

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

June 12, 2012

Iowa City City Council  
City of Iowa City  
410 E. Washington St.  
Iowa City, Iowa 52240

Re: Police Citizen Review Board's Annual Community Forum Conducted 9 May 2012

To Whom It May Concern:

The Police Citizens Review Board held its annual forum at the Iowa City Public Library in Room A at 7:00pm. Board members present were Donald King, Chairperson, Joseph Treloar, Melissa Jensen, and Royceann Porter. New member Kingsley Botchway was present but not on the panel due to just being appointed. The Board's Legal Counsel Catherine Pugh was also present.

The Chairperson called the forum to order and the agenda was presented.

Legal Counsel Pugh started the presentation with a quick outline of the responsibilities and procedures that the board must follow (See Attached). She highlighted some of the questions that have been posed about what the board can and cannot do. She pointed out that the primary federal law that governs these issues is the Fifth Amendment, to avoid incriminating oneself. Chapter 400 of the Civil Service is the limitation that the PCRFB has no ability to discipline any police officer.

Ms. Pugh went on to explain the procedure for filing a complaint with the PCRFB. The PCRFB gives the complaint to the Police Chief to investigate. The Chief and the City Manager are the only individuals who have the ability to compel the testimony of police officers. This power is particular to a public employee. Private employers cannot compel their employees to testify. This is why the Chief investigates the complaints. If complaints were investigated by the PCRFB alone or by a private investigator, there would be no accused officer's testimony. The standard of review that the PCRFB uses is one of reasonable basis that is outlined in our ordinance and is described very specifically. Since the Chief makes a decision and he has the expertise in police matters, the PCRFB's review of his decision is a reasonable basis review. The only reason the PCRFB cannot sustain a decision of the Chief is if it is "unsupported by substantial evidence", "unreasonable, arbitrary or capricious" or "contrary to a Police Department policy or practice, or any Federal, State or local law", according to Section 8-8-7 B (2) a, b, c of the Iowa City City Code. This is the standard of review that was chosen at the time the ordinance was created. It can be changed but that's what we have to work with right now.

Member Treloar and Member Jensen answered several of the questions that had been submitted by the public to the City Clerk's Office. Questions regarding Police Department procedures were directed to the Iowa City Police Department.

Chair King shared the statistics. Since 1997, eighty complaints were filed with 177 allegations. Six allegations were sustained during those complaints. King explained that the recommendations to the City Council were on the web site along with all of the complaints since 1997. Chair King advised the attending group of the meetings being open to the public and held on the second Tuesday of the month.

The forum was then opened to the public for questions.

The Board was asked if they had gone to the City Council to have the name changed and Chair King advised that it had not been taken to the City Council.

A former Board member asked that her letter to the PCRB be read into the record. Member Jensen read the letter into the record. The former member stated that most of the changes had been discussed at length and that they were ready to go to the City Council with recommendations. She said we had been looking at the procedures, bylaws, and ordinances. She felt that those issues were abandoned.

Member Treloar explained that he had received information from four other citizen review boards. When comparing their laws with our laws, their laws being quite different, there were a lot of things we couldn't apply. Some had powers to discipline officers. That's not in our Charter. Treloar then asked if he could make a motion to recommend to the City Council that we change the name.

Treloar motioned and Member Jensen seconded the motion to recommend to the City Council that the name be changed to Citizens Police Review Board. Motion carried 4-0.

A question from the public was presented about training to deal with active mental illness. A member from the police department, in attendance, explained training procedures and stated training was given to cover mental illness this year.

The four members present were asked to give their thoughts on the structure of the board. All members responded. The consensus was that the feeling from the public about openness could not be helped since the privacy and confidentiality of the complainant did not allow us to discuss our procedures during Executive Sessions.

One concern expressed was about spending too much time on officer misconduct and not enough time in dealing with the disproportionate arrest and citations rates for black youth in the community. A community member suggested the PCRB should make more recommendations to the City Council about police policies, practices and procedures.

Another community member asked if the City Council had asked the Human Rights Commission to take a look at the PCRB process. Iowa City Mayor Matt Hayek, in attendance, responded that it was on their pending work session.

Some members of the public spoke on the transparency of the complaint process. It was again pointed out that we are limited on the information we can share with the public about our process in keeping the identity of the individuals involved private. Treloar pointed out that our police department strives hard to keep their officers' actions transparent by wearing microphones and having videos in the patrol cars. Policy requires the officers to use both on all calls.

One person questioned the process of knowing the officers involved and keeping the number of complaints filed against him. The board wants to remain blind to the identity of the officers involved so their decisions wouldn't be tainted by that knowledge. PCRB again has no authority to discipline officers.

The process of where the complaint is filed was brought up. Complaint can be filed at the Police Department or the PCRB. Thought was that maybe all complaints should go to the PCRB. This again would require the current practice to be changed. PCRB currently gets the statistics from the department but does not review the internal complaints.

A motion for adjournment was raised by Jensen and seconded by Treloar and voted 4-0 to adjourn.

Adjournment 8:30pm

Donald King  
Chairperson  
Police Citizen Review Board

Transcriptions attached per Council request.

Forum agenda, minutes, transcriptions, correspondence, and handouts are all available on the City website. ([www.icgov.org](http://www.icgov.org))