

# POLICE CITIZENS REVIEW BOARD

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## 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 2005

### Meetings

The PCRB holds monthly meetings on the second Tuesday and special meetings as necessary. During FY05 the Board held 9 meetings, each lasting up to two hours. Three meetings were cancelled, one was due to lack of a quorum and two due to lack of board business.

### ICPD Policies/Procedures/Practices Reviewed By PCRB

The ICPD regularly provides 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 attends the open portion of the PCRB meetings, and is available for any questions Board members have regarding these reports.

### Presentations

None.

### Board Members

John Stratton's term ended in September and Beth Engel was appointed for a four-year term. Loren Horton was re-appointed to the Board for his second four-year term. Horton was also nominated as Chair for a second year with Greg Roth as Vice Chair.

## COMPLAINTS

### Number and Type of Allegations

Five complaints were filed during the fiscal year July 1, 2004 – June 30, 2005. Two public reports were completed during this fiscal period, and two complaints were summarily dismissed. The two completed public reports involved 3 allegations.

### Allegations

Complaint #04-01

Summarily Dismissed

Complaint #04-02

- 1. Excessive use of force.
- 2. Failure to inform.

Complaint #04-03

- 1. Excessive use of force.

Complaint #05-01

Summarily Dismissed

**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:

<b>Level a</b>	On the record with no additional investigation	2
<b>Level b</b>	Interview or meet with complainant	0
<b>Level c</b>	Interview or meet with named officer	0
<b>Level d</b>	Request additional investigation by Chief or City Manager, or request police assistance in the Board's own investigation	0
<b>Level e</b>	Board performs its own additional investigation	0
<b>Level f</b>	Hire independent investigators	0

**Complaint Resolutions**

The Police Department investigates complaints 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 citizen's 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 3 allegations listed in the two 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 #04-02

PCRB finds that the ordinary procedures specified in ICPD general orders and standard operating guidelines for use of force and for explanation of reason for arrest were adequately followed during the incident, which occurred July 7, 2004. PCRB encourages the continued training of officers in each of these matters, and counseling of officers to inform a person under arrest of the criminal charges, except when the person to be arrested is actually engaged in the commission of or attempt to commit an offense, or escapes, so that there is no time or opportunity to do so.

Complaint #04-03

It was noted by the Board that the two complaints originally made by the complainant were contained in one allegation in the Chief's report. The Board found this condensation of allegations to be consistent with the complainant's original complaint and concerns.

**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 two officers in the two complaints this report covers.

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

**Category/Number of Complainants**

<b><u>Age:</u></b>		<b><u>National Origin:</u></b>		<b><u>Color:</u></b>	
Over 21	3	US	3	White	2
Unknown	2	Unknown	2	Unknown	3
<b><u>Sexual Orientation:</u></b>		<b><u>Gender Identity:</u></b>		<b><u>Sex:</u></b>	
Heterosexual	2	Male	3	Male	3
Unknown	3	Unknown	2	Unknown	2
<b><u>Marital Status:</u></b>		<b><u>Religion:</u></b>		<b><u>Mental Disability:</u></b>	
Single	2	Christian	1	No	1
Married	1	Quaker	1	Yes	1
Unknown	2	Unknown	3	Unknown	3
<b><u>Physical Disability:</u></b>					
No	1				
Yes	1				
Unknown	3				

**BOARD MEMBERS**

- Loren Horton, Chair
- Greg Roth, Vice Chair
- Roger Williams
- Candy Barnhill
- John Stratton/Beth Engel