approached, and I feel...and it...and the police officer basically stopped 'em over like, 'Oh, could you slow down,' and 'have a nice day.' They didn't ask 'em to get out the car or check 'em or anything. I feel like...I mean, just even from that small example, racial profiling, it's really high here and when we talk about culture, what culture are you talking about? We're not talking about Africa. We're not talking about where...we're originated from. We're not talking about basically that we were kings and queens and...for someone to even say that, 'Oh, the police department, they came to, oh, Martin Luther King Day at school.' How many times are we going to preach about Martin Luther King when we need to learn about Marcus Garvey and all the other political figures that were from Africa, you know, and also with the police department, it seems like when they...coming to like Taylor Drive and Broadway neighborhoods, they're always searching for a prom...problem, like in the summer of August 2013, like there was even some guys like just sitting out on the front porch of the Broadway Neighborhood Apartments, just sitting out there and they were predominantly black, sitting out there and the police came over and was harassing them right away. And I'm just wondering, why? Like...and they're saying they're loitering. How are they loitering when they live there? You know, little small things like this, and...(mumbled) I'm 19 and I'm noticing this. You know? I have a son. I want my son to at least, you know, look around where...to where he doesn't have to feel like he has to dress differently or act a whole different way just to be accepted by the police. I feel like we should do...I feel like the police department should do a lot better, a whole better job than just to look at the color of your skin and stop them right away, becausewhat I'm seeing is basically...racial profiling and you can tell us to, 'Oh be quiet,' or 'We're fine.' You know, you can throw me the statistics but from what my people, what we're seeing, is we're being racially profiled and I feel like a huge change should be done in our community and stuff. And I don't want to hear anything about culture...cultural things because barely anybody knew the (mumbled) place in the middle of April...of this year, barely anybody knew that! So...I don't know what else to say but I feel like there's more work need to be done with the Iowa City Police Department, and also the Coralville Department. Thank you.

Jensen/ Thank you (applause)

Smith/ Hello, I'm Robert Smith. Um...Iowa City resident since 2000 and, or 1998. Pretty much...she touched on a lot of points that I would like to address. Um, racial profiling has become a bigger issue. When I first moved here I was one of the only African American kids in my classroom. Once I got to high school I started to notice that there were a lot more African Americans in our classroom. It got to a point where...the African Americans in our classroom were doing things that were...making it hard for other white students to attend classes or whatever it may be, and it became very apparent that they were scared. I think...the Iowa City Police Department sees African Americans as a threat...to the society. Racial disparity is...it's blatant, it's in our face. I don't like to ride around with my African American friends because I feel like I'm at a higher chance of getting pulled over for no reason. I'm not a troublemaker. I was an athlete...my entire career in high school. It kind of pains me to see...that a community as, that's supposed to be so liberal...when I first moved here, I...I, it was actually great, but now to a point where...it's hard to...it's hard to look at. Um...thank you. Um...African Americans, I think, make up about 25% of our population, yet we are over eight times more likely to be...prosecuted for marijuana when in all actuality, African Americans and Caucasians use marijuana at the...pretty much the same rate. Uh...the...the discrepancy in that pretty much proves our point, that there is racial profiling going on, there is...the war on drugs is...is affecting lives in communities as small as Iowa City. I think that's all I'd like to touch on. Thank you. (applause)

Jensen/ Thank you.

Sullivan/ Hello. My name is Adam Sullivan. I've lived here in Johnson County for 25 years. Uh, and I live on the east side of Iowa City right now. Um, I came to this event last year, uh, and I told you I was worried (noise on mic) Excuse me! I'm breaking stuff over here! Uh, I told you I was worried about, uh, all of the military equipment that's coming back from Iraq and Afghanistan and it's ending up in police departments all across the country. I come here tonight a year later to tell you that it's worse than it was a year ago. Um, in the past year we found out that the Johnson County Sheriff's Department, um, has a big old tank. They call it an MRAP, um, but it is a war machine built for desert warfare. Uh, I understand that's a different jurisdiction than yours – that's the County and this is the City, but as you know, the Iowa City Police Department, uh, does participate in the Johnson County Drug Task Force, uh, which that vehicle will presumably be used for. Uh, the Iowa City Police Department, uh, for its own piece, has a full SWAT team, full SWAT equipment. They have ballistic coverings. They have tactical weapons. They even have chemical munitions – they have tear gas that they could throw at citizens if they wanted to. I think we've all seen in the past few days the scenes from Baltimore. Um, what I've seen has been very scary. Uh, you see full military style officers, decked out with their shields and their weapons, standing apart from, uh, almost entirely unarmed people. In fact, all unarmed people. I don't think that should happen anywhere in the country and I definitely don't think it should be happening, uh, here in Johnson County, uh, and I'm worried that it could. Um, right now the police department has a wide range of, uh, reasons they can call in their, what they call the 'special response team,' their milis...military style officers. I think we need a

policy that says unless there's an active shooter or a bomb threat, that we're...we're going to leave the MRAP in the garage. We're going to leave our semi-autom...automatic weapons at the shop. And so I'd like to see your Board, as well as the rest of the community, come together and, um, get the City Council to take a serious look at what rules we need in place to govern the military style equipment that we have. Thank you.

Jensen/ (applause) Thank you.

Gerden/ Hi, I'm Shawn Gerden. I've been part of this community since I, uh, started kindergarten at Roosevelt Elementary in 1995. (clears throat) And, um...I wanted to talk to you guys today about the body camera program that is in place and is being ramped up and implemented. Um...you know, I think one thing that we saw with Eric Garner was that, uh, the police choked a guy to death while they were on camera. While other people were holding the camera. Uh, we've heard a lot of accounts of officers are, uh, just turning their cameras off. In fact there was an officer that was indicted in a different part of the country for continually having his camera off, uh, when confrontations happened.

Jensen/ If you would just speak a little more directly into the microphone.

Gerden/ Thank you very much!

Jensen/ Thank you.

Gerden/ So...um, with the body, uh, camera program that we have...um, what I, you know, what I'm looking at is that Eric Gardner was killed on camera. Other officers have been caught not turning their cameras on, or turning them off. Uh, our cameras are going to be officer controlled, and so, um...you know, I think we definitely need, uh, guidelines for what the appropriate way to use these is and how the information is disseminated. Uh, on one hand if they're going into a private home, uh, for a medical call, I don't think we'd...we necessarily want a...curious parties or the media to be able to see the interior of someone's home. On the other hand, uh, when there's a public controversy, I don't think we want them to be able to sit on that...I don't think we want them to be able to sit on the footage, uh, and say, 'It's an active investigation,' and just sit on it for a year or two years, until the point where the outrage has died down, and so I think what we really need are, uh, some of these policies looking at, uh, the militarization, looking at the way raids are used, looking at civil (mumbled), uh, and marijuana policy, and we need real substantive changes because I don't think these body cameras are going to be, um, a silver bullet by any means the way that, uh, they've been perp...portrayed and people were very excited about (clears throat) uh, very excited about 'em. So I guess the...the three specific questions that I have, uh, that I would hope you would choose to address, or else I'm just sort of here just talking for no reason, uh, what I'd...what I'd like to know is...what should we do if, uh, we have a police officer who's continually not using his body camera? What should the punishment be for that? Um...you know, what would we...what we do in that case, and I...and I guess I have...and I guess I have another question, which is, um...we saw the Walter Scott shooting in South Carolina, where we got a panoramic view of a police officer chasing after a guy and gunning him down,

shooting him eight times in the back as he ran at a full sprint. Um, and so you have the... you have the photographer for, uh, Eric Gardner, he actually is in jail right now. He's in jail and has been in jail, uh, but it seems often that these, uh, these police abuses, um... are best portrayed when it's done with a private citizen cell phone. So the first...the first question is, and it's only two, is...what do we do if an officer isn't using his body camera or turns it off? What's the enforcement mechanism, and what's...what's the, uh, what's the penalty, what's the punishment for the officer? And then second question is, what should the penalty or a...be for an officer if he intimidates, uh, someone from recording on their own cell phone, or if he attempts to delete that footage? Uh...you know, what a lot of people hear, right before they're killed by the police, is that the police are worried for their safety. So can I stand at this distance and film you if you're a police officer, or is he going to scream in my face and say he's worried about his safety? And so...your body cameras aren't going to be a silver bullet, so what's the punishment and enforcement for those? And then also, um, what's the protection of citizen's right to record the police? Thank you. (applause)

Jensen/ Thank you.

Kuchta/ Hello, my name is Heidi Kuchta and I've lived in this town for about 10 years.

Jensen/ Heidi, if you could sign in real quick, I'd appreciate it. Thank you!

Kuchta/ I will!

Jensen/ Thanks! We do that in part not because we're trying to keep track of everybody, but more that when there's a transcript done of this and it's included as part of our annual report, we make sure that we have people's names correctly and that information, so...

Kuchta/ So I actually have some concerns, or just things that I've noticed about the actual complaint process itself. Um, so one thing that I noticed is that the police chief has sort of the absolute authority over sort of the investigation. He will ultimately make the decision as to whether or not an officer, uh, you know, basically under his power will be punished or not. And then I noticed that after the...(clears throat) after the little sheet you have here for a complaint, it says...a person who reports or causes to be reported false information to a fire department or a law enforcement authority, knowing that the information is false, or who reports the alleged occurrence of a criminal act, knowing the same did not occur, commits a simple misdemeanor. And then it goes on to say that... if...if you're contesting a more severe crime, and you lie about that, then you will actually get an aggravated...or a more serious misdemeanor. So my concern here is that in some ways, someone who's already been sort of victimized, um, by...not sort of, but someone who has been victimized by a police officer wants this sort of form of recourse, they're actually almost signing on to the possibility of being charged with a misdemeanor if the police chief finds out, for example, that...well, not if the police officer finds out, but if the police officer, you know, finds the officer in question not guilty or something, he could say, 'Oh, well, you made a false report. Now you also have a misdemeanor.' And so I feel like the people who are...who need this process might be sort of turned off

by the idea of opening up an investigation at the end of which might result in them getting a misdemeanor, on top of the bad incident they already had. Um, I...I could see this happening and so I'm just wondering more about...sort of the process in general and how the review board, you know, you and us, how we're going to help these investigations not further criminalize people who already had a...a problem or a confrontation. And that's my only concern and comment today. Thank you.

Jensen/ Okay. Pat, you want to (applause) speak to that a little bit or...

Ford/ I don't know if this is the right time to (both talking)

Jensen/ Okay. Okay! All right. Thank you. (someone speaking from audience) I...I'm sorry, I can't hear you, ma'am. (several talking) Yeah, you bet. You're more than welcome to ...after everybody's had a chance to speak, to get back up if you have something additional you'd like to share. Absolutely!

Olmstead/ Hi, my name's Harry Olmstead, and one of the things I'm concerned about that we're kind of ignoring in our community, and that is...the human slave trade that's going down highway 80. We have children as well as adults that are kidnapped or not...they disappear, uh, but they're being put into a slave trade of prostitution, uh, and other types of, uh, of slavery, and I think we have to take and, uh, address this issue and I would highly recommend that the Police Review Board go in collaboration with the Human Rights Commission to take and put together a program, an educational program, in this community that can address this. Thank you. (applause)

Jensen/ Thank you.

Hall/ Uh, good evening, my name is Joseph Hall. Do I have to give more information?

Jensen/ No, that's fine.

Hall/ I mean, I don't mind. I just don't know that it's relevant. Um...I don't know...um...if I'm saying things that aren't within your jurisdiction or not. It's...there's too many things to look up, but uh, I think that a lot of your work is reviewing complaints from citizens, uh, about conduct of police. Um, and that's...good, um, and you're supposed to be making recommendations to, uh, City Council. Um, one possible recommendation, um, could be looking, uh, at like for example there was a study done by St. Ambrose University, uh, for disproportionality in police stops and police arrests. Um, and it showed that Iowa City Police are, um, twice as likely to, at least twice as likely. Some are far more than twice as likely. Uh, to pull over or stop, uh...a minority person as opposed to a white person or...within the context of this study, uh, a white person or an Asian person. Um, but there's also, um, so there's all kinds of things that go into why that could be. Um, but there's racial biases, a huge one, but there's also like financial incentives for police to be stopping people. Um, they get, uh, federal money for drug arrests. They get, um, they're able to seize property, uh, within those contexts, and use the proceeds of that with, like for the police department. Um, and so...disproportionately stopping, uh, black people

tends to be okay for Iowa City, as most people here have been complaining about. Um, it's not okay for me. I don't think it's a lot of case...it's okay for most of the people in this room, uh, but there's not a huge public outcry against it. Um, and so it seems that the Iowa City Police Department is able to utilize maybe their own bias, um, and...the...disregard of most of the city, uh, for the rights and the liberties of African Americans in this community to also profit from that abuse, um, and I don't know if you're able to add more people to your staff with expertise, um, but...uh, if you could find somebody that could help consult with you on that or, I mean, I'm not an expert or a statis...statistician, um, but...I think there's a lot of...validity in what I'm suggesting. Um, and it may be possible to spend some of your time looking into things in which...or ways in which the police department, uh, systematically, um...kind of behind the scenes, um, even perhaps not necessarily, uh, that they're even cognizant of this, uh, in terms of the...the incentives they have, to abuse certain people's rights and certain people's liberties, and certain people's bodies, uh, for their own profit. Um, and so...starting to try and look in those directions, as well as the individual cases that are brought to you, uh, might be a fruitful endeavor. Thank you. (applause)

Jensen/ Thank you.

McDaniel/ Hi, my name is Laticia. I'm sorry I'm really kind of sick, so I'm going to try to...talk as great as I can, but I just basically had one question about, um, according to the literature that you have. It says that you only have limited civil administrative reviews, powers, and have no power or authority over criminal matters or police discipline. So I'm just a little bit confused about what actually you do, because (laughs) if you have no power to actually make any recommendations for discipline, when there is a chance of misconduct within the police department. So, I mean, what is the purpose of this board? If you...if you can't do anything, and also, uh, what is it as citizens that we can do to actually give you more power and more...within the board, is it something that we need to do as far as like a...a ballot initiative or talking to City Council and...cause we want to give you more power and more accountability, um, to go after police officers who are being abusive to people and to actually cut out the chief when it comes to these kinds of things, because I don't think he should have a say on what you should review and what you shouldn't review. So that is what I wanted to say, so if you can answer those two questions about what actually you do and how can we help you to become a more powerful board, to actually deal with abuse in Iowa City. Thank you. (applause)

Jensen/ Thank you. (several talking) Yeah, typically what we do is we take the information and then that is shared back with Council and we look at questions and we will respond to those, but it's...this is more of an opportunity for members to share their concerns. So...

Gore/ Hi, me again! I would also like to bring up a point. For the body cameras. Um, you did bring up a good point about the body cameras. What's really the main point of body cameras, cause...even if...someone's standing aside and getting a whole video tape of whole...of what's going on, um, I feel like the body cameras and the police, it would just be front-forward, you know, of what's going on in front of you. You know...I'm just concerned like about like...like how wide of a range is the camera going to like...what

it's gonna get, because even when the video camera is even shot from the police car, it gets a wide range of what's going on, but it doesn't really, you know, look into like what's actually, you know, happening in front of you. I feel like it's also a bad idea cause...even when you have a police cam...or a body camera on you, I feel like you're just giving us like a...excuse for us to be quiet like, oh, they have a body camera; it's okay! You know? That's all I have to say about that. (applause)

Jensen/ Thank you.

Heeren/ Um...my name's Tessa Heeren and you guys can't answer any questions right now, is that right? I just wanted to know, you mentioned the, um, education vid...educational video. What is that?

Jensen/ It's just a very short video that, um...was another way that we came up with to get information about the CPRB. So, who we are, what we...what we do, um, another way of reaching out to people.

Heeren/ Okay. And, um, so...as far as I can tell what's going on here is we make suggestions to you, you make suggestions to the City Council, and then they...suggest things to the police and that's how we're addressing this? Addressing these concerns, is this chain of suggestions? (laughter) I...I guess...I mean, that's something to think about, I guess. Um...yeah, so, um, I'm studying social work here at the University, and I've been doing a lot of research about, um, disparities in education and the justice system. And, um, I think that racism is something that's systemic. It's bigger than schools and the police force, and it's something that those institutions just happen to have the numbers for...that show these big gaps. Um, yeah, and I wanted to talk about, uh, I don't mean any disrespect to the lady that spoke earlier, but she was kind of praising the police force for not shooting somebody, and I just don't want that to be our standard for expectations is somebody not dying (laughs) because uh, that's pretty low expectations, I think. Um...yeah, and as a social work student, um, when we're talking about disproportionality and um, all of these, uh, obvious...unjustices, it seems that the interventions are always focused on the...victim or the perpetrator (mumbled) it's more like preventative, oh, we need to you know help them, they, you know, they're the ones who are breaking the law and they're the ones who need to be addressed, but um, it's really a two...there's two parties involved in this, right. It's the police force and the community, and all of the focus of the people that we need to fix are going to the community, and the police force is infallible and they continue to do what they're doing. So I don't...I don't know if there's any kind of opportunity to, um...really, and I know you...seems that you guys don't have very much influence in police policy...yet. So...um, and another thing, uh...this St. Ambrose Study that this other gentleman was just talking about, I was also looking at that and um...the...diversity within the force is pretty dismal. I think there's three people that aren't white, and of the 77 people on patrol, all of the leadership, sergeant, lieutenant, captain, um, are white people and I don't think that's any...um, I'd guess I just want to know what the police force is doing to actively change those numbers because I don't think, um, those three people that aren't white in the police force really have a chance to move up. I mean, working in that kind of environment, you know, you kind of wonder

what the culture is like there, within the force. I mean we can talk about cultural competency with the police and the public, but...what about the police officers themselves and the people that they work with. You know, how...what would it be like to work in the police force as a minority person. So...there's that. Um...yeah, I think the, um, focusing on these small things is really, uh, someone was talking about it earlier, just the...um, the waving of the Fourth Amendment and the, um, I was looking at the Know Your Rights presentations that the police do and they do that upon request, I guess, and I just don't know that, um, it's on our responsibility to request that information. I guess I just wish they would do it more regularly, open to the public, so people do know...I think people'd be less defensive and less, um, ready for conflict if they were comfortable knowing what their rights were, knowing if they do need...do have, um, if the officer has a right to search them at that time. I guess, and um...yeah, and I guess (laughs) another thing. Sorry, I'm going on forever, but um, another thing I wanted to talk about was just the enforcement and the accountability within the force, and um, with that...with that culture I was kind of mentioning earlier of this overwhelmingly white force, um, I kind of wonder what it's like when someone has a, um, questionable encounter, whether it's like, hey, don't do that! Or, you know, I don't know...I...I would like to see something that is documented that is transparent, that um...follows that officer, um...and...yeah...I guess that's, okay, one more thing (laughs) Um, when...when I'm looking at the disparities in the education system, Georgetown University is, um, working on this really good, uh, program that takes almost every kind of infringement in the school system, and it's breaking it down into very objective policies. If this action happens, this is the action that we take, and um, I guess I would just like to see something more like that in the justice system, and if we can take the subjectivity out of it, and the officers are following a policy, that is set...set in place, then they can't...they can't be, um, blamed for what they're doing. I guess. So, yeah! I think that's all I had. Thanks! (applause)

Jensen/ Thank you.

Sullivan/ I apologize. Uh, I didn't want to take up too much time. Adam Sullivan again. Um, I just wanted to add one more voice, um, to the idea that, uh, this Board is not as powerful as it needs to be. Um, you don't have the authority to make the substantive change that we need for our police department, um, and I also wanted to make, uh, everyone here aware that, um, this Board is established, uh, through our City Charter. Um, there is a process for citizens to amend that Charter, and so if you think we need a better, uh, Community Police Review Board, uh, we can do that. It's not too arduous a process, um, and I think that's a really healthy conversation for our community to start. (applause)

Jensen/ Thank you, Adam.

Gore/ (laughter)

Jensen/ That's all right!

Gore/ Also another thing, um, I feel like we should get the more...word out and to where my people (laughs) should know about this cause I feel like, you know, how many...there's like a trickle, a handful, of black people here (laughter) so I feel like our people should know, and we should really get the word out. My friend showed me on the bulletin board, you know, there's a bunch of advertisements. I feel like we should have a big, you know, poster of it, you know, just bragging about it, so...(laughter) (applause)

Jensen/ Thank you.

Tucker/ Okey dokey. Hi, Annie Tucker. So, um...first, um, responding to what you're saying. You know the School Board has had meetings like at The Spot and other places to encourage being able to listen to different parts of our community say what's going on. And maybe that's something that would be good for you guys to do, and maybe you could have the Chief with you and a few officers. I don't know if it would be too scary or too threatening for someone if there were officers there, but it was really powerful to hear, um...problems being expressed to the School Board Members...directly, in areas where...that were in people's neighborhoods. So, number one, that. Okay, good. So then number two, so I had like a list also. Um, on the...the CPRB, great, I saw that, Mazahir, you said that it should be changed to Citizens Police Review Board. That's great. That sounds good. Um, the other thing to know is that other cities have different investigation procedures. There are cities that...where there's an independent body. It's people funded by the city but they're not city staff, and they do the investigation, and they are authorized to go in and look at the videos, and look at the records, and make an investigation and report independently back to you. So I think that's an important component of changing the system and so I think we should all be working on that, and so maybe we can share some contact information so we could begin that process, so that we're not just...laying it on them. It can come from us. Okay, so I'm short so I need to have it lower. Um...I agree, I was going to bring up the thing about the...the body cameras, as well. I think we all know about situations where the cameras on the cars, which is what they used to only have, and do they have the body cameras? Did they finally get the body cameras? Yes or no? Do we...

Jensen/ I believe we don't have them in place yet.

Tucker/ That's what I heard.

Jensen/ They're coming and...sometime, last I heard, summer, fall, potentially but there's...they're not all in place yet, no.

Tucker/ Okay, that was...that was my most current information too. So, here's the deal – you said like when someone doesn't turn on theirs, but there's also people who have them on or turn them off on purpose, and then say, oh gosh, we don't have...this has happened in a legal case...that the officer said, oh gosh, it was the changing of the shift. We don't have that video. Darn! Seriously? So there should be penalties for that, and I would like you guys to consider whether you need us to raise that or whether you want to make that proposal to the City Council. There should be consequences for people not having their

cameras working and providing effective information. There should be consequences. Um, I like the word penalty, you used the word penalty. Um...the other thing is...so here's the deal. I was at the, um, the Arts Fest last year. You know, I was just sitting on kind of a lamppost base, talking with a friend, and all of a sudden...and the music was going. I was thinking of going up and dancing but this person couldn't dance so I was waiting for a while. So, um, all of a sudden this far in front of me someone is going, get up! Get up or I'll make you get up! So I turn my head from my conversation, I look and there's an officer in front of me saying that. I follow his eyes, and there happens to be a guy sitting next to me, happens to be a white guy, who's drinking a beer. But he talked to 'em like that, and so then he and his co-officer took 'em some place and I kind of followed at a distance cause I knew that (laughs) yes, I knew...I knew that, um,, I didn't want to distract them, but I also wanted to really monitor them, and I wasn't smart enough or savvy enough technologically to have been able to video if I'd thought about it, but from now on I will. But it turned out that things did not seem to go awry, I mean, the...the disrespect and...from his voice was...did not seem to be manifested in behaviors that happened before he, um, I mean he was handcuffed, he was put in a car, but he was not treated roughly to my eyes, but later I asked...asked the guy's partner what his name was and I called in about that. I found out who the shift supervisor was and I called in. Now the problem is, I've never filed a written complaint, but I will do that. I've written it up, and I've found out the guy's name, but at the time I talked to the supervisor and he said something that I heard yet again when I told the story two months ago, and you were there when I told the story. And I got the same response from the officer I told then, as I told...are you following me? I told it two months ago. That officer said this response, the same one that the guy's supervisor said, and it was this, which is useful for us to know: we have an ever-growing young force, and when we get these young officers, these two more seasoned officers said, you know, they're...they've got an idea of what their job is. You know, and it takes a while for that to wear off. What? I...that's, actually that's a misquote, but that was my impression of what they said. So let me be clear about that. But...but the point is that...that if two officers who are older and going to be leaving the force are saying, yeah, we got some...well, I don't want to use my own words. We have some younger officers who have that kind of behavior. We're working seriously on correcting that behavior. And this one from two months ago said to me, and this was not when you were in the room. It was a different time. He said, um, you know, I think that the Iowa City community wants officers that are respectful to people. And I think that our officers need to know that, which to me was a heads-up that I don't think we as a community have communicated well enough to say, you know what, here's what we want from our police force, here's what we expect. I mean, my office is in adult's correction. I volunteer in the prison. I never hear any officers speak disrespectfully to people who are incarcerated or have been, you know, and here was this guy, um, speaking very disrespectfully. So, one, I think an additional thing for us to do is work on as a community, commun...communicating to the police officers and our City Council and saying, 'This is what we want in a police force.' This is what...the kind of behavior we expect. And likewise, I think that either we or you or all of us need to say to the police...to the police officers, given the climate in our country and the events happening, given the disproportionate minority contact with...with law officers here, and other...and just systemic disproportionate minority differences here,

um, I think the police department has to really make a much bigger effort...to connect with our community and not just, I mean, great to be at the MLK thing. Great to be at the other thing...that she mentioned, but I...I think they need to be building relationship like things working here is based on good relationships. I don't think I'm naïve. Respectful relationships and not going from zero to 60 with military stuff or tough cop attitude, uh, that doesn't make things better here. So, let me just look...okay, that's it. Thank you. (applause)

Jensen/ Thank you.

Heeren/ I just...I just wanted to follow up with what Annie said because I was...I was in that conversation with her, uh, earlier, and um, she told that same story and the officer we were talking to says, oh, it takes about five years for an officer to really settle in to his role as the actual...building that community relationship and really understanding, um, I think he kind of said it was something like, uh...it's...it makes the job easier once you get to that five year mark and you understand what your role is, that you're not this, you know, kind of, uh, enforcer character but um, my reaction to that was when I get a job, I have 90 days (laughter) I have 90 days before if I mess up I'm going to get fired if I don't get up to code, you know, and so I'm wondering why our police force is given so much leniency in their jobs that are very important, I think. So, yeah, I think just, um...really putting...putting their paychecks, putting their jobs on the line and not just saying like, uh, don't do that. It's not okay, here's a warning, here's your next warning, um, really, uh, making it...making the job fit the actions, making the actions fit the job, I guess. (applause)

Jensen/ Thank you.

Tucker/ Um, I just want to thank you all. You...you have a really tough job. You have a big commitment, and you don't have as much power as you need. So thanks for sitting in those chairs and doing your work, in the interim, before things change.

Jensen/ Thank you. Anybody else? Any additional comments? Concerns? Okay! Item #5 on the agenda is adjournment. Oops, excuse me!

Olmstead/ Not yet!

Jensen/ Okay!

Olmstead/ I was listening to the news regarding Baltimore, and police chief said that even though there was obvious, uh...uh, violence that went on with the police, that they could not fire those officers right away because the city wouldn't let 'em. I think we need to look into that. If we have an incident like that, uh, can we fire the officer? We need to get rid of 'em, or at least put 'em on administrative leave without pay. Thank you. Oh, I'm Harry Olmstead.

Jensen/ Thank you! (applause) Okay, if we don't have any further concerns or comments, Item #5 of the agenda is adjournment.

Tucker/ I have one.

Jensen/ Yes!

Tucker/ I just want to say, in...in, to add to that, um, the first woman who spokes...thing. I just want to say, let's not forget that article in the Little Village about the SWAT team. Let's not forget the SWAT team video that was the recruiting video that is still on line at The Guardian. Let's not forget those things, that those are part of the culture that we're dealing with and I just want the record to show, I'm sure that...I know that...I know personally that there are great officers, but what I think we've expressed some concerns about the culture in the police department, and...and that's part of their record. Thanks!

ADJOURNMENT:

Jensen/ All right (mumbled) we're adjourned! Thank you very much. Thank everybody for coming!

CITIZENS POLICE REVIEW BOARD

A Board of the City of Iowa City
410 East Washington Street
Iowa City, IA 52240-1826
(319) 356-5041

June 16, 2015

To: City Council
Complainant
City Manager
Equity Director
Sam Hargadine, Chief of Police
Officer(s) involved in complaint

FILED
2015 JUN 17 AM 8:54
CITY CLERK
IOWA CITY, IOWA

From: Citizen Police Review Board

Re: Investigation of CPRB Complaint #15-01

This is the Report of the Citizens Police Review Board's (the "Board") review of the investigation of Complaint CPRB #15-01 (the "Complaint").

BOARD'S RESPONSIBILITY

Under the City Code of the City of Iowa City, the Board's responsibilities are as follows:

1. The Board forwards all complaints to the Police Chief, who completes an investigation.
(Iowa City Code Section 8-8-7(A).)
2. When the Board receives the Police Chief's report, the Board must select one or more of the following levels of review, in accordance with Iowa City Code Section 8-8-7(B)(1):
 - a. On the record with no additional investigation.
 - b. Interview /meet with complainant.
 - c. Interview /meet with named officer(s) and other officers.
 - d. Request additional investigation by the police chief, or request police assistance in the board's own investigation.
 - e. Perform its own investigation with the authority to subpoena witnesses.
 - f. Hire independent investigators.
3. In reviewing the Police Chief's report, the Board must apply a "reasonable basis" standard of review. This means that the Board must give deference to the Police Chief's report, because of the Police Chiefs professional expertise. (Iowa City Code Section 8-8-7(B)(2).)
4. According to Iowa City Code Section 8-8-7(B)(2), the Board can recommend that the Police Chief reverse or modify the Chief's findings only if:
 - a. The findings are not supported by substantial evidence; or
 - b. The findings are unreasonable, arbitrary or capricious; or

- c. The findings are contrary to a police department policy or practice, or any federal, state or local law.
5. When the Board has completed its review of the Police Chief's report, the Board issues a public report to the city council. The public report must include: (1) detailed findings of fact; and (2) a clearly articulated conclusion explaining why and the extent to which the complaint is either "sustained" or "not sustained ". (Iowa City Code Section 8-8-7(B)(3).)
6. Even if the Board finds that the complaint is sustained, the Board has no authority to discipline the officer involved.

BOARD'S PROCEDURE

The Complaint was initiated by the Complainant on 03/04/2015. As required by Section 8-8-5(B) of the City Code, the Complaint was referred to the Chief of Police for investigation.

The Chief's Report was filed with the City Clerk on 04/30/2015.

Board members reviewed audio and/or video recordings of the incident.

The Board voted on 05/20/2015 to apply the following Level of Review to the Chief's Report:
"On the record with no additional investigation", pursuant to Iowa City Code Section 8-8-7(B)(1)(a).

The Board met to consider the Report on 05/20/2015, & 06/16/2015.

FINDINGS OF FACT

On February 18, 2015, officers responded to the Alexis Park Inn regarding a complaint from an employee about a broken door. Upon arriving, they were directed to room 106 by an employee who advised the occupant had broken the door, although this had not been witnessed.

The officers learned the occupant had been locked out of his room because he was no longer allowed to stay. The Complainant was one of three people identified as potential suspects, and officers believed one or more of the three had damaged the door while opening it to allow the occupant to enter. The Complainant had left the scene but agreed to return when asked.

None of the three possible suspects could/would say who damaged the door and each denied causing the damage. The other two individuals were dismissed as suspects, due to one suspect being physically unable, and the other suspect having a reliable alibi. While interviewing the Complainant, Officer A noted the Complainant was vague and there were discrepancies in her story. The Complainant repeatedly denied being responsible, combined with many statements of "Swear to God", "I swear", and "I swear, I'm not lying". The Complainant still denied causing the damage and Officer A ended the interview.

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ALLEGATION 1 – Racial Profiling.

There were no reports, or video/audio recordings, or evidence that in any way corroborated the allegation of racial profiling against Officer A.

Allegation: Racial Profiling report - Not sustained

ALLEGATION 2 – Discourtesy

Both officers were patient and professional throughout their interactions with not only the Complainant, but other individuals they talked to as well. Officer A, noting inconsistencies in the Complainant story, did tell the Complainant he believed she was lying and also offered alternatives on how the damage may have occurred (i.e. a mistake or accident). This is consistent with an applied interview technique. Officer A has participated in interviewing and interrogation training, and Officer A's statements were delivered in a professional, patient manner. This interview technique was within Iowa City Police Department policy, procedure, and accepted law enforcement training and methods.

Allegation: Discourtesy- Not sustained

COMMENTS

CPRB acknowledges cultural differences and mannerisms may make it difficult to accurately assess and interpret behavior, especially when compared to others behavior/responses.

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DEPARTMENT MEMO #15-17

TO: Chief Hargadine
FROM: Captain Douglas S. Hart
RE: May 2015 Use of Force Review
DATE: July 6, 2015

The "Use of Force Review Committee" met on July 1, 2015. It was composed of Captain Hart, Sgt. Droll and Officer Murguia.

For the review of submitted reports in April, 33 Officers were involved in 36 separate incidents requiring use of force.

All issues or concerns were identified and addressed at previous levels of review. Of the incidents reviewed for this period: on 2 occasions a Taser was displayed, on 1 occasion a Taser was deployed, on 2 occasions OC was deployed, there was one SRT calls, in 9 other incidents officers responded to calls where their firearm was displayed, 4 animals were dispatched. Of the 36 incidents 2 suspects and no Officers were injured.

Please contact me if you have any questions.

Copy: City Manager, CPRB, Watch Commanders, Review Committee

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2015 JUL -6 AM 8:16
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IOWA CITY POLICE DEPARTMENT
Use of Force Report
May 2015



Ofc #	Date	Inc #	Incident	Force Used
10	5/1	2015004522	Fight In Progress	One subject took off running from a fight. The subject was located and directed to the ground. The Officer also had to use a wrist lock to further compliance.
41,40	5/01	2015004562	Vehicle Theft	The citizen refused to exit the vehicle as well as reached back into the vehicle once he complied with verbal commands. Sidearms were drawn.
54,55, 94	5/3	2015004623	Domestic	Subject continued to yell loudly and tried slamming the door on the Officers. The subject tried pulling away at which point her arms were placed behind her back and she was placed on the couch for cuffing purposes.
54,2	5/3	2015004623	Domestic	The other half of the above mentioned incident refused to remove his hands from his pockets and exit the bathroom. Officers had to physically place his hands behind his back for cuffing purposes.
3	5/3	2015004626	Fight In Progress	Two males were actively involved in a fight. Despite verbal commands, one subject continued striking another subject in the head repeatedly. The first subject then tased to gain compliance.
52	5/06	2015004767	Domestic	The subject of a domestic violence investigation refused to present his ID. The subject then tried walking away at which point the officer had to place the subjects arms behind his back for cuffing.
48,37	5/06	2015004770	Burglary	The subject was arrested for burglary and attempted to pull away. Wrist locks were used to gain compliance.
10	5/08	2015004813	Bar Check	The subject was struggling with bar staff. The subject continued to struggle with police and was directed to the ground whereupon he was cuffed.

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IOWA CITY, IOWA

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10	5/08	2015004816	Disorderly Conduct	The subject was starting fights with others and was placed under arrest. The subject refused to walk and the officer had to hold the person up by the waist of his pants.
24	5/08	2015004823	Disorderly Conduct	The subject was running naked through a private building. The subject kept running when he saw the Police. The subject was cuffed after being taken down with a takedown technique.
43,62	5/8	2015004860	Intoxicated Subject	The subject's hands were forced behind his back for cuffing.
11	5/09	2015004865	Out with Subject	The subject was being cited and tried to run away. After a brief foot pursuit, the subject was taken to the ground using a takedown technique.
10	5/09	2015004867	Intoxicated Subject	The subject tried running away after being approached by officers for urinating in public. The Officer pulled the subject to the ground and the subject locked his arms underneath. After multiple verbal commands failed, the subject was pepper sprayed to affect arrest.
94	5/09	2015004868	Fight In Progress/ Assist other Agency	The Officer used a wrist lock to assist another department's officer who was arresting subject involved in a fight.
36,3,7,94,10	5/09	2015004875	Fight In Progress	Officers summoned to a fight in progress. Officers had to force entry into the residence and had sidearms drawn.
59,24,63	5/9	2015004910	Domestic	The victim of a domestic abuse situation locked herself in a closet and could not open the door. Officer had to force entry and clear the residence for the offender. Sidearms were drawn.
2	5/10	2015004916	Fight In Progress	The Officer had to remove the suspect out of a vehicle with the usage of a compliance method.
24,23	5/12	2015004969	OWI	The subject refused verbal commands and compliance methods were need to affect arrest.
57	5/16	2015005140	Intoxicated Subject	The officer grabbed hold of the subject right wrist as the subject attempted to pull away.

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11,66, 2,51	5/15	2015005144	Intoxicated Subject/ Burglary	Officers were called to deal with an intoxicated subject trying to break into a house. Upon arrest, the subject became combative and tried kicking officers. The subject was restrained by officers.
8	5/17	2015005201	Search Warrant	The Officer displayed his sidearm during the service of a search warrant.
18	5/18	2015005203	Animal	The officer used his sidearm to end the life of a wounded deer.
85,16, 44,29, 6,48,4 0,97,5 9,24	5/18	2015005209	SRT	Officers displayed a variety of firearms while on the service of a high risk federal search warrant.
59	5/21	2015005284	Animal	The officer used his sidearm to end the life of a wounded raccoon.
94,10,	5/22	2015005328	Intoxicated Subject	The subject was under arrest and refused to walk. The subject was held on the ground until two officers were able to carry the subject to the patrol car. The subject refused to be searched and a pressure point was used to gain compliance.
66	5/22	2015005328	Intoxicated Subject	The subject interjected herself in the above noted incident despite verbal commands. The subject was later taken to the ground with a takedown method as she continued to flail her arms. Pepper spray was also used as the subject continued to resist.
68	5/23	2015005402	Animal	The officer used his sidearm to end the life of a wounded deer.
68,4	5/23	2015005406	Traffic Stop	The Officer initiated a traffic stop on a vehicle where the subjects were reported as armed. The Officer displayed his sidearm and gave verbal commands to which were complied.
11	5/25	2015005457	Fight In Progress	Officer observed a fight in progress with punches being thrown. The Officer displayed his taser and had to pull one subject to the ground.
24	5/29	2015005611	Out With Subject	The Officer approached the subject who pulled out a fully extended pocket knife from his pocket. The officer displayed his sidearm.

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41	5/30	2015005657	Suspicious Person	The subject was consenting to a search of his person and abruptly grabbed something from his hat. The officer had to use a wrist lock to restrain the subject.
41	5/30	2015005659	Intoxicated Subject	The subject was being removed from a bar by staff. Upon trying to cuff the subject, he tried to pull away from the officer. The subject was held against the squad car as well as placed in the back of the squad.
37,52	5/30	2015005688	Hit and Run	The Officer was investigating a Hit and Run collision at a residence. The occupant of the residence answered the door with a gun pointed at the Officer. The Officers displayed their sidearms during the contact.
24	5/31	2015005690	Fight In Progress	The subject took off running from a fight and the officer followed in a foot pursuit. The subject stopped and began trying to pull away. The subject refused to walk to the squad and had to be escorted by using a wrist lock.
7,55, 10	5/30	2015005692	Disturbance	Subject tried fleeing from Officers. The Officers were required to place the subjects hands behind her back as she tried to pull away. Prior to the cuffing the subject was placed prone on the ground to aid in cuffing.
67	5/31	2015005701	Animal	The officer used his sidearm to end the life of a wounded deer.

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Memorandum

TO: File
FROM: Captain Douglas S. Hart, Administrative Services
RE: Quarterly Summary Report IAIR/CPRB, 2nd Quarter 2015
DATE: July 6, 2015

Attached you will find the IAIR/CPRB 2015 second quarter summary report for the Iowa City Police Department Internal Affairs/Citizen's Police Review Board investigative file. There were no investigations initiated in the second quarter of 2015.

cc: CPRB

Chief Hargadine
Cpt. Troy Kelsay
Sgt. David Droll

FILED
2015 JUL -6 AM 11:55
CITY CLERK
IOWA CITY, IOWA



INTERNAL AFFAIRS INVESTIGATIONS

<i>Date of Issue</i> July 9, 1999	<i>General Order Number</i> 99-06
<i>Effective Date</i> July, 2015	<i>Section Code</i> ADM-06
<i>Reevaluation Date</i> August, 2017	<i>Amends / Cancels</i> 92-03 ADM-06
<i>C.A.L.E.A.</i> 52.1.1 - 52.1.11	<i>Reference</i> Department Disciplinary Philosophy

INDEX AS:

Internal Affairs Investigations Register (IAIR)
IAIR Forms 1 - 12
Internal Affairs Investigations
Knowingly Providing False Information
Evaluations
Community Police Review Board
Discipline

CITY CLERK
IOWA CITY, IOWA

2015 JUL 16 AM 10:56

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I. PURPOSE

The purpose of this order is to establish the policy and procedures for the investigation of complaints made against Department personnel, policies and/or procedures. This order provides the guidelines for the prompt, fair, and impartial investigation and disposition of citizen complaints and allegations.

II. POLICY

- A. It shall be the policy of the Iowa City Police Department to investigate all complaints made against Department members and / or against Department policies and procedures, regardless of the source of such complaints. This policy shall include the investigation of alleged or suspected violations of law,

ordinances or Department rules, regulations, policies, procedures or orders (written or oral) as reported to Department managers and supervisors by:

1. Members of the Department in any of the following manners: in writing, orally, by telephone, or by correspondence (signed or anonymous).
2. Citizens (including prisoners) who report to any Department member in any of the following manners: in writing, orally, by telephone, or by correspondence (signed or anonymous), or pursuant to the City's Police Citizen's Review Board ordinance.
3. Supervisors or personnel who observe or suspect violations by Department personnel.

- B. The thorough, standardized investigations of these types of complaints demonstrates the Department's desire to provide honest, efficient police service and will inspire public confidence in Department personnel. A regulated program of complaint review is established to ensure the fair and impartial treatment of Department members who may become subject to the internal review procedure. Clearly defined policy and procedures permits employees to know what to expect; reassures the public that discipline will be administered, if necessary; and provides a pre-determined method for informing both the public and employees of the disposition of the complaint.

III. DEFINITIONS

A. COMPLAINT

1. A complaint is defined as an act of expressed dissatisfaction, either oral or written, which relates to department operations, departmental policy, personnel conduct, or alleged unlawful acts. Generally, complaints are based on allegations of misconduct or violations of procedure. A complaint may be filed either internally, that is by a Department member who wishes to report infractions or violations by another member, or externally, such as when a citizen complains about a member of the Department.
2. A complaint includes those filed with the Community Police Review Board pursuant to Ordinance.

B. NON-DISCIPLINARY INCIDENTS OR VIOLATIONS

1. Non-disciplinary incidents or complaints shall mean complaints or allegations which, on their face, do not involve alleged violations of law, rules, regulations, general orders or procedures of the Police Department.

C. NON-PUNITIVE INCIDENTS OR VIOLATIONS

1. Non-punitive incidents or violations shall mean incidents or complaints which, on their face, allege infractions of rules, regulations, general orders, or procedures by Police Department personnel for which the apparent appropriate disciplinary action is counseling and/or written warning or

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written reprimand by use of the departmental Report of Inquiry/Incident form.

D. PUNITIVE INCIDENTS OR VIOLATIONS REQUIRING AN INVESTIGATION WITHIN THE CHAIN OF COMMAND (Supervisory Review)

1. Punitive incidents or violations shall mean incidents or complaints which, on their face, allege violation(s) of the law, rules, regulations, general orders, or procedures by Police Department personnel for which the apparent appropriate disciplinary response consists of punitive action ranging from loss of privileges to suspension, demotion, and/or dismissal.

E. PUNITIVE INCIDENTS OR VIOLATIONS REQUIRING AN INVESTIGATION OUTSIDE OF THE CHAIN OF COMMAND (Full IA)

1. Punitive incidents or violations of requiring a full IA shall mean incidents or complaints of a more serious nature which, on their face, allege violation(s) of the law, rules, regulations, general orders, or procedures by Police Department personnel for which the apparent appropriate disciplinary response consists of punitive action ranging from loss of privileges to suspension, demotion, and/or dismissal.

F. CHIEF OF POLICE TO DETERMINE TYPE OF INVESTIGATION

1. The Chief of Police, at their discretion, shall determine which type of investigation shall be followed.

IV. AUTHORITY AND RESPONSIBILITY

A. COMMANDING OFFICER, FIELD OPERATIONS

1. The Commanding Officer, Field Operations, shall be responsible for the internal affairs investigation function of the Department for incidents requiring investigation within the chain of command.
2. The Commanding Officer, Field Operations, shall report directly to the Chief of Police about the progress of complaint investigations and dispositions of all such investigations.
3. The Chief of Police or the Commanding Officer, Field Operations may assign the investigation of internal affairs cases to personnel from other divisions, sections or units within the Department, if it is determined that this course of action is in the best interests of the Department.
4. If the complaint is against the Commanding Officer, Field Operations, the complaint will be submitted directly to the Chief of Police who either may assign the investigation to another command officer or may handle it personally.

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5. After notifying the Chief of Police, the Commanding Officer, Field Operations, shall contact the City Attorney's Office and the County Attorney's Office when internal investigations concern possible violations of criminal law. This contact may be for notification and/or legal advice or assistance in case preparation.

B. COMMANDING OFFICER, ADMINISTRATIVE SERVICES

1. The Commanding Officer, Administrative Services, shall be responsible for the internal affairs investigation function of the Department for incidents requiring investigation outside the chain of command.
2. The Commanding Officer, Administrative Services, shall report directly to the Chief of Police about the progress of complaint investigations and dispositions of all such investigations.
3. The Commanding Officer, Administrative Services shall assign the investigation of internal affairs cases to personnel from other divisions, sections or units within the Department. Those personnel shall report directly to the Commanding Officer, Administrative Services.
4. If the complaint is against the Commanding Officer, Administrative Services, the complaint will be submitted directly to the Chief of Police who either may assign the investigation to another command officer or may handle it personally.

C. ALL SUPERVISORY AND COMMAND PERSONNEL

1. Supervisory and command personnel shall cause to be initiated an internal affairs investigation when the action alleged is an infraction/violation of State Code, Federal laws, City ordinance or Department policy and within the scope of their authority for the initiation of this action. Examples of complaints which will be investigated by the Internal Affairs function are: allegations of corruption, brutality, misuse of force, violations of individual civil rights, criminal conduct, etc. This is not a complete listing of such examples, but is an example to provide guidance for supervisory personnel. These types of complaints will be documented on the departmental Report of Inquiry/Incident form and directed to the COFO.
2. Supervisory personnel shall investigate complaints, verbal or written, which do not involve alleged violations of Federal or State law, City ordinance, or Departmental policy which come to their attention, as an example, alleged rudeness, not providing information about a ticket or arrest, tardiness, incomplete reports, insubordination, etc. This is not a complete listing of such examples, but is an example to provide guidance for supervisory

personnel. These types of complaints will be documented on the departmental Report of Inquiry/Incident form.

D. ALL DEPARTMENT PERSONNEL

1. It shall be the duty of all Department personnel to report an action which may be a violation of laws, ordinances, rules, regulations, policies, procedures, or orders by any other Department member to the immediate supervisor of the employee engaging in said action.

V. INTERNAL AFFAIRS INVESTIGATION REGISTER

- A. The Internal Affairs Investigation Register (IAIR) is designed to provide the Iowa City Police Department with a control device to assure that complaints, which on their face, allege a violation for which the appropriate disciplinary action would be punitive in nature, (as defined in Section III D 1), will be investigated. These include, but are not limited to, complaints received by the Department, or which originate through action of a Departmental member, or complaints received from the CPRB.
- B. The IAIR will be maintained by the Commanding Officer, Field Operations Division. Entries in the IAIR shall contain sufficient and accurate information of both the allegations and the disposition of the complaint. The IAIR will be maintained in a secured area.
- C. Complaints logged in the IAIR will be reported to the Chief of Police by the Commanding Officer, Field Operations.
- D. To ensure that required investigations are being completed within a reasonable time, periodic inspections of the IAIR will be made by the Commanding Officer, Field Operations and status reports will be forwarded to the Chief of Police.
- E. The Commanding Officer, Field Operations shall assign a control number to each complaint received and record the number in the IAIR, and on the copy of the complaint form.
 1. The numbering system shall be sequential, prefixed by the year, i.e., 02-01, 02-02.

VI. REPORTING PROCEDURES

- A. A written record of all complaints against the Police Department or its personnel shall be maintained regardless of the nature, scope, or reasonableness of the complaint.

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B. Compliance with the following procedures is the responsibility of the supervisor and/or member addressing the complaint.

1. Conduct a preliminary examination of the complaint.
2. Ensure that the complainant understands the state statutes concerning "obstructing justice" and false reports to law enforcement authorities. (Attachment A)
3. Complete a Report of Inquiry Form (IAIR Form 2)
 - a) If on the face of the allegations, which if taken as true, there is a clear indication that the officer or employee did nothing improper, then the Report of Inquiry Form shall be completed, indicating same, and forwarded through the chain of command to the Commanding Officer, Field Operations Division.
 - b) If, on the face of the allegations, which if taken as true, the complaint or allegation is minor and within the scope of the supervisor's authority, the supervisor may resolve the complaint by use of the Report of Inquiry/Incident form, and forward the report and results to the Commanding Officer, Field Operations Division.
 - c) When it appears that an officer or employee may have violated state or federal law, city ordinance or Department policies and procedures, the Report of Inquiry shall be forwarded to the Commanding Officer, Field Operations, within 24 hours of the complaint.
 - d) The Commanding Officer Field Operations shall maintain the Report of Inquiry/Incident forms. Supervisors shall review an officer's Report of Inquiry/Incident form(s) when completing a subordinate's annual evaluation.
 - e) When it appears that an officer or employee may have committed an illegal or criminal act or may have violated a person's constitutional rights, the Report of Inquiry shall be forwarded to the Commanding Officer, Field Operations within 24 hours of the complaint. Commanding Officer, Field Operations shall forward a copy to the Chief of Police within 24 hours of receiving the Report of Inquiry.
 - f) The City Attorney's Office shall be consulted when there is an allegation which on it's face alleges illegal/criminal activity, civil rights violations, gross negligence, or excessive use of force.
 - g) All Report of Inquiry Forms shall be submitted for approval by the Commanding Officer, Field Operations level, prior to being forwarded to the Chief of Police.

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- C. Within 72 hours of receipt of Report of Inquiry form by the Commanding Officer, Field Operations, a determination shall be made as to whether an internal investigation will be initiated. The accused member should be notified of the investigation decision within this 72-hour period. In exceptional circumstances, i.e., allegations of on-going criminal activity, the Commanding Officer, Field Operations, with the approval of the Chief of Police, may waive this notification.
- D. The Chief of Police or designee, shall contact the complainant within seven (7) calendar days of receiving the complaint and inform the complainant of receipt (IAIR Form 1) and the status of the complaint. Included in this contact will be an offer of informal mediation by the Chief.
- E. Internal Affairs investigations pursuant to complaints shall be completed within sixty (60) calendar days of receipt of the initial complaint. An extension may be granted by the Chief of Police where extenuating circumstances exist. Status reports on the investigation of complaints shall be submitted to the Chief of Police every seven (7) calendar days to assist in this determination.
- F. If an investigation continues beyond sixty (60) calendar days, a status report will be provided to the complainant by the assigned investigator. A copy of the status report will be forwarded to the Commanding Officer, Field Operations.

VII. INVESTIGATIVE PROCEDURES

- A. The Chief of Police may require an employee to submit to a medical or laboratory examination, to be photographed, to submit financial disclosure statements, or participate in a line-up, when such information or actions are specifically directed toward and narrowly related to a particular internal affairs investigation. Failure to follow a direct order of this nature shall constitute a separate infraction and may result in termination. (However, if an internal investigation involves allegations of criminal actions, employees shall be afforded all their legal or constitutional rights.)
 - 1. The City Manager may impose the requirements of paragraph A above. when the complaint is directed toward the Chief of Police.
- B. An employee under investigation may not be compelled to submit to a polygraph, Voice Stress Analysis, or any other instrument designed to detect deception. However, an employee under investigation may voluntarily submit to such examination after being made aware that such actions are strictly voluntary, and refusal to submit does not imply any guilt or admission of the violations. The results of the examination shall not be used in any commission hearing, court or trial as evidence of guilt or innocence, unless agreed to by all parties.

- C. Based on the requirements of Iowa law, an employee may be required to submit to a medical or laboratory examination, at the agency's expense, when the examination is specifically directed toward and narrowly related to a particular internal affairs investigation being conducted by the agency. An example of the use of this process is determining drug use by employees. An employee may also be required to be photographed, to participate in a line-up and/or submit to a financial disclosure statement when the actions are material to a particular internal affairs investigation being conducted by the Department or an outside agency. The above will always be based on the requirements of Federal law, Iowa law, and any case law, and precedent thereunder when not in conflict with any labor law or signed labor agreements.
- D. The assigned investigator conducting an internal investigation shall conduct the investigation fairly and impartially toward both the complainant and police personnel.
1. The assigned investigator(s) shall conduct such interviews as are deemed necessary in order to accumulate all necessary evidence and facts pertaining to the complaint as determined by the Commanding Officer, Field Operations.
 2. The assigned investigator shall follow state law, city ordinance, and labor contracts concerning disciplinary actions utilizing the appropriate forms depending on the alleged violation.
 - a) Notification of Complaint / Investigation (IAIR Form 3).
 - b) Request / Waiver of counsel (IAIR Form 4).
 - c) Administrative Proceeding Rights Form (IAIR Form 5).
 - d) Criminal Rights Form for alleged violations of Criminal Law (IAIR Form 6).
 - e) Compelled statement advisory notification form.
 3. At the conclusion of the investigation, the Commanding Officer, Field Operations shall submit an Internal Investigations Report to the Chief of Police for review and approval, in the format as outlined in IAIR Form 7.
 4. The investigating officer(s), upon completing the internal investigation, shall conclude the report by classifying the individual allegations into one of the following categories:
 - a) Unfounded: The investigation indicates that the act(s) complained of did not occur or did not involve police personnel.

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- b) Exonerated: The complained of acts did occur, but were justified, lawful, and proper.
 - c) Not Sustained: The investigation fails to discover sufficient evidence to clearly prove or disprove the allegations made in the complaint.
 - d) Sustained: The investigation disclosed sufficient evidence to clearly prove the allegations made in the complaint.
 - e) Policy Failure: Investigation reveals that the alleged acts did occur and were improper; however, the officer was acting in accordance with established Department policy.
5. The investigative report and finding(s) shall be forwarded to the Commanding Officer Field Operations for review. COFO may:
- a) Accept the report and finding(s) of the investigating officer(s).
 - b) Return the report for further investigation, or
 - c) Reclassify the complaint as mentioned in #4 above.
6. When the act complained of is a criminal offense, and the evidence from the above investigation establishes probable cause that the act was committed, the Commanding Officer, Field Operations shall forward the information to the Chief of Police, who shall notify the City Attorney's office, and in consultation with the City Attorney's office shall decide whether:
- a) the County Attorney's Office shall be involved; and
 - b) the accused person(s) should be arrested forthwith; or
 - c) a warrant for arrest should be first obtained; or
 - d) criminal action should be delayed pending further investigation; or
 - e) request assistance from another law enforcement agency.
7. Status Reports - The Internal Affairs Investigator will provide the following information:
- a) Provide a weekly status report, verbal or written, to the Commanding Officer, Field Operations.
 - b) Cause to be provided a status report to the complainant within sixty (60) calendar days.

VIII. INVESTIGATION SUMMARY OF FINDINGS

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- A. Upon final receipt of the Internal Investigation Report (IAIR Form 7), the Commanding Officer, Field Operations, shall review the report for completeness.
- B. If the complaint is sustained, the report shall include:
 - 1. Prior disciplinary action against the employee.
 - 2. Recommended disciplinary action believed to be appropriate, based on the investigation results and the employee's employment history.
- C. In cases involving complaints against the Commanding Officer, Field Operations, all matters will be handled by the Office of the Chief of Police.
- D. In cases where complaints are against the Chief of Police, all matters will be handled by the City Manager or his/her designee.
- E. Final approval of internal investigation recommendations shall be decided by the Chief of Police except under Subsection C above. The Chief of Police shall have authority to modify any such recommendations in any manner deemed appropriate by the Chief of Police.

IX. DISPOSITION OF INTERNAL INVESTIGATION FINDINGS

- A. Complaints that are determined to be "sustained" will be filed in the employee's personnel file by the Chief of Police. Allegations that are determined to be "unfounded", "exonerated", "not sustained", or result in a "policy failure" finding shall be filed by the Chief of Police in the internal investigation file with the Commanding Officer, Field Operations, and shall not be entered in the employee's personnel file.
- B. The officer or employee who is the subject involved in the investigation shall be notified of the disposition by IAIR Form 8, as will any outside complainant by IAIR Forms 9, 10, 11, and 12.

X. CONFIDENTIAL NATURE OF INVESTIGATIONS

- A. Many mistaken or even deliberately false reports and accusations are made against police officers. In some instances, the most conscientious and hard-working officers will be the subject of such reports. In order to ensure the integrity of the Department, it is necessary to investigate completely and thoroughly all reports and accusations from all sources. This must be done. At the same time, the reputations and good names of innocent police officers must be protected. This is important to Departmental and individual morale, and to the effectiveness of police operations.

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- B. Sustained cases and the disciplinary actions taken may be a matter of public information pursuant to Iowa Code Chapter 22. The public nature of such cases and any disciplinary action thereunder shall be decided by the Chief of Police on a case-by-case basis in consultation with the City Attorney's Office. All other cases will be regarded as confidential and the records of such cases will be maintained in the office of the Commanding Officer, Field Operations.

XI. DISCIPLINARY AUTHORITY

- A. Any Department Supervisor may impose a fully-paid emergency Administrative Leave of Absence on a member or employee when it appears necessary to preserve the efficient and safe operation of the Department. The supervisor shall promptly notify the Commanding Officer, Field Operations, who shall promptly notify the Chief of Police.
 - 1. Any person so relieved of duty shall be instructed to report to the Office of the Chief of Police at 9:00 a.m. on the next business day, unless otherwise instructed.
 - a) The Supervisor imposing or recommending the Administrative Leave of Absence will report at the same time.
- B. Supervisory personnel may take the following disciplinary measures:
 - 1. Written recommendation for disciplinary penalties.
 - 2. Recommendations for discipline within an employee evaluation.
 - 3. Initiate written reprimand with documentation. Copies of all such written reprimands shall be forwarded to the personnel department for inclusion in the employee's Personnel file.
 - 4. Written warning or written reprimand with documentation. All such written documentation for discipline and/or documented written warnings or written reprimands shall be forwarded to the Iowa City Personnel Administrator for inclusion in the subject employee's Personnel File.
- C. Final Department authority and responsibility for discipline rests with the Chief of Police.
- D. The Chief of Police has full power and authority to reprimand, suspend, demote, or terminate any Department member for disciplinary purposes. Such employee retains all rights of appeal under applicable laws in accordance with and subject to the provisions of Iowa Code Chapter 400 and collective bargaining agreements.

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Samuel Hargadine Chief of Police

WARNING

This directive is for departmental use only and does not apply in any criminal or civil proceeding. The department policy should not be construed as a creation of a higher legal standard of safety or care in an evidentiary sense with respect to third-party claims. Violations of this directive will only form the basis for departmental administrative sanctions.

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ATTACHMENT "A"

718.6 False Reports to Law Enforcement Authorities (Iowa Code)

A person who reports or causes to be reported false information to a fire department or a law enforcement authority, knowing that the information is false, or who reports the alleged occurrence of a criminal act knowing the same did not occur, commits a simple misdemeanor, unless the alleged criminal act reported is a serious or aggravated misdemeanor or felony, in which case the person commits a serious misdemeanor.

719.3 Preventing Apprehension, Obstructing Prosecution, or Obstructing Defense (Iowa Code)

A person who, with intent to prevent the apprehension or obstruct the prosecution or defense of any person, knowingly does any of the following acts, commits an aggravated misdemeanor:

1. Destroys, alters, conceals or disguises physical evidence which would be admissible in the trial of another for a public offense, or makes available false evidence or furnishes false information with the intent that it be used in the trial of that case.
2. Induces a witness having knowledge material to the subject at issue to leave the state or hide, or to fail to appear when subpoenaed.

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COMMUNITY POLICE REVIEW BOARD
OFFICE CONTACTS
June 2015

<u>Date</u>	<u>Description</u>
6-18	Woman picked up (2) complaint forms.
6-23	Woman picked up complaint form.

COMMUNITY POLICE REVIEW BOARD
COMPLAINT DEADLINES

CPRB Complaint #15-2

Filed:	03/18/15
Chief's Report due (90days):	06/16/15
Chief's Report filed:	05/21/15

CPRB Mtg #1 (Review)	06/16/15
CPRB Mtg #2 (Review)	07/20/15

CPRB Report due (90days):	08/19/15
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TENTATIVE MEETING SCHEDULE

August 11, 2015
September 8, 2015
October 13, 2015
November 10, 2015

GENERAL RESPONSIBILITIES

Established in 1997, by ordinance #97-3792, the Iowa City Police Citizens Review Board formerly known as Citizens Police Review Board and now known as Community Police Review Board (hereafter referred as the CPRB), consists of five members appointed by the City Council. The CPRB has its own outside legal counsel.

The Board was established to review investigations into claims of police misconduct, and to assist the Police Chief, the City Manager, and the City Council in evaluating the overall performance of the Police Department by reviewing the Police Department's investigations into complaints. The Board is also required to maintain a central registry of complaints and to provide an annual report setting forth the numbers, types, and disposition of complaints of police misconduct. The Board shall hold at least one community forum each year for the purpose of hearing citizens' views on the policies, practices and procedures of the Iowa City Police Department. To achieve these purposes, the Board complies with Chapter 8 of the Iowa City Code and the Board's By-Laws and Standard Operating Procedures and Guidelines.

In FY2015, an educational video was prepared for use on cable TV. In May, City Council adopted the recommendations of the Charter Review Commission, changing the name to Community Police Review Board.

ACTIVITIES AND ACCOMPLISHMENTS FOR FISCAL YEAR 2015

Meetings

The CPRB tentatively holds monthly meetings on the second Tuesday and special meetings as necessary. During FY15 the Board held fourteen meetings and one Community Forum.

ICPD Policies/Procedures/Practices Reviewed By CPRB

The ICPD regularly provided the Board with monthly Use of Force Reports, Internal Investigation Logs, Demographic Reports and various Training Bulletins. The Department also provided various General Orders for the Board's review and comment. A senior member of the Police Department routinely attended the open portion of the CPRB meetings, and was available for any questions Board members had regarding these reports.

Presentations

In April of 2015 the Board held its seventh Community Forum as required by the City Charter. The Board did introductions and the forum was opened to the public for questions. There were twelve members of the public that spoke at the forum. Topics of discussion included the following: Board responsibilities, military surplus equipment, body cameras, racial disparity, profiling, and diversity in the police department.

Board Members

In October 2014 officers were nominated with Melissa Jensen as Chair and Joseph Treloar as Vice-Chair. Fidencio Martinez was appointed in November of 2014 for an unexpired term.

COMPLAINTS

Number and Type of Allegations

Eleven complaints (14-03,14-04,14-05,14-06,14-07,14-08,14-09,14-10,14-11,15-01,15-02) were filed during the fiscal year July 1, 2014 – June 30, 2015. Eight public reports were completed during this fiscal period (14-02,14-03,14-04,14-06,14-08,14-11,15-01). One complaint was withdrawn (14-07) and three complaints were summarily dismissed (14-05,14-09,14-10) The remaining complaint filed in FY15 is pending before the Board (15-02).

Allegations

Complaint #14-02

1. Excessive Use of Force – SUSTAINED.

Complaint #14-03

1. Illegal Search of the Vehicle – NOT SUSTAINED.
2. Harassment – NOT SUSTAINED.
3. Use of a Racial Epithet – NOT SUSTAINED.

Complaint #14-04

1. Responsibilities – NOT SUSTAINED.
2. Obedience to laws and regulations – NOT SUSTAINED.
3. Incompetence – NOT SUSTAINED.

Complaint #14-05

SUMMARILY DISMISSED

Complaint #14-06

1. Unlawful Search – NOT SUSTAINED.
2. Unlawful Seizure – NOT SUSTAINED.

Complaint #14-07

WITHDRAWN.

Complaint #14-08

1. Officer included inaccurate information in an official police report – NOT SUSTAINED.
2. This was retaliation against the Complainant for filing a complaint against another officer in an earlier CPRB complaint – NOT SUSTAINED.

Complaint #14-09

SUMMARILY DISMISSED.

Complaint #14-10

SUMMARILY DISMISSED.

Complaint #14-11

1. Officer failed to sufficiently investigate the motor vehicle collision as directed by ICPD General Order 99-09, Section IV, Procedures. – NOT SUSTAINED.
2. Officer's determination that the Complainant was at fault in the accident was incorrect and the traffic citation for following too closely should not have been issued – SUSTAINED.
3. Officer did not listen to the Complainant's point of view in regard to how the accident occurred – NOT SUSTAINED.

4. Officer's threat to take the Complainant to jail was inappropriate under these circumstances – NOT SUSTAINED.
5. Officer issued the Complainant a citation because she is not an "American". – NOT SUSTAINED.

Complaint #15-01

1. Racial Profiling – NOT SUSTAINED.
2. Discourtesy – NOT SUSTAINED.

Level of Review

The Board decided, by simple majority vote, the level of review to give each report, selecting one or more of the six levels specified in the City Code per complaint:

Level a	On the record with no additional investigation	7
Level b	Interview or meet with complainant	0
Level c	Interview or meet with named officer	0
Level d	Request additional investigation by Chief or City Manager, or request police assistance in the Board's own investigation	0
Level e	Board performs its own additional investigation	0
Level f	Hire independent investigators	0

Complaint Resolutions

The Police Department investigates complaints to the CPRB of misconduct by police officers. The Police Chief summarizes the results of these investigations and indicates in a report (the Chief's Report) to the CPRB whether allegations are sustained or not sustained. (If complaints are made against the Chief, the City Manager conducts the investigation and prepares and submits the reports.) The Board reviews both the citizens' complaint and the Chief's Report and decides whether its conclusions about the allegations should be sustained or not sustained. The Board prepares a report which is submitted to the City Council.

Of the eighteen allegations listed in the seven complaints for which the Board reported, two were sustained.

The Board made comments and/or recommendations for improvement in police policy, procedures, or conduct in three of the reports:

Complaint #14-02 – The CPRB acknowledges that suitable changes have been made to the Weapons policy.

Complaint #14-04 – The original eight allegations are summarized in the three categories listed above.

Complaint 15-01 - CPRB acknowledges cultural differences and mannerisms may make it difficult to accurately assess and interpret behavior, especially when compared to others behavior/responses.

Name-Clearing Hearings

The ordinance requires that the Board not issue a report critical of the conduct of a sworn officer until after a name-clearing hearing has been held. During this fiscal period, the Board scheduled two name-clearing hearings, but none were held.

Complaint Histories of Officers

City ordinance requires that the annual report of the CPRB must not include the names of complainants or officers involved in unsustained complaints and must be in a form that protects the confidentiality of information about all parties. In the seven complaints covered by the FY14 annual report a total of ten officers were involved with allegations against them.

ICPD Internal Investigations Logs

The Board reviewed the quarterly ICPD Internal Investigations Log, provided by the Chief of Police.

COMPLAINT DEMOGRAPHICS

The following is demographic information from the seven complaints that were completed in this fiscal year. Because complainants provide this voluntarily, the demographic information may be incomplete.

* Category/Number of Complainants

<u>Age:</u>		<u>National Origin:</u>		<u>Color:</u>	
Under 21	0	American	2	White	2
21 & over	4	Dominican	0	Black	1
Unknown	3	Unknown	5	Brown	1
				Unknown	3
<u>Sexual Orientation:</u>		<u>Gender Identity:</u>		<u>Sex:</u>	
Heterosexual	1	Female	1	Female	1
Unknown	6	Male	2	Male	2
		Unknown	4	Unknown	4
<u>Marital Status:</u>		<u>Religion:</u>		<u>Mental Disability:</u>	
Single	2	Unknown	6	No	0
Married	1	Jewish	0	Yes	1
Unknown	4	None	1	Unknown	6
Divorced	0				
<u>Physical Disability:</u>					
No	1				
Yes	0				
Unknown	6				

* Information is reported as presented by the person completing the form.

BOARD MEMBERS

Melissa Jensen, Chair
Joseph Treloar, Vice Chair
Royceann Porter
Mazahir Salih
Maxime Tremblay/Fidencio Martinez