

POLICE CITIZENS REVIEW BOARD

A Board of the City of Iowa City
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December 14, 2010

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

Re: November 9, 2010 Police Citizen Review Board Community Forum

To Whom It May Concern:

The Police Citizens Review Community Forum was held at The Spot on Tuesday, November 9, 2010 at 7:00 p.m. Board Members Present: Treloar, Jochimsen, Porter. Board Members Absent: King. Staff Members Present: Pugh, Tuttle. There were a total of 12 persons in attendance, exclusive of Board members and the event was taped for rebroadcast on City Channel 4.

Treloar introduced the Board, and read the PCRb brochure which is handed out with complaint forms.

A motion was made by Porter and seconded by Jochimsen to "Accept Correspondence and/or Documents." The motion passed.

Treloar noted that the Board had received one article of correspondence and read the following e-mail, but excluded the e-mail address of the sender of the e-mail:

In light of the fact that it's likely that the students will vote in large numbers to allow those under 21 to be in the bars after 10:00 P.M., and in light of that fact that bar owners suggested that a better way to handle the problem is to conduct more regular sting operations, will the police department conduct frequent sting operations on all of the bars. As a citizen I hope so. I hope that the youth and the bar owners all get the message Iowa City's going to enforce the law, and if you're drinking you're going to get arrested. If you're serving persons illegally you're going to get shut down.

Treloar said that the Board did speak with a representative from the Police Department and they were told that it was the Police Departments policy to make checks on all bars in Iowa City. They make more frequent checks on bars where there are problems. All bars, however, are checked as this establishes

good working relationships between the bars and the police and maintains security for bar owners as well as the public.

Peter Hanson asked what the time commitment was to Board members of the PCRB. He also inquired about statistics such as how many complaints the Board received last year, and of those complaints, how many were sustained and not sustained. Treloar responded that the Board meets monthly and more often when necessary. He said that meetings can be as short as half an hour and have gone as long as three hours. Treloar was asked how much the board was paid by an audience member. He responded that it was a voluntary position without pay.

Jochimsen responded to Hanson's question by referring to an article in the Press-Citizen which said that the Board had received four complaints in fiscal year 2010, nine in fiscal year 2009, six in fiscal year 2008, and four in 2007.

Hanson asked if most complaints were rejected or not. He questioned if people would start asking themselves what the point of making a complaint was since so few were sustained.

Jochimsen spoke to how there are often several allegations in a complaint and it is not the case that they are all "simply a yeah or a nay". Jochimsen spoke to how some complaints result in having educational aspects for officers involved. No tally has been compiled of the number sustained or not sustained.

Caroline Dieterle commented how since the Board has been formed there has been an improvement. Dieterle said that it was not so much a case of how many complaints were sustained or not sustained but the fact that the Board existed was beneficial. Dieterle said that the Police Chief had told her at one point that because of Board, the force was better for us being there. Dieterle thanked the Board for their work.

Henry Harper commented that he worked with youth in Iowa City and wanted to commend the Police Department for their being more willing to work with youth, rather than just file charges against them. He hoped that it could be part of the process that when the police do well the Board could reflect on this too, rather than just on complaints.

Sue Freeman commented on the structure of the complaint process. Freeman expressed concern that some people would not want to meet with the Police Chief as part of the complaint process. Freeman felt people may feel intimidated by this and be hesitant to want to file a complaint. Freeman was also concerned about people with poor literacy skills being able to make complaints. Freeman wondered if a citizen could make a complaint to someone other than the police department. Treloar told her that citizens could make a complaint directly to the PCRB and that it would still go through the same process. Freeman questioned the process of reviewing complaints.

Pugh pointed out that the Board does not determine the way a complaint is reviewed and that that is determined in the city ordinance. Pugh also spoke to how other boards function independently and differently than the Iowa City Board. Pugh commented how the police do everything they can to try and

make meeting with complainants from the community comfortable and non-confrontational. Pugh also spoke to how the police want to investigate complaints to make sure that if there are problems, they are solved.

Treloar spoke to the moving of the forum from City Hall into the community to make it a less intimidating environment.

Jochimsen commented on how every use of force is recorded and sent to the Board for review and that these records are very open. Jochimsen said that the whole citizenry is protected by this process.

Dieterle asked for clarification that a person could file their complaint directly with the Board and would not have to also file it with the police department. Dieterle wondered if this could be better communicated to the people who go to the police department first.

Pugh pointed out that when a person goes to the police department to complain, that they are handed both forms. One from the police and one from the PCRB. Dieterle said that this was a good change.

Hansen asked if a person witnessed inappropriate behavior by a police officer and they filed a complaint, if they would have to meet with the Chief or a supervisor or someone from the police department. Would they have to be interrogated or interviewed.

Pugh responded that there would be additional investigation into the complaint and that a witness would be asked about what they witnessed either by phone, or in person.

Hansen thought that the unevenness of power could be intimidating for the complainant.

Pugh pointed out that an investigation needed to be done into the allegation of misconduct, questions would need to be asked and information collected.

Hansen wondered if a written query could be submitted to the witness. Pugh said that had never been suggested before and so she did not know how to respond.

Treloar spoke to how a complainant could seek assistance from a friend or clergy person by someone with literacy issues and that this was in the brochure. The intent was to make sure that literacy issues did not keep someone from being able to file a complaint. Hansen thought people should be made aware that they could bring someone with them to assist them in an interview with police so they would not feel so intimidated. Treloar suggested that the Board look into doing this.

Dieterle had a question on how discretionary enforcement of laws was decided. Specifically, the example of jay walking was listed, or the presence of a "groper" who at one time was practicing in an area of the City. The enforcement is one encouraged by the City Manager, to whom the Chief of Police reports, who instructs the Police as to where, when, and to what degree enforcement if carried out. It was pointed out the Board has other duties other than dealing with complaints. The Board serves as a buffer to make recommendations to the Department concerning Police policies, procedures, and

general orders to make them easily understood by the citizens. Pugh spoke to how the Board reviews and comments on SOPs and general orders.

Treloar said that the Board was always enlisting the public's assistance. The police policies are all posted on line and the public is welcome and encouraged to come to Board meetings with concerns or comments they may have.

Dieterle wondered if there was information available to the public about when the police responded to a call such as having a disorderly house, and only issued a warning. Jochimsen said that this information must be available as the radio stations get it.

Treloar gave closing comments about how the police department took several measures to be transparent and monitor their officers, how this is the only Police Citizen's Review Board in the state and that the community should be commended for this.

There being no further questions, it was moved by Jochimsen, seconded by Porter, to adjourn, at 7:45P.M. The motion passed unanimously, 3-0.

The PCRB is available to discuss any of the foregoing, should the City Council wish.

Sincerely,

Joe Treloar, Vice Chair
Police Citizens Review Board

cc: Chief Sam Hargadine, ICPD