

## **GENERAL RESPONSIBILITIES**

Established in 1997, by ordinance #97-3792, the Iowa City Police Citizens Review Board formerly known as Citizens Police Review Board and now known as Community Police Review Board (hereafter referred as the CPRB), consists of five members appointed by the City Council. The CPRB has its own outside 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 2017**

### **Meetings**

The CPRB tentatively holds monthly meetings on the second Tuesday and special meetings as necessary. During FY17 the Board held ten meetings and one Community Forum.

### **ICPD Policies/Procedures/Practices Reviewed By CPRB**

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

### **Presentations**

In April of 2017 the Board held its ninth Community Forum as required by the City Charter. The Board did introductions, a brief summary of Board duties and responsibilities. Treloar then introduced and welcomed Iowa City Police Chief Jody Matherly.

Chief Matherly gave some background information about himself personally and professionally. He also spoke about the department, other City departments, and the community working together. The Chief feels that the CPRB is a positive thing for the community. He also reported on number of officers, average calls for service and number of arrests per year.

The forum was then opened to the public for questions. There were five members of the public that spoke at the forum. Topics included traffic on Clinton/Madison and proposed gun legislation, the noise ordinance and barking dogs, mental illness, an upcoming legislative forum on mental illness and Chief Matherly, and the types of complaints received since the start of the commission.

Board members spoke briefly about complaint forms, the Johnson County Citizens Police Academy, and having good relationships/communications between residents and the Police Department.

## Board Members

In October 2016 officers were nominated with Joseph Treloar as Chair and Orville Townsend as Vice-Chair. Orville Townsend and Monique Green were appointed in August of 2016 for four-year terms.

## COMPLAINTS

### Number and Type of Allegations

Three complaints (16-05, 17-01, 17-02) were filed during the fiscal year July 1, 2016 – June 30, 2017. Three public reports were completed during this fiscal period (16-03, 16-04, 16-05). Two complaints filed in FY17 are pending before the Board (17-01, 17-02).

### Allegations

#### Complaint #16-03

1. Unlawful Entry – NOT SUSTAINED.
2. Unnecessary Use of Force – NOT SUSTAINED.

#### Complaint #16-04

1. Unnecessary Use of Force (all officers) – NOT SUSTAINED.
2. Failure to Activate Body-Worn Cameras (1 of 3 officers) – SUSTAINED.

#### Complaint #16-05

1. Violated Complainant's First Amendment Right to Freedom of Speech – NOT SUSTAINED.
2. Improper/Unlawful detention/arrest – NOT SUSTAINED.
3. Improperly/Unlawfully did not allow Complainant to provide verbal identification – NOT SUSTAINED.
4. Failure to offer/administer a pre-arrest sobriety/breath test – NOT SUSTAINED.
5. Failure to inform Complainant of reason of arrest – NOT SUSTAINED.
6. Improper/Unlawful search after arrest – NOT SUSTAINED.
7. Improper handcuffing and intentionally causing pain and injury to Complainant – NOT SUSTAINED.
8. Profanity – NOT SUSTAINED.
9. Fabricated probable cause – 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:

<b>Level a</b>	On the record with no additional investigation	3
<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 to the CPRB 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 CPRB 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 thirteen allegations listed in the three complaints for which the Board reported, one was sustained.

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

Complaint #16-03 – It was evident from the time the police arrived on the scene that it was their intent that the suicidal person would receive necessary care at the hospital. It was also evident that the police intended that no one be arrested, no charge would need to be filed and that the transportation of the patient occur as peacefully as possible without incident.

The Board felt the officers handled a very difficult situation very professionally; however, one of the officers made the following comment at the hospital after the patient stated that they were fine: "well you should have been fine earlier". Also, one of the officers made the following comment to one of the arrestees: "you're a grown ass man, look how you're acting". The Board felt that these comments were unnecessary and inflammatory and de-escalation training may be in order to improve future situations, especially in the case of distressed individuals.

Complaint #16-05 – Officer A did an excellent job of handling the situation. It should also be mentioned that he was not only dealing with the complainant but he also did an excellent job of encouraging his friends to keep a safe distance.

The Board was concerned that there was no audio with one of the videos. The Board wants to ensure that the department's equipment is both operating the way its intended to, and is operated by the officers the way it is intended to.

## **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 one name-clearing hearing, but none were held.

## **Complaint Histories of Officers**

City ordinance requires that the annual report of the CPRB 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 FY17 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.

### **Age:**

(3) 18-25 26-35 36-45 46-55 (2) 56-64 65+

### **Disability:**

Physical (1) Mental (1) None

### **Annual Household Income:**

100K 75-99K 50-75K (1) 25-49K (1) Under 25K

### **Gender:**

(1) Female (3) Male (1) Other - Transgender

### **Sexual Orientation:**

(1) LGBTQ (4) Heterosexual Other

### **Ethnic Origin:**

Black/African-American Hispanic (1) American Indian/Alaska Native  
Asian/Pacific Islander (4) White/Caucasian Other

### **Were you born in the United States:**

(2) Yes No

### **Religion:**

(1) Christian None Other

### **Marital Status:**

(2) Married (3) Single Divorced Separated Widowed Other

\* Information is reported as presented by the person completing the form.

## **BOARD MEMBERS**

Joseph Treloar, Chair

Royceann Porter / Orville Townsend, Vice Chair

Melissa Jensen / Monique Green

Mazahir Salih

Donald King