

POLICE CITIZENS REVIEW BOARD

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 assure that investigations into claims of police misconduct are conducted in a manner that is fair, thorough, and accurate, 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. It may recommend that the City Council hold public forums and/or hearings designed to encourage citizens to provide information, recommendations, and opinions about police policies, procedures, and practices. 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 2006

Meetings

The PCRB holds monthly meetings on the second Tuesday and special meetings as necessary. During FY06 the Board held 9 meetings. Three meetings were cancelled due to lack of Board business.

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 is available for any questions Board members have regarding these reports.

Presentations

None.

Board Members

Roger Williams' term ended in September and Michael Larson was appointed for a four-year term. In October officers were nominated with Greg Roth as Chair and Candy Barnhill as Vice Chair.

COMPLAINTS

Number and Type of Allegations

Four complaints (05-03, 05-04, 06-01, 06-02) were filed during the fiscal year July 1, 2005 – June 30, 2006. Four public reports were completed during this fiscal period (05-02, 05-03, 05-04, 06-01). The four completed public reports involved 6 allegations.

Allegations

Complaint #05-02

1. Aggressiveness and Improper Language.

Complaint #05-03

1. Improper Conduct.
2. Differential Treatment.

Complaint #05-04

1. Failure to properly investigate a complaint.
2. Using a condescending tone when speaking to complainant.

Complaint #06-01

1. Violation of 4th Amendment Right.

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	4
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 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 the allegations should be sustained or not sustained. The Board prepares a report which is submitted to the City Council.

Of the 6 allegations listed in the four 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 two of the reports:

Complaint #05-03

The Police Citizens Review Board considered ICPD General Order Number 00-05, "Off-Duty Conduct: Powers of Arrest"; ICPD General Order Number 99-07, "Traffic"; and ICPD General Order 01-01, "Racial Profiling" in coming to its conclusions.

Complaint #06-01

On Wednesday, February 1, 2006, Officer A charged the complainant with "Vehicle for Hire – Liability Insurance." The PCRB complaint against Officer A was time stamped on Friday, February 3, 2006.

In his closing statement to investigators, the complainant stated he would make his complaint go away if the charge against him was dropped.

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 did not schedule any 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. Complaints were filed against four officers in the four complaints covered by the FY06 annual report.

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 four complaints that were filed in this fiscal year. Because complainants provide this voluntarily, the demographic information is incomplete.

Category/Number of Complainants

<u>Age:</u>		<u>National Origin:</u>		<u>Color:</u>	
Over 21	3	US	1	African American	1
Unknown	1	Unknown	3	Unknown	3
<u>Sexual Orientation:</u>		<u>Gender Identity:</u>		<u>Sex:</u>	
Heterosexual	1	Male	2	Male	1
Unknown	3	Unknown	2	Unknown	3
<u>Marital Status:</u>		<u>Religion:</u>		<u>Mental Disability:</u>	
Single	0	Unknown	4	Unknown	4
Married	1				
Unknown	3				
<u>Physical Disability:</u>					
Unknown	4				

BOARD MEMBERS

- Greg Roth, Chair
- Candy Barnhill, Vice Chair
- Loren Horton
- Beth Engel
- Roger Williams/Michael Larson