

GENERAL RESPONSIBILITIES

Established in 1997, by ordinance #97-3792, the Iowa City Police Citizens Review Board (PCRB) consists of five members appointed by the City Council. The PCRB 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 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.

ACTIVITIES AND ACCOMPLISHMENTS FOR FISCAL YEAR 2012

Meetings

The PCRB tentatively holds monthly meetings on the second Tuesday and special meetings as necessary. During FY12 the Board held eleven meetings and one Community Forum.

ICPD Policies/Procedures/Practices Reviewed By PCRB

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 PCRB meetings, and was available for any questions Board members had regarding these reports.

Presentations

In May of 2012 the Board held its fourth Community Forum as required by the City Charter. The PCRB Legal Counsel, Catherine Pugh, gave a brief summary on the history, laws governing, investigations, and the name change for the PCRB. There were ten members of the public that spoke at the forum. Topics of discussion included the following: Laws governing the PCRB, and potential changes to the ordinance and operating procedures.

Board Members

In October officers were nominated with Donald King as Chair and Joseph Treloar as Vice-Chair. Peter Jochimsen resigned and was replaced by Kingsley Botchway in May of 2012.

COMPLAINTS

Number and Type of Allegations

Six complaints (11-02, 11-03, 12-01, 12-02, 12-03, 12-04) were filed during the fiscal year July 1, 2011 – June 30, 2012. Three public reports were completed during this fiscal period (11-01, 11-02, 11-03) and one complaint was dismissed (12-02). The remaining complaints filed in FY12 are pending before the Board (12-01, 12-03, 12-04).

Allegations

Complaint #11-01

1. Officers did not respond in a timely manner after her 911 calls for assistance. Complainant asserts that officers arrived almost 20 minutes after the shift change of 11:00pm. NOT SUSTAINED.

2. No audio/video from in-car cameras from responding officers. NOT SUSTAINED.
3. Officers made untrue statements in the submitted written reports. NOT SUSTAINED.
4. Improper conduct/treatment by responding officers during interaction with her. NOT SUSTAINED.
5. The Complainant stated that Officer C was untruthful in telling her that three guns had been recovered. NOT SUSTAINED.
6. Officer C made false statements in his report. The report stated the Complainant used profanity when referring to the Cedar Rapids juveniles and was more interested in cleaning up the mess in the clubhouse than speaking with officers. NOT SUSTAINED.
7. Officer C inquired of her personal information while a possible suspect was seated in the back of the patrol car and overheard the conversation. NOT SUSTAINED.
8. Not being told by Officer C that she was going to be charged with Disorderly House and questioned why a warrant was issued for her arrest. NOT SUSTAINED.
9. Officer C called A&M Management apprising them of the damage and telling them that he was going to charge the Complainant for the damages. NOT SUSTAINED.
10. Officer A had made false statements in his report. Report indicated that Complainant had yelled at him and that he made the statement that he was not going to speak with her if she continued to yell. The Complainant asserts this remark was in response to her asking for his name and badge number to report him to the police chief. NOT SUSTAINED.
11. Officer B made false statements in his report that the Complainant made remarks and comments about the police being worthless. Complainant denies making this statement and asserts the officer did this to get back at her since she was calling the chief of police for how she was treated. NOT SUSTAINED.
12. Officer D called the Complainant's employer with the intent of getting her fired. NOT SUSTAINED.
13. Officer D contacted A&M Management in an effort to get them to file charges and informed them that charges were already pending against her. NOT SUSTAINED.
14. Officer D interviewed and questioned juveniles at the schools about alcohol and guns without parent consent, a violation of school board policy. NOT SUSTAINED.

Complaint #11-02

1. Complainant stated that he was threatened with arrest by Officers. NOT SUSTAINED.
2. Complainant stated that he was intimidated by the Officers. NOT SUSTAINED.

Complaint #11-03

1. Officer A followed him, harassed him, and looked for more reasons to fine and arrest him. The complainant asserts that he abided by all of the officer's instructions and was compliant. He states he was mistreated, hand cuffed and Officer A's written statement was false and created to get him in trouble. 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	2
Level b	Interview or meet with complainant	1
Level c	Interview or meet with named officer	1
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	1
Level f	Hire independent investigators	0

Complaint Resolutions

The Police Department investigates complaints to the PCRB 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 PCRB 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 seventeen allegations listed in the three complaints for which the Board reported, none were sustained.

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

Complaint #11-03

Attempts to contact the complainant by the ICPD by phone on 11-15-2011 and 11-17-2011 were not answered in spite of leaving detailed messages. On 11-17-2011 a letter was sent with information as to how to contact the ICPD for an interview. Neither return calls nor correspondence have been received.

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 no name-clearing hearings.

Mediation

Officers and complainants are notified by mail that formal mediation is available to them at any stage in the complaint process before the Board adopts its public report. All parties involved must consent to a request for mediation. No mediations were convened this year.

Complaint Histories of Officers

City ordinance requires that the annual report of the PCRB 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 three complaints covered by the FY12 annual report a total of seven 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 three 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	US	0	White	0
Over 21	1	Unknown	3	Black	1
Unknown	2			Unknown	2
 <u>Sexual Orientation:</u>		 <u>Gender Identity:</u>		 <u>Sex:</u>	
Heterosexual	0	Female	0	Female	0

Unknown 3

Male 0

Male 1

Unknown 3

Unknown 2

Marital Status:

Single 0

Married 0

Unknown 0

Religion:

Unknown 3

Mental Disability:

No 0

Yes 0

Unknown 3

Physical Disability:

No 0

Yes 1

Unknown 2

BOARD MEMBERS

Donald King, Chair

Joseph Treloar, Vice Chair

Royceann Porter

Peter Jochimsen/Kingsley Botchway

Melissa Jensen