

A History of the Iowa City Community Police Review Board

October 8, 2020

Introduction

The Iowa City Community Police Review Board (hereafter referred to as the 'Board' or 'CPRB') is a five-person board appointed by City Council, with its own legal counsel. The Board was established to provide oversight of investigations of claims of Iowa City police misconduct and assure that investigations are conducted in a manner which 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 Iowa City Police Department (ICPD).

The CPRB ordinance is codified at Title 8, Chapter 8 of the City Code. The following report outlines the complete history of the Ordinance governing the Community Police Review Board, as well as a summary of all official complaints filed with the Board since it was established in 1997.

In addition to receiving complaints, the Board maintains other responsibilities, such as reviewing ICPD policy changes and holding an annual public forum. Although those activities are not the focus of this report, they are matters of public record. The full scope of Board activities can be reviewed in the current Ordinance (Appendix A) and Standard Operating Procedures (Appendix B).

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History of Ordinance

Initial Ordinance (1997)

Iowa City’s Community Police Review Board has existed since 1997, when the City Council passed an ordinance creating such Board to assist the City in processing complaints concerning the police department and to ensure the police department is responsive to community needs. This initial Ordinance (Ord. 97-3792), detailed the intent, goals, and guiding principles of the Board, alongside the process for receiving and investigating allegations of misconduct against sworn police officers. As a general summary, these provisions included:

- Authority to conduct fair, thorough, and accurate investigations into complaints that are formally filed with the Board and allege sworn police officer misconduct. (The Ordinance explicitly denies the Board any authority over police disciplinary matters, in accordance with State of Iowa law. Additionally, the Board is not intended to be a criminal court or formal litigation process of any kind).
- The processes and deadlines for (1) filing a complaint, (2) the Police Chief or City Manager investigation of the complaint and report to the Board, and (3) the Board’s review and report to the City Council.
- Complaint tracking and reporting requirements, and ability to hold general forums on police policies, practices, and procedures.
- Board member composition and term lengths.
- Clarification of power limits of the Board and preservation and protection of the police officers’ and complainants’ rights.

Amendments (1998 – Present)

In the 23 years since, efforts to increase the effectiveness of the Board have resulted in various changes to the board’s charge, composition, and general policies and procedures. The following is a complete timeline and description of all amendments to the Ordinance governing the Board:

| Year | Ord. | Amendment |
|-------------|----------------|--|
| <i>1997</i> | <i>97-3792</i> | <i>Creation of the Iowa City’s police citizen’s review board.</i> |
| 1998 | 98-3865 | Removes the opportunity for the complainant to participate in the “name-clearing hearing,” which is a due process hearing required to be held before the Board issues a report that is critical of an officer. |

| Year | Ord. | Amendment |
|-------------|-------------|---|
| 1999 | 99-3877 | <p>Increases the time allowed for filing a complaint with the Board from "within 60 days" to "within 90 days" from the alleged misconduct</p> <p>Increases the time for the Police Chief or City Manager to investigate and deliver their report to the Board from "within 30 days" to "within 90 days" after the complaint is filed.</p> <p>Increases the time for the Board to review and deliver their report to City Council from "within 30 days" to "within 45 days" of receipt of the Chief or City Manager's report.</p> <p>Adds a section to define time computation and ensure that complaints can be accepted the full, following business day if the filing or reporting deadline falls on a weekend or City holiday.</p> |
| 1999 | 99-3891 | <p>Adds a standard (balancing test) for the Board to use in determining whether to include complainant or officer names in the final report of a sustained complaint. The Board may do so if it determines that the public interest in such disclosure outweighs the public harm and privacy interests of the parties involved. If the Board decides the public interest is greater, it must provide detailed, written reasons for this determination AND notify any persons whose names will be disclosed.</p> |
| 2001 | 01-3976 | <p>Clarifies that complaints can be submitted to either the Board or the Police Department, but the Board will only process those filed with the Board.</p> <p>Requires the Police Chief to report at least quarterly to the Board on the nature/disposition of complaints filed with the Police Department.</p> <p>Allows the Board to comment on concerns about an officer's misconduct or police policies, practices, and procedures in their report to Council, even if they affirmed the Chief/Manager's decision.</p> <p>Allows the Board to request the City Council hold general informational hearings regarding policing.</p> <p>Replaced the sunset clause with a 2-year review of the effectiveness of the Board.</p> |
| 2003 | 03-4096 | <p>Amends the Board Composition requirements so that the seat for the current or former peace officer cannot be filled by any peace</p> |

| Year | Ord. | Amendment |
|-------------|---|--|
| | | officer employed as such by the City of Iowa City within 5 years of the appointment date. |
| 2007 | 07-4260 | Clarifies that if the Police Chief seeks an extension for their report to the board beyond the 90-day window, the Board will grant an extension if good cause is shown. |
| 2007 | 07-4291 | Removes the 2-year review of the Board |
| 2007 | 07-4296 | <p>Makes amendments to the ordinance to be consistent with the 2007 amendment to the City Charter to include a permanent community police review board vested with certain minimum powers.</p> <p>Requires the Board to hold at least one community forum each year on policing and report back to City Council.</p> <p>Authorizes the Board to subpoena witnesses when it chooses to perform its own investigation after receipt of the Chief/Manager report.</p> <p>In addition to the annual report and community forum, authorizes the Board to review and make recommendations to the Council on police policies, practices and procedures.</p> |
| <i>2012</i> | <i>Resolution No. 12-320</i> | <i>City Council established an Ad Hoc Diversity Committee. The Committee's charge included reviewing the policies, practices, and procedures of both the Police Department and the Police Citizens Review Board and providing a set of recommendations to the City Council on diversity-related matters.</i> |
| <i>2013</i> | | <i>The Ad Hoc Diversity Committee issued a report of recommendations to City Council in March 2013. The full recommendations for the Police Citizens Review Board are found on pages 6-7 of this report and were adopted by City Council (below: Res. 13-217, Ord. 13-4555). A summary of other, non-legislative changes to the Board following these recommendations is available in the next section.</i> |
| 2013 | 13-4555 <i>Resolution No. 13-217</i> | <p>Adopts recommendations of the Board and the Ad Hoc Diversity Committee including:</p> <ul style="list-style-type: none"> Renaming the "Police Citizens Review Board" (PCRB) to the "Citizens Police Review Board" (CPRB). |

| Year | Ord. | Amendment |
|-------------|------------------------------|---|
| | | <ul style="list-style-type: none"> • Removing formal mediation from the process. • Requiring the City Manager to participate in the interview process with the officers involved in the complaint. • Requiring a copy of all complaints filed with the Board to be forwarded to the Equity Director. • Developing an exit survey for the complainant regarding the process and publishing this data in the Annual Report. |
| 2015 | 15-4627 | Renamed from the "Citizens Police Review Board" to the "Community Police Review Board," and amended to remove the word "citizen" throughout as recommended by the 2015 Charter Review Commission. |
| <i>2015</i> | <i>Resolution No. 15-223</i> | <i>City Council adopted the Board Standard Operating Procedures and Guidelines.</i> |
| 2019 | 19-4783 | <p>As recommended by the Board:</p> <p>Requires that the internal investigation be provided to the Board in the event a determination is made that it is a public record, which may occur when the Chief and Manager find misconduct and impose discipline.</p> <p>Requires the Board to include in their annual report whether the Board's decision on any complaint differed from that of the Chief/Manager.</p> <p>Requires the Chief to meet in a closed session with the Board if their decisions on a complaint differ, to discuss the discrepancy in opinion.</p> <p>Requires that the Board include whether their decision affirmed or rejected that of the Chief/Manager in their public report of the disposition of a complaint.</p> |
| 2019 | 19-4804 | Creates a City Council liaison to the Board, with the intention of improving communication between the bodies and providing a safe and comfortable space for the Board to express any concerns about the composition, cohesiveness, and effectiveness of the Board. |

Ad Hoc Diversity Committee Recommendations

On June 19, 2012, the City Council established an Ad Hoc Diversity Committee to review issues relating to diversity within the Police Department and Transportation Services Department. In addition, the committee was charged with reviewing the Police Citizen’s Review Board (now CPRB). The scope of the committee was to review the policies, practices, and procedures of each and provide a set of recommendations to City Council on diversity-related matters.

The committee delivered a set of recommendations to City Council in March 2013, below is a summary of each of the recommendations made for the police review board:

| Diversity Committee Recommendation | Outcome |
|--|--|
| 1. Increase public awareness of the Board and the process by which to file a complaint. | <ul style="list-style-type: none"> • Creation of educational video • Distribution of informational brochure • Process information posted on City website • Police officer public outreach and education |
| 2. Change the process and procedure for the Board to address the issue of public distrust. | <ul style="list-style-type: none"> • City Manager required to participate in investigation interview process with officers • Equity Director notified of complaints filed • Complainants offered an exit survey, and this data published in the Board’s annual report |
| 3. Recommendations on changes to the Board’s ordinance | <ul style="list-style-type: none"> • Resolution No. 13-217 and Ord. 13-4555 adopt and codify the Diversity Committee’s recommendations |

The Board’s Report of recommendations also included recommendations for changes to the ICPD, including: (1) Changes to create a more positive culture that focuses on the “protect and service” approach, including restructuring of the department to adopt a Community Policing model; and (2) Through education, increase mutual understanding of roles and stereotypes between officers and minority communities.

Please find the March 2013 Ad Hoc Diversity Committee Report to the City Council in Appendix B.

Board Standard Operating Procedures and Guidelines

On June 16, 2015, the City Council adopted by resolution (15-223) standard operating procedures and guidelines for the Community Police Review Board. These procedures and guidelines further detail the process outlined in the Board ordinance.

Please find the Community Police Review Board Standard Operating Procedures and Guidelines in Appendix C of this report.

Complaint Process

Board Complaint Process

The Community Police Review Board complaint process is designed to promote both internal and external accountability of the Police Department. The City Council determined one method for accomplishing such internal accountability is to have the police conduct their own investigations into claims of inappropriate police conduct. This is supplemented through two additional external accountability strategies: (1) Board oversight, tracking, and reporting of complaints; and (2) detailed, quarterly reports by the Police Chief of all complaints formally filed with the department (rather than with the Board).

Any person with "personal knowledge" of the alleged misconduct of a sworn Iowa City police officer can file a complaint with the Board, within 90 days of the alleged misconduct. After the complaint is filed, the Police Department first conducts an internal investigation and delivers a report to the Board, which includes factual findings and a written conclusion of whether the complaint is "sustained" or "not sustained." The Reports must include any recommended remedial actions (such as new or changed policy), but shall not include disciplinary plans or other personnel matters. If the Police Chief and the City Manager find the police officer's actions constitute misconduct and discipline is imposed by the Police Chief or City Manager, the internal affairs investigation may become a public record to be released by the City Attorney to the extent provided by law.

After receiving the report from the Police Department, the Board can decide, through a simple majority vote, their preferred level of review -- selecting from any or all of the following:

- On the record, with no additional investigation
- Interview/meet with the complainant and/or named officer(s) and other officers
- Request additional investigation or assistance in the Board's own investigation from the Police Chief or City Manager
- Perform its own investigation with the authority to subpoena witnesses
- Hire independent investigators

The Board reviews the Chief's report using a "reasonable basis" standard of review. If the Board determines that the findings in the Chief/Manager Report are not supported by substantial evidence, are unreasonable, or are contrary to an existing policy, practice, or regulation, they can recommend that the Chief or Manager reverse or modify their findings. If this occurs, the Board and Police Chief hold a meeting to discuss their differences. The City Manager will also attend if the Board requests the City Manager's presence. If the Board affirms the decisions of the Chief or Manager with respect to the allegations of misconduct but nonetheless has concern about the officer's conduct or police policies, practices or procedures they may so comment in their report to the City Council

Finally, the Board issues a report to the City Council which includes detailed findings of the complaint investigation and an explanation of whether the complaint is “sustained” or “not sustained.” If the complaint is not sustained the report shall not include names of the complainant or officer. If the complaint is sustained, the Board may include names if it determines in writing that the public interest outweighs privacy interests and/or public harm and provides 10 days’ notice to affected parties prior to the release. Additionally, if the Board is critical of the officer(s) conduct in its final report to City Council, it must offer the officer a “name-clearing hearing” prior to releasing the report.

Final complaint reports are available for public viewing: www.icgov.org/city-government/boards/community-police-review-board-cprb.

Overview of Community Police Review Board Complaint Process



*If complaint is filed against the Police Chief, the City Manager conducts the investigation.

Other Complaint Methods

The Community Police Review Board will only process complaints against sworn police officers that are directly filed with the Board, within 90 days of the alleged misconduct. There are two other options for individuals who wish to file a complaint against an officer, which are not reviewed by the Board:

- (1) ICPD Complaint: Department policy will determine the level of investigation, the complainant will determine their level of disclosure, and final reports will be nonpublic and confidential. There is no statute of limitations to file this type of complaint.
- (2) Human/Civil Rights Complaint: The Office of Equity and Human Rights receives complaints from individuals who believe they have been discriminated against due to age, race, marital status, national origin, sexual orientation, disability, creed, sex, color, religion, gender identity or retaliated against. Due to conflict of interest issues complaints against the City of Iowa City (including ICPD officers) are referred to the Iowa Civil Rights Commission for processing. Such complaints must be filed within 300 days of the alleged discriminatory or unfair practice.

Please note that whether a complaint is filed with the Board, department, or Human Rights Commission, under state law, disciplinary matters remain the authority of the Police Chief or City Manager only.

Complaint History

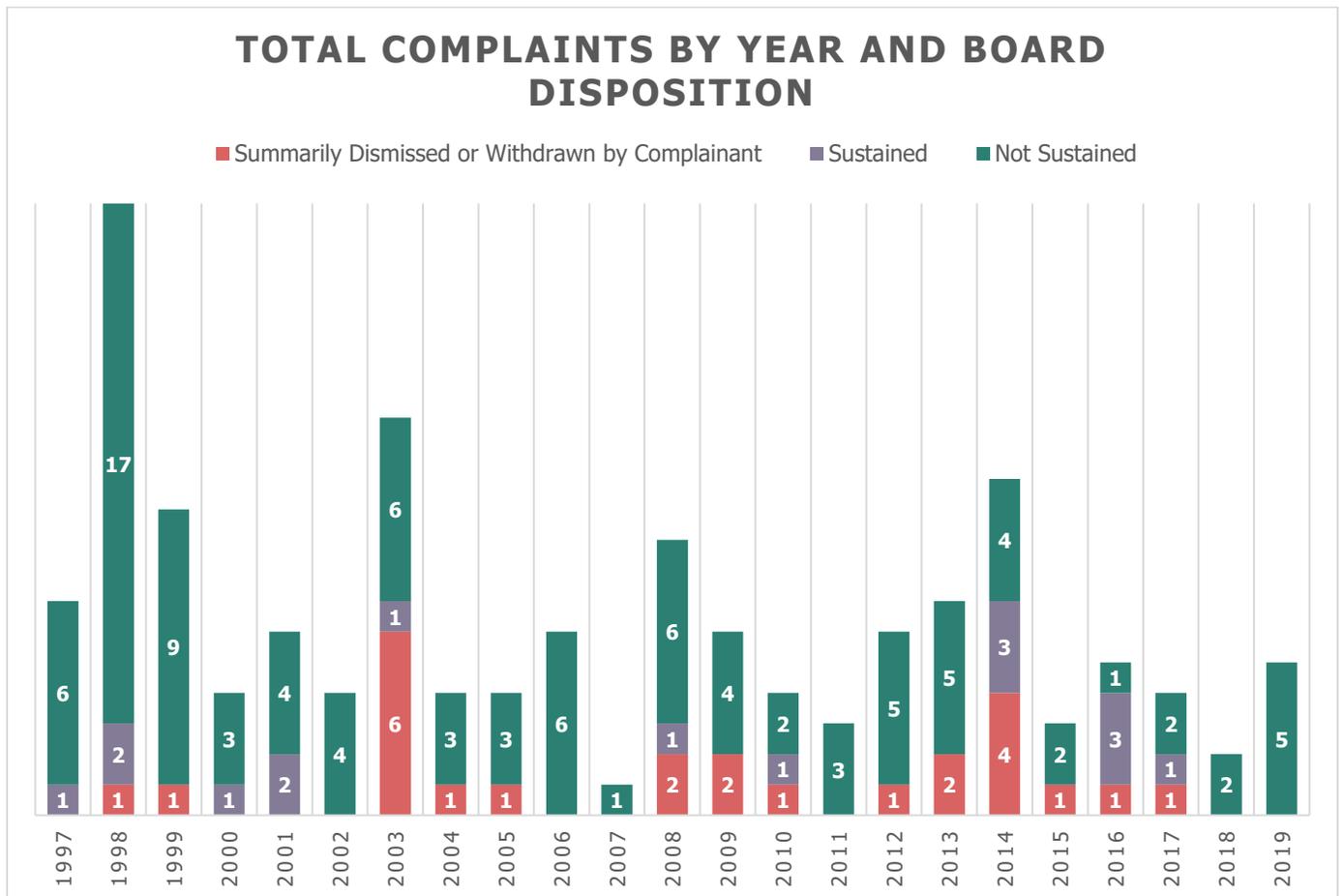
Each year, the Board releases an [Annual Report](#) which includes a yearly summary of all complaints received, number and type(s) of allegation(s), and disposition by both the Chief and the Board.

Appendix D of this report includes a detailed history of all complaints and allegations filed with the Community Police Review Board, since its inception in 1997. Additional summaries are provided below.

Total Board Complaints and Dispositions

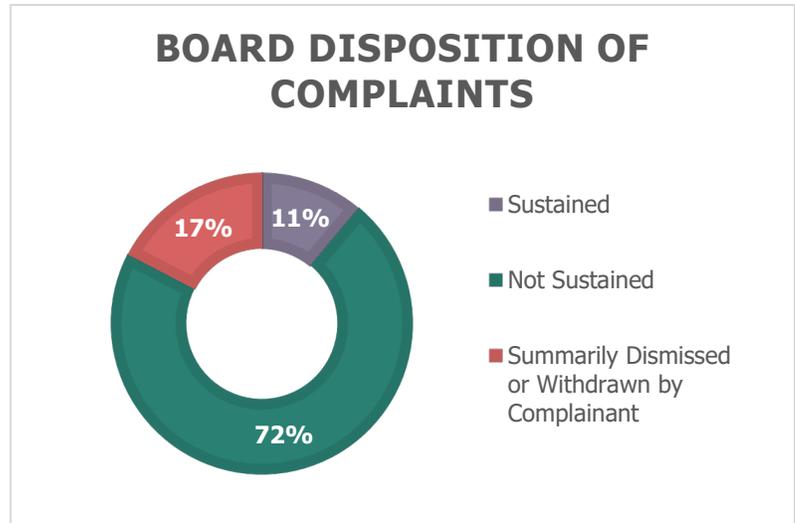
Since 1997, there have been **119 total complaints** filed with the Community Police Review Board (not including 25 filed complaints which were withdrawn by the complainant or summarily dismissed).

The chart below shows the total number of complaints, but please note there may be *several allegations* included in a single complaint and the Board issues a *decision for each allegation*. For purposes of graphical representation, in the chart below complaints categorized as “sustained” involve those in which at least one allegation was sustained (even if several others were not), and complaints categorized as “not sustained” involve only cases in which zero allegations were sustained.



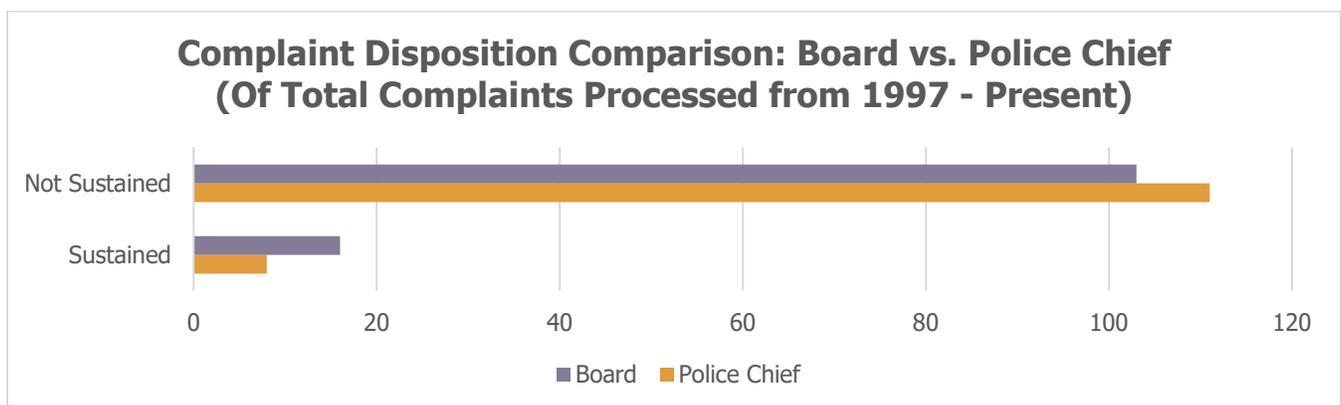
Since 1997:

- **72%** of all complaints had **no allegations sustained** by the Board (“Not Sustained” at right)
- **17%** of all complaints were **Summarily Dismissed* or Withdrawn** by the Complainant
- **11%** of all complaints had at least **one or more allegations sustained** by the Board (“Sustained” at right)



**Reasons for summary dismissal may include: if complaints are not filed within the 90-day window, do not involve a sworn Iowa City police officer, or complainant does not have "personal knowledge" of alleged misconduct.*

In total, of 119 complaints filed **over the past 23 years**, the Board has found that **16 complaints in which at least one allegation was "sustained."** In half of these 16 cases, the Board's disposition differed from that of the Police Chief. Overall, in both cases involving allegation(s) that were "sustained" and cases involving allegations which were "not sustained," **the Police Chief and Board reach the same disposition 92.79% of the time.** This means that over 9 times out of 10, if the Police Chief finds a complaint involves an allegation that is "sustained," the Board agrees with that finding, and likewise for complaints in which all allegations are "not sustained."

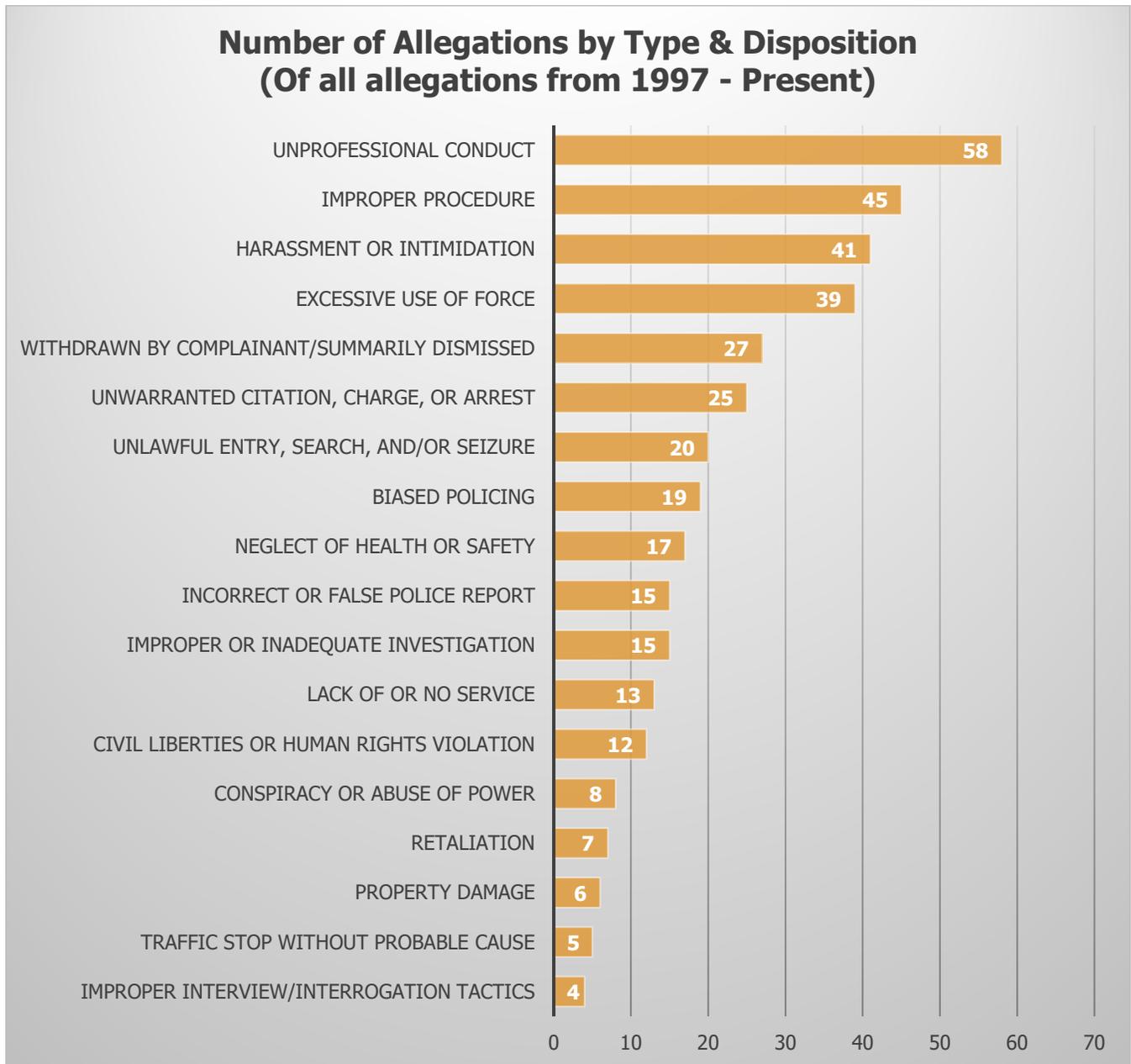


Of all complaints processed, the Board agreed with all of the Police Chief's investigation findings **111 out of 119 times**. For the other eight cases, the Board disagreed on at least one allegation's disposition and reversed the Chief's decision.

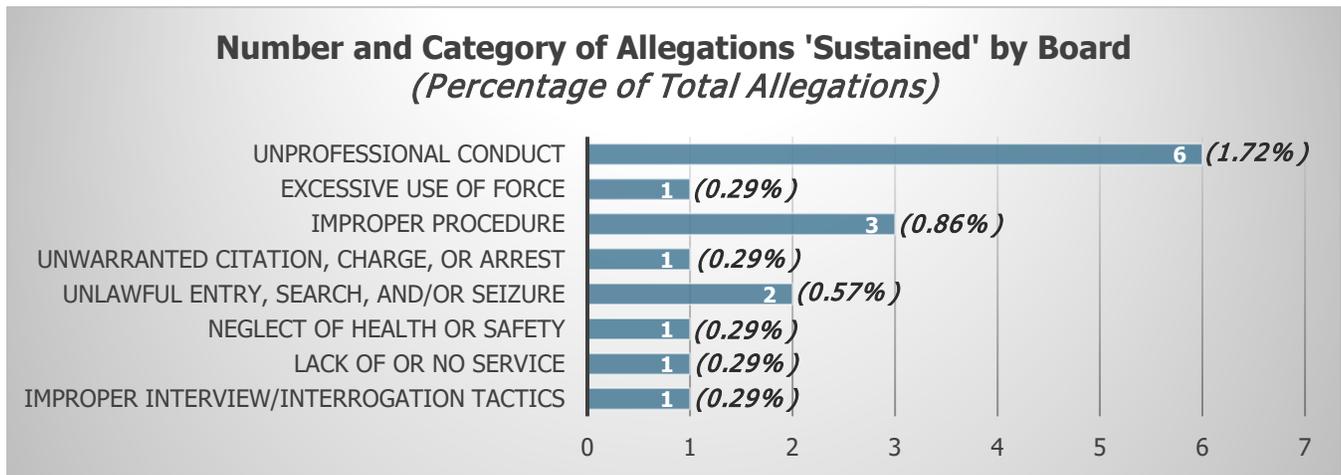
Complaints Disaggregated by Allegation Type

Many complaints filed with the Community Police Review Board include several different allegations. For this reason, the graphical representations below will show a higher number of *allegations* than *complaints*.

For statistical purposes, these allegations have also been categorized by type to produce the visualizations below. Please see Appendix E to this report for definitions of these categories.



The board **"sustained" 4.5% of all allegations** made in complaints filed between 1997 and Sept. 2020. The following graph shows the categories of the 16 allegations "sustained" by the Board:



Comparatively, the Police Chief Report found 2.29% of allegations sustained. The chart below highlights the categories of allegations in which the Chief and Board reached differing dispositions. These include: (1) improper interview/interrogation tactics, (1) lack of or no service, (2) unlawful entry, search, and/or seizure, (1) excessive use of force, and (2) unprofessional conduct.

| Category | Chief Sustained | Chief Not Sustained | Board Sustained | Board Not Sustained |
|---|-----------------|---------------------|-----------------|---------------------|
| Improper Interview/Interrogation Tactics | - | 4 | 1 | 3 |
| Traffic Stop without Probable Cause | | 5 | | 5 |
| Property Damage | | 6 | | 6 |
| Retaliation | | 7 | | 7 |
| Conspiracy or Abuse of Power | | 8 | | 8 |
| Civil Liberties or Human Rights Violation | | 13 | | 13 |
| Lack of or no service | - | 13 | 1 | 12 |
| Improper/Inadequate Investigation Tactics | | 15 | | 15 |
| Incorrect or False Police Report | | 15 | | 15 |
| Neglect of Health or Safety | 1 | 16 | 1 | 16 |
| Biased Policing | | 19 | | 19 |
| Unlawful Entry, Search, and/or Seizure | - | 19 | 2 | 17 |
| Unwarranted citation, charge, or arrest | | 25 | 1 | 24 |
| Improper Procedure | 3 | 42 | 3 | 42 |
| Excessive Use of Force | - | 39 | 1 | 38 |
| Harassment or Intimidation | | 41 | | 41 |
| Unprofessional Conduct | 4 | 54 | 6 | 52 |
| <i>Total</i> | <i>8</i> | <i>341</i> | <i>16</i> | <i>333</i> |

Overall, the Police Chief's investigation found 97.71% of allegations "not sustained," and the Board found **95.42% of all allegations made in complaints filed since 1997 "not sustained."**

APPENDIX A

Current Community Police Review Board (Ordinance 15-4627, 6-16-15)

**CHAPTER 8
COMMUNITY POLICE REVIEW BOARD**

SECTION:

8-8-1: Creation Of Community Police Review Board

8-8-2: Intent, Goals And Guiding Principles

8-8-3: Definition Of Complaint; Complaint Process In General

8-8-4: Reserved

8-8-5: Police Department And Police Chief Investigatory Duties; City Manager Investigatory Duties

8-8-6: Police Chief's Report To Board; City Manager's Report To Board

8-8-7: Duties Of Board; Complaint Review And General Duties

8-8-8: Board Composition; Limited Powers Of Board

8-8-9: Police Officer's And Complainant's Rights Preserved

8-8-10: Council Review (Rep. by Ord. 07-4291, 10-16-2007)

8-8-11: Time Computation

8-8-12: Liaison

8-8-1: CREATION OF COMMUNITY POLICE REVIEW BOARD:

As permitted under Iowa's home rule authority and as required by the city's home rule charter, the city creates the community police review board (hereinafter "board"), subject to the duties and limited powers set forth herein. (Ord. 15-4627, 6-16-2015)

8-8-2: INTENT, GOALS AND GUIDING PRINCIPLES:

A. Investigations into claims of inappropriate conduct by sworn police officers will be conducted in a manner which is fair, thorough, and accurate.

B. An annual reporting system regarding complaints against sworn police officers will be established to give the city council sufficient information to assess the overall performance of the Iowa City police department in these matters. (Ord. 13-4555, 9-17-2013)

C. Persons may make a formal written complaint to either the board or the Iowa City police department. In accordance with this chapter the board shall process only those complaints filed with the board but will receive reports from the police chief briefly describing the nature of the allegations made in formal written complaints filed with the police department and the disposition of the same. (Ord. 13-4555, 9-17-2013; amd. Ord. 15-4627, 6-16-2015)

D. The board will:

1. Oversee a monitoring system for tracking receipt of formal complaints lodged against sworn police officers with either the board or the Iowa City police department.

2. Provide oversight of police investigations through review of such investigations.

3. Provide the opportunity for a hearing to the police officer if the board's findings on the complaint to the board are critical of the police officer, as required by constitutional law, and give the police officer the opportunity to present testimony and evidence.

4. Issue a final public report to the city council on each complaint to the board which sets forth factual findings and a written conclusion which explains why and the extent to which the complaint is either "sustained" or "not sustained".

E. The board shall have no authority over police disciplinary matters because only the police chief or city manager may impose discipline under Iowa law.

F. No findings in the board's report shall be used in any other legal proceeding.

G. The board shall only review the conduct of sworn Iowa City police officers and shall only act in a civil, not criminal, capacity. The board is not intended to be a court of law, a tort claim process or other litigation process. No action of the board shall be deemed to diminish or limit the right of any person to file a claim or a lawsuit against the city.

H. A complaint to the board may be filed by any person with personal knowledge of an incident. "Personal knowledge" means the complainant was directly involved in the incident or witnessed the incident. If the person with personal knowledge is underage or otherwise unable to complete a complaint form, the complaint may be filed by such person's designated representative. The City Manager, the Police Chief, the City Council, or the board may file a complaint to the board based upon a reasonable belief that police misconduct has occurred regardless of personal knowledge.

I. In order to assure that people feel confident in the complaint process, nonpolice City staff shall be available at a public location other than the Police Department to receive complaints, although complaints may also be filed at the Police Department.

J. The board shall not interfere with or diminish the legal rights of sworn police officers, including those rights protected under the union contract, Civil Service Commission, and State and Federal law. Similarly, the board shall respect the rights of privacy and freedom from defamation shared by complainants and witnesses, as well as those same rights enjoyed by police officers under the law.

K. The City Council finds that internal accountability within the Police Department is a valid legislative purpose, and one method of accomplishing such internal accountability is to have the police do their own investigations into claims of inappropriate police conduct. If a complaint is asserted against the Police Chief, the City Manager will investigate the claim and report to the board and the City Council. (Ord. 13-4555, 9-17-2013)

L. Investigation of all formal complaints to the board is a mandatory duty of the Police Chief, and a report of each complaint investigation shall be given to the board. Such reports to the board shall include the factual findings of the Police Chief as well as a written conclusion explaining why and the extent to which a complaint is either "sustained" or "not sustained". However, such reports shall not include discipline or other personnel matters. If the Police Chief and the City Manager find the police officer's actions constitute misconduct and discipline is imposed by the Police Chief or City Manager, the internal affairs investigation may become a public record to be released by the City Attorney to the extent provided by law, in which case the City Attorney shall forward a copy of such internal affairs investigation report to the board. (Ord. 13-4555, 9-17-2013; amd. Ord. 19-4783, 3-12-2019)

M. In order to assure external accountability of the actions of the Police Department, the Police Chief shall provide the board with a report at least quarterly of all formal complaints filed directly with the Police Department, which report shall state the date and location of the incident and a brief description of the nature of the allegation and the disposition of the complaint. (Ord. 13-4555, 9-17-2013)

N. External accountability will further be provided by the board's maintenance of a central registry of all formal complaints. In addition to the central registry, the board shall provide an annual report to the City Council, which report shall be public and shall set forth the general types and numbers of complaints, how they were resolved, whether the board's decision differed from that of the Police Chief and/or City Manager, demographic information, and recommendations as to how the Police Department may improve its community relations or be more responsive to community needs. (Ord. 13-4555, 9-17-2013; amd. Ord. 19-4783, 3-12-2019)

O. The board shall hold at least one community forum each year for the purpose of hearing views on the policies, practices and procedures of the Iowa City Police Department, review police practices, procedures, and written policies as those practices and procedures relate to the Police Department's performance as a

whole, and report their recommendations, if any, to the City Council, City Manager and Police Chief. (Ord. 13-4555, 9-17-2013; amd. Ord. 15-4627, 6-16-2015)

8-8-3: DEFINITION OF COMPLAINT; COMPLAINT PROCESS IN GENERAL:

A. A "complaint to the board" is an allegation of misconduct lodged against a sworn police officer ("police officer" or "officer") employed by the Iowa City Police Department, where the complained of activity occurred while the officer was acting in the capacity of a sworn police officer.

B. Any person with personal knowledge of the alleged police misconduct may file a complaint with the board. In order to have "personal knowledge", the complainant must have been directly involved in the incident or witnessed the incident. If the person with personal knowledge is underage or otherwise unable to complete a complaint form, the complaint may be filed by such person's designated representative. The City Manager, the Police Chief, the City Council or the board itself may file a complaint based on a reasonable belief that police misconduct has occurred regardless of personal knowledge. The person or official filing the complaint may hereafter be referred to as the "complainant".

C. All complaints to the board shall be in writing and on forms provided by the board. Complaint forms shall be available to the public in easily accessible locations, and nonpolice staff shall be available to receive the complaint forms. Assistance may be available to complete the form as designated by the board.

D. All complaints to the board must be filed with the City Clerk within ninety (90) days of the alleged misconduct.

E. Only those complaints to the board which do not involve the conduct of an Iowa City sworn police officer or are not filed within ninety (90) days of the alleged misconduct may be subject to summary dismissal by the board. (Ord. 13-4555, 9-17-2013)

8-8-4: RESERVED:

(Ord. 13-4555, 9-17-2013)

8-8-5: POLICE DEPARTMENT AND POLICE CHIEF INVESTIGATORY DUTIES; CITY MANAGER INVESTIGATORY DUTIES:

A. Reserved.

B. Investigation: It shall be the mandatory duty of the Police Chief to do the following:

1. Prior to investigation of any board complaint, the Police Chief shall first give Garrity and Gardner advice to all police officers implicated in the complaint, as required by constitutional law. This means the officer cannot be required to waive the officer's constitutional right against self- incrimination. However, the officer may be required to answer questions during the investigation as a condition of the officer's

employment, but any admissions made by the officer cannot be used against the officer in a criminal proceeding.

2. Reserved.

3. Assign the complaint to designated investigators within the Police Department for investigation into the factual allegations of the complaint.

4. The complainant shall be interviewed by the Police Department and shall be entitled to have a neutral City staff person or some other person chosen by the complainant present during the interview. The police officer is entitled to have a union steward present during any interviews. The City Manager will participate in the interview process with the officers involved in the complaint. A review of the City Manager's involvement under this provision will be done in two (2) years to ensure the practice is producing its intended purpose.

5. Investigators will prepare and forward a report of their investigation to the Police Chief, and shall make detailed findings of fact as to the allegations in the complaint, and shall also set forth a written conclusion which explains why and the extent to which the complaint is either "sustained" or "not sustained". (Ord. 13-4555, 9-17-2013)

6. In the event the board's decision differs from that of the Police Chief, the Chief shall meet with the board in closed session to discuss the discrepancy of opinion. If the board requests the City Manager's presence at said meeting the City Manager will also attend. Such meeting shall take place prior to the issuance of the board's public report to the City Council. (Ord. 19-4783, 3-12-2019)

C. Legal Advice: If litigation, including criminal charges, relating to the matter of the complaint is commenced or is being contemplated by or against any party to the complaint, the Police Department, the Police Chief and/or the board shall consult with the City Attorney and/or the board's own attorney on a case by case basis, to determine whether and how the investigation of the complaint should proceed.

D. Complaints Against Police Chief: If a board complaint is filed concerning the Police Chief's conduct, the City Manager shall investigate or cause an investigation to be completed.

E. Disciplinary Action: Nothing in this chapter shall prevent the Police Chief or the City Manager from taking disciplinary action prior to the board's review of the complaint. (Ord. 13-4555, 9-17-2013)

8-8-6: POLICE CHIEF'S REPORT TO BOARD; CITY MANAGER'S REPORT TO BOARD:

A. The Police Chief shall receive the designated investigator's report within the time frame indicated by the Police Chief. The Police Chief shall conduct a review of the investigators' report, and may do any or all of the following: conduct interviews or request the police investigators to conduct additional investigations; request additional information, or that additional questions be asked; interview or direct that other persons or

witnesses be interviewed; request that other documents be reviewed and/or retrieved; and any other investigative matters the Police Chief deems appropriate.

B. The Police Chief will consult with the City Personnel Administrator and the City Attorney prior to finalizing the Police Chief's report to the board, and shall then forward this report to the board, which shall include the following:

1. Detailed written findings of fact concerning the allegations in the complaint;
2. A written conclusion which explains why and the extent to which the complaint is either "sustained" or "not sustained"; and
3. Recommended remedial actions, if any, including amending current policies or adopting new policies.

C. The Police Chief's report to the board shall not include discipline or personnel matters.

D. A copy of the Police Chief's report to the board shall be given to the police officer, the complainant, and the City Manager. If the complaint concerns the Police Chief, copies of the City Manager's report to the board shall be given to the Police Chief, the complainant, and the City Council.

E. The Police Chief's report to the board shall be completed within ninety (90) calendar days after the complaint is filed. The board will grant extensions from this deadline for good cause shown.

F. All investigations shall be performed in a manner designed to produce a minimum of inconvenience and embarrassment to all parties, including the complainant, the police officer, and other witnesses.

G. If a complaint is filed concerning the Police Chief, the City Manager's report shall include the same findings of fact and conclusions as required for the Police Chief's report to the board. (Ord. 13-4555, 9-17-2013)

8-8-7: DUTIES OF BOARD; COMPLAINT REVIEW AND GENERAL DUTIES:

A. Complaints: The board shall forward copies of all complaints received to the Police Chief for investigation; or where the complaint concerns the Police Chief, forward a copy of the complaint to the City Manager for investigation. A copy of all complaints shall be forwarded to the Equity Director.

B. Review Of Police Chief's Report Or City Manager's Report:

1. The board shall review all Police Chief's reports and City Manager's reports concerning complaints. The board shall decide, on a simple majority vote, the level of review to give each Police Chief's or City Manager's report, and the board may select any or all of the following levels of review:

- a. On the record with no additional investigation.

- b. Interview/meet with complainant.
- c. Interview/meet with named officer(s) and other officers.
- d. Request additional investigation by the Police Chief or City Manager, or request police assistance in the board's own investigation.
- e. Perform its own investigation with the authority to subpoena witnesses.
- f. Hire independent investigators.

2. The board shall apply a "reasonable basis" standard of review when reviewing the Police Chief's or City Manager's report. This requires the board to give deference to the Police Chief's or City Manager's report because of the Police Chief's and City Manager's respective professional expertise. The board may recommend that the Police Chief or City Manager reverse or modify their findings only if:

- a. The findings are not supported by substantial evidence;
- b. The findings are unreasonable, arbitrary or capricious; or
- c. The findings are contrary to a Police Department policy or practice, or any Federal, State, or local law.

3. If, in accordance with said standard, the board affirms the decision of the Police Chief or City Manager with respect to the allegations of misconduct but nonetheless has concern about the officer's conduct or police practices, policies, or procedures, it may so comment in its report to the City Council. If such comments are critical of the officer's conduct the board shall provide the officer a name clearing hearing pursuant to subsection B6 of this section. When collecting and reviewing additional evidence, the board shall rely on evidence which reasonably prudent persons are accustomed to rely upon in the conduct of their serious affairs.

4. If the board disagrees with the decision of the Police Chief or City Manager with respect to the allegations of misconduct, the board and the Police Chief and/or City Manager shall meet in closed session to discuss their disagreement about the complaint. If the board requests the City Manager's presence at its meeting with the Police Chief, the City Manager will also attend. Such meeting shall take place prior to the issuance of the board's public report to the City Council.

5. At the conclusion of the board's review, the board shall issue a public report to the City Council concerning the complaint investigation. Such public report shall include detailed findings of fact concerning the complaint, together with a clearly articulated conclusion which explains why and the extent to which the complaint is "sustained" or "not sustained". If the complaint is "not sustained", the public report shall not include the names of the complainant(s) or the police officer(s). If the complaint is "sustained" the board may include the names of the complainant(s) and/or the police officer(s) if it determines that the public interest in such disclosure outweighs the public harm and privacy interests of the complainant(s) and/or police

officer(s). Said determination shall be made in writing and shall state, in detail, the board's reasons for such determination. The board shall notify the person(s) whose name(s) it intends to disclose, the City Attorney and the Police Chief (or City Manager if the Police Chief is the subject of the complaint), of its intent to make such disclosure by confidential written communication sent by regular mail or hand delivery at least ten (10) working days prior to such disclosure. In addition, the board's public report shall not include any discipline or personnel matters, although the board may comment generally as to whether the board believes discipline is appropriate without commenting on the extent or form of the discipline. A copy of this public report to the City Council shall be given to the complainant(s), the police officer(s), the Police Chief, Equity Director, and the City Manager. The public report shall indicate whether the board affirmed or rejected the decision set forth in the report of the Police Chief and/or City Manager.

6. The board shall not issue a report which is critical of the sworn police officer's conduct until after a "name clearing hearing" has been held, consistent with constitutional due process law. The board shall give notice of such hearing to the police officer so that the officer may testify before the board and present additional relevant evidence. The board shall be responsible for protection of all State and Federal rights enjoyed by the officer. The officer may waive the right to this hearing upon written waiver submitted to the board.

7. If the board's report is not critical of the officer's conduct, the board is not required by law to offer a hearing to the officer, but the board may hold hearings as deemed appropriate by the board.

8. The board's report to the City Council shall be completed within ninety (90) calendar days of receipt of the Chief's or City Manager's report. The City Council may grant requests for extensions to this deadline upon good cause shown.

9. Nothing in this chapter shall in any way impede or interfere with the Police Chief's and the City Manager's lawful ability to perform their personnel supervisory duties over sworn police officers, including the ability to impose discipline as deemed appropriate by the Police Chief or City Manager.

10. No findings or report submitted to the board or prepared by the board shall be used in any other proceedings. (Ord. 19-4783, 3-12-2019)

C. General Powers And Duties: The board shall also carry out the following duties:

1. Maintain a central registry of written complaints filed with the board or with the Iowa City Police Department.

2. Collect data and do an annual report to the City Council which shall be public and shall set forth the general types and numbers of complaints, disposition of the complaints, the discipline which was imposed, if any, and demographic information. This annual report shall not include the names of the complainants or officers involved in complaints which were not sustained, and shall otherwise be in a form which protects the confidentiality of the parties while providing the public with information on the overall performance of the Police Department. The board's annual report may also include recommended changes in police practices,

policies or procedures. The annual report will also include data derived from the exit survey tool developed for the complainant to provide staff and the public with perceptions of the process. (Ord. 13-4555, 9-17-2013)

3. In addition to the annual report, the board shall report to the City Council, from time to time, on police practices, procedures and policies, including recommended changes, if appropriate, and hold at least one community forum each year for the purpose of hearing views on the policies, practices and procedures of the Iowa City Police Department. (Ord. 13-4555, 9-17-2013; amd. Ord. 15-4627, 6-16-2015)

4. The board shall adopt procedural rules and bylaws governing the board's activities, including the receipt and processing of complaints, and such procedural rules and bylaws shall be approved by the City Council. (Ord. 13-4555, 9-17-2013)

8-8-8: BOARD COMPOSITION; LIMITED POWERS OF BOARD:

A. Board Composition:

1. The board shall consist of five (5) members appointed by the City Council, who shall be Iowa City eligible electors and shall serve without compensation. The City Council shall strive to appoint members who represent the diversity of the community. Appointments to the board shall include one current or former "peace officer" as that term is defined by State law, except that a peace officer employed as such by the City of Iowa City within five (5) years of the appointment date shall not be appointed to the board. The City Council reserves the right to waive the residency requirement for good cause shown. The City Council also reserves the right, for good cause shown, to waive the requirement that the board include one current or former peace officer.

2. Following final adoption and publication of the ordinance codified herein, the City Council shall appoint members to the board for staggered terms. All appointments shall be for a four (4) year term, except for the initial appointments which shall be as follows:

- a. One person appointed for a two (2) year term.
- b. Two (2) persons appointed for three (3) year terms.
- c. Two (2) persons appointed for four (4) year terms.

3. Training shall be available to all board members to enable them to perform the duties imposed herein, including training on Iowa's Public Records and Open Meetings Laws.

B. Limited Powers: The board shall have the following limited powers:

1. On its own motion, by a simple majority vote of all members of the board, the board may file a complaint.

2. The board shall decide the level of review to give the Police Chief's or City Manager's report by a simple majority vote of all members of the board.

3. The board has no power to review police officer personnel records or disciplinary matters except to the extent such matters are made public by the City Attorney or are the subject of an enforceable subpoena.

4. The board has only limited civil, administrative review powers, and has no power or authority over criminal matters. The board is not a court of law, and is not intended to substitute as a tort claims procedure or as litigation against the City.

5. If criminal charges are brought or are being considered against a particular police officer(s), the board's review or investigation may proceed with interviewing other officers or witnesses, or collecting documents, as appropriate. Any statements given by an officer who is subject to criminal investigation cannot later be used against the officer in a criminal proceeding, as provided under the Fifth Amendment to the U.S. Constitution, unless such constitutional right is waived.

6. The board may obtain outside counsel and independent investigators in order to carry out the board's duties.

7. The board may request that the City Council hold general public informational hearings concerning Police Department practices, procedures or written policies. (Ord. 13-4555, 9-17-2013)

8-8-9: POLICE OFFICER'S AND COMPLAINANT'S RIGHTS PRESERVED:

A. All rights enjoyed by sworn police officers employed by the City are preserved in this chapter, and nothing herein is intended to waive, diminish or interfere with any such rights protected by the union contract, Iowa's Civil Service Commission laws and other applicable State and Federal laws.

B. All common law rights enjoyed by complainants and police officers, such as privacy and freedom from defamation, shall be protected during the process set out in this chapter, and it shall be the board's duty to protect said rights.

C. Notwithstanding the above provisions, no board member shall be liable to any person for damages or equitable relief by reason of any investigation or recommendation or report made by either a board member or by the board itself. (Ord. 13-4555, 9-17-2013)

8-8-10: COUNCIL REVIEW:

(Rep. by Ord. 07-4291, 10-16-2007)

8-8-11: TIME COMPUTATION:

In computing time under this chapter, the first day shall be excluded and the last included, unless the last falls on a Sunday, in which case the time prescribed shall be extended so as to include the whole of the

following Monday. However, when the last day for the filing of a complaint or the completion of a report falls on a Saturday or Sunday, or a day on which the Office of the City Clerk is closed due to a City holiday, the time shall be extended to include the next day on which the Office of the Clerk is open to receive the filing of a complaint or the report. (Ord. 13-4555, 9-17-2013)

8-8-12: LIAISON:

At the beginning of each even numbered calendar year, the City Council shall appoint one council member to serve as a liaison to the board. The general purpose of the liaison position shall be to help facilitate communication between the members of CPRB and members of the City Council about the overall makeup and function of the CPRB. The liaison will be a specific person to contact to provide a safe and comfortable vehicle for members of CPRB to express any concerns about the composition, cohesiveness and effectiveness of the CPRB. This will allow the Council to receive information needed to be aware of concerns related to the function of the CPRB, and make decisions/ changes when necessary. This will also be especially beneficial in cases in which a CPRB member(s) do not feel comfortable airing concerns related to the inner workings of the CPRB openly during CPRB meetings. (Ord. 19-4804, 8-20-2019)

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APPENDIX B

Ad Hoc Diversity Committee Report

Document begins on the next page.

**DIVERSITY COMMITTEE REPORT
TO THE CITY COUNCIL
March 2013**

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In June 2012 the City Council passed Resolution 12-320 (pages 2-3) establishing an Ad Hoc Diversity Committee to study City transit and law enforcement operations as they relate to minority populations.

Members appointed to the six month Ad Hoc Committee were:

Bakhit Bakhit (resigned 1/31/13)

Kingsley Botchway, Chair

Joe Dan Coulter

Donna Henry (resigned 9/17/12)

LaTasha Massey (started 9/24/12 replacing Henry)

Cindy Roberts

Orville Townsend

Joan Vanden Berg

The City Manager, City Attorney, and City Clerk, or their designees staffed the meetings.

Over the course of six months, the Ad Hoc Diversity Committee held 22 Committee meetings. Several public information gathering sessions were held to meet with local community members from diverse backgrounds to discuss and receive feedback about transit and law enforcement operations.

November 15, 2012: Iowa City Public Library (Full Committee Meeting)

January 8, 2013: Pheasant Ridge Neighborhood Center (Sub-committee)

January 9, 2013: West High (Sub-committee)
Waterfront Hy-Vee (Sub-committee)

January 10, 2013: City High (Sub-committee)
The Spot (Sub-committee)

Prepared by: Susan Dulek, Asst. City Atty., 410 E. Washington St., Iowa City, IA 52240 (319) 356-5030

RESOLUTION NO. 12-320

RESOLUTION ESTABLISHING AN AD HOC DIVERSITY COMMITTEE TO STUDY CITY OPERATIONS AS THEY RELATE TO MINORITY POPULATIONS

WHEREAS, the population of Iowa City is becoming increasingly racially diverse; and

WHEREAS, on May 15, 2012, City Council passed a resolution of intent to establish an ad hoc committee to study City operations as they relate to minority populations with a view toward promoting just and harmonious interaction between local government and minority segments of the community (Resolution No. 12-260).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF IOWA CITY, IOWA, THAT:

1. The Ad Hoc Diversity Committee is established.
2. The Diversity Committee shall consist of seven (7) members to be appointed by the City Council. Members of other City boards and commissions may serve on the Diversity Committee. Members must be residents of Iowa City.
3. Applications for membership on the Diversity Committee shall be announced, advertised, and available in the same manner as those for all City boards and commissions.
4. City Council shall select the Chair, who when present will preside over all meetings, and the Vice-Chair, who will serve as chair in absence of the Chair.
5. The City Manager, City Attorney, and City Clerk, or their designees, shall staff the Diversity Committee.
6. The Diversity Committee shall determine the frequency and conduct of its meetings. The meetings will be open to the public in accordance with Chapter 21 of the Iowa Code.
7. The Diversity Committee shall have an organizational meeting no later than September 10, 2012.
8. The charges of the Diversity Committee are as follows:
 - A. To study the operation of the City's transit system, including but not limited to the downtown interchange, as it relates to minority populations with a view toward promoting just and harmonious interaction between City government and minority segments of the community.
 - B. To study the operations of City law enforcement, including but not limited to the Police Citizen Review Board (PCRB), as it relates to minority populations with a view toward promoting just and harmonious interaction between City government and minority segments of the community.

9. The Diversity Committee shall submit a written report to the City Council by March 10, 2013, that responds to each of the charges listed above and that contains recommendations, if any, with respect to each of the charges.

10. Absent further action by the City Council, the Diversity Committee will dissolve on March 10, 2013.

Passed and approved this 19th day of June, 2012.



MAYOR

ATTEST: Marian K. Kew
CITY CLERK

Approved by
6-13-12
City Attorney's Office

Police Citizens Review Board and Law Enforcement Introduction / Needs Assessment (3-1-13)

As a result of the input received at public information gathering sessions, a public forum, and Committee meetings the following themes emerged:

1. Lack of awareness and faith in the Police Citizen Review Board

The majority of citizens participating in the community sessions had never heard of the Police Citizen Review Board (PCRB). The few number of community members who did know about the PCRB felt it was ineffective and lacking in fairness.

2. The importance of relationship-building and “customer service.”

At public information gathering sessions, we consistently received extremely positive comments regarding the Iowa City Police Department’s Community Relations officer. (e.g. “He knows us.” “He gives us good advice.” “He understands.”)

Students gave additional examples of other officers who smiled and said “hi” to them. Students noted how they appreciated when officers know their names. However, students also cited examples of officers who “just look at you like you are about to do something bad” and felt that some officers assumed the worst of them without knowing who they are.

Community members also commented that they would like to have an opportunity to visit with police officers directly, and they like to see officers at neighborhood gatherings.

3. Participants in the public information gathering sessions shared multiple concerns about a lack of consistency of how officers carried out police policies. Comments shared with the Committee included the following:

- Two young ladies indicated that they were stopped by a police officer. They stated that the police officer approached the car and began asking them questions; at one point the officer asked if they had drugs in the car. The young ladies asked the officer why they had been stopped and he indicated that the license plate light was not working. Both young ladies questioned if it was standard procedure for an officer to inquire if they had drugs in the car when the stop was based on a malfunctioning license plate light. They also questioned if it was appropriate for the officer to not inform them of the reason of why he stopped the car.
- It was reported that multiple squad cars frequently respond to calls made to a minority communities member’s home for minor incidents.
- Similarly, they observed that additional police officers are often called in for traffic stops. A gentleman who does not speak English shared that he was pulled over for a traffic stop. The officer called for an interpreter, but additional officers were also called to the scene. It was questioned whether additional back-up was needed just because a translator was needed.
- At one of the student group sessions, a student shared a story of how an officer used unnecessary force with an African-American student after a party had been shut down. The student wasn’t doing anything and the police officer got rough, and wrestled the student to the ground.

4. Lack of community understanding of rights and responsibilities.

Questions from the community were asked about how our law enforcement system works here.

- What are their rights?
- What are their responsibilities?
- How are fines determined?

Participants at the forums stated that they would appreciate more opportunities to learn about how the Iowa City law enforcement system works.

I. Recommendations for the Police Citizen Review Board

A. Issue:

The majority of citizens participating in the community forums were unaware of the Police Citizen Review Board.

Recommendation:

Increase Public Awareness of the Police Citizen Review Board and the process by which to file a complaint.

1. Distribute literature regarding the Police Citizen Review Board in the community so that information is readily available to the public.
2. Prepare a video to be shown to a variety of local organizations and on the City Cable Channel.
3. Increase police officer involvement in community activities to share information about Police Citizen Review Board.

B. Issue:

Of those who had heard of the Police Citizen Review Board, a major area of concern was that the current system is structured so that the police department is policing itself. The high level of public suspicion related to the Police Citizen Review Board is such that many citizens feel that if they participate in process the outcome will prove disadvantageous to them.

Recommendations:

The Committee proposes the following changes in the process and procedure for the Police Citizen Review Board to address the issue of public distrust.

1. The person filing the complaint will have the option of requesting that a member from the Police Citizen Review Board participate in the complainant's interview with the police department. (See recommendation # 3 from PCRB)
2. It is recommended that the Human Rights Coordinator serve as an advocate and provide education about the process. Once a complaint has been received, the Human Rights Coordinator will be informed and will send a letter to the person filing the complaint to offer support through the process. The Human Rights Coordinator will be available to address any questions or concerns that the individual may have and will extend an invitation to participate in the complainant's interview with the police department.
3. It is recommended that the City Manager participate in the interview with the police department and officer in question.
4. The complainant will be offered an exit survey.
5. Terms for the Police Citizen Review Board should be limited to two four-year terms.

6. It is recommended that the performance of the Police Citizen Review Board be reviewed and evaluated one year after changes have been implemented. Citizen involvement will be critical to the process; this could be accomplished through a committee appointed by City Council or Council designee. If at that time it is felt that there are still problems and that the process isn't working, it is recommended that the Police Citizens Review Board be eliminated. It is further recommended that if the City Council chooses to create a new system, that the advisory group include members from the minority communities, and that public information sessions such as focus groups be involved in the process.

Committee Response to the Pending Recommendations to Council from the Police Citizen's Review Board:

1. To change the name to Citizens Police Review Board. (June 12, 2012) - It is recommended that the name be changed to the Citizens Police Review Board.
2. To remove the language regarding Formal Mediation within the City Code and from the Standard Operating Procedures. (June 12, 2012) - It is recommended that the language regarding Formal Mediation within the City Code and the Standard Operating Procedures be removed.
3. To offer as an option, the ability for a Board member to accompany the complainant during the police investigation interview process for a PCRFB complaint, at the complainant's request. (June 12, 2012) - It is recommended the person filing the complaint be given the option of requesting that a member from the Police Citizen Review Board participate in the complainant's interview with the police department.
4. To change the Board's 45-day reporting period to 90-days. (October 9, 2012) - It is recommended that no changes be made at this time regarding the 45 day reporting period. The recommended changes in procedures may impact the time needed to process a complaint.

II. Recommendations for the Iowa City Police Department

A. Issue

After receiving comments from the public, it is the belief of the Committee that the police department is currently functioning under a "control and monitor" approach to dealing with our minority citizens, which has led to mutual feelings of distrust.

A publication from the National Institute of Justice on Police Integrity dated January 10, 2013. (pages 11-12) states the following:

"Current research finds that the management and culture of a department are the most important factors influencing police behavior. How the department is managed will dramatically affect how officers behave toward citizens. And how officers behave toward citizens will affect whether citizens view law enforcement as an institution with integrity.

Organizations that place priorities in the following areas will do better at maintaining integrity:

- Accountability of managers and supervisors
- Equal treatment for all members of the organization
- Citizen accessibility to the department
- Inspections and audits
- Quality education for employees.

Defining values and principles and incorporating them into every facet of operations may be more important than hiring decisions. Diligence in detecting and addressing misconduct will show officers that managers practice what they preach."

Recommendations

Changes need to be made in the department to create a more positive culture that focuses on a "protect and serve" approach.

1. Replace the recruitment video

The Committee reviewed the Police Department's Recruitment video and believes that it is a reflection of the current culture in our police department, which is leading to much of the public's concerns about negative treatment. It is recommended that the current recruitment video be removed from the website and that a new video that emphasizes a public service be created. More importantly, the culture underlying the video needs to be changed to one that is more of "protect and serve"

2. Encourage more relationship-building activities with the police officers and members of the public

Chief Hargadine shared with the Committee a list of outreach activities in which his officers were currently participating. Most of the activities listed were committees, and not community meetings that were open to the general public. It is our recommendation that the police officers be more positively engaged in all parts of the Iowa City community, but especially in the minority communities. This can be accomplished by participation in community and neighborhood events, but also through the day-to-day interactions with individual community members. During the meeting with students at a high school several students stated that they would like police officers to be more friendly and talk with them. The expectation should be clear to all officers that they are to provide good customer service to all members of the community-- which includes greeting all citizens in a friendly manner, respectfully sharing information and using all contacts with the public as an opportunity to develop relationships and build trust.

3. Research the viability of restructuring the Police Department to adopt a Community Policing model.

Attached is a description from the US Department of Justice on the key principles of a Community Policing Program. Community Policing is more than a single program or a Community Relations Officer; it is the transformation of a traditional police department. Police departments who adopt a community policing model, transform from being a closed system, designed to react to crime to an open and proactive department designed to prevent crime.

It is recommended that the City of Iowa City continue to research the viability of the Police Department receiving additional training and administrative support to adopt a Community Policing approach.

B. Issue:

There is a lack of mutual understanding between some police officers and members of the minority communities.

Recommendations for officer education:

1. All Police Officers need to receive information / education so that they are less likely to make assumptions regarding our minority populations.
2. During the public meeting two young ladies shared that a police officer stopped them. He approached their car and began asking questions. At one point he asked if they had drugs in the car. They replied "no" and then asked why he stopped them. He stated that the license plate light wasn't working. It is questionable that this is standard department procedures and it is recommended there be more training and accountability to assure that procedures are followed. Officers need to handle situations consistently for all community members. This expectation needs to be clearly communicated and officer behavior needs to be monitored.

Recommendations for Community Education

1. Additional education and information needs to be provided to members of the minority communities for them to gain an understanding of their rights and responsibilities. Information-sharing and outreach is particularly important for people who are new to our community.
2. Strengthen community partnerships with community and neighborhood organizations to provide education opportunities, disseminate information.
3. Develop partnerships with the schools and community youth groups to implement a Police Cadet Program, which introduces youth to the field of law enforcement. This will not only help young people gain an understanding of police work, but would also be an opportunity for minority youth to become interested in the field of law enforcement, a "grow your own" strategy to get more diversity on the police force.

C. Issue:

Data that reflects what is happening in the Iowa City Police Department with our minority population is not being collected or shared in a meaningful manner.

Recommendation:

See "Oversight, Implementation, and Further Study" Section III

Committee Response to the Pending Recommendations to Council from the Human Rights Commission:

1. The Human Rights Commission recommends to the Iowa City City Council that a committee be established to review the Police Citizen Review Board. That committee can be comprised of city staff, councilors or community members, but must contain at least one human rights commissioner. The review board would investigate the strengths and challenges of the current Police Citizen Review Board model and consider whether it is the right model for the city. In reviewing the strengths and the challenges of the current Police Citizen Review Board, the review committee would determine whether the current structure best serves the city. (March 20, 2012) – **NO ACTION**
2. The Human Rights Commission would support the City in pursuing a municipal issued identification card, implemented in a manner to protect the safety of undocumented persons. (December 18, 2012) - **SUPPORT**

(pages 13-28)

U.S. Department of Justice, Office of Justice Programs
National Institute of Justice
The Research, Development, and Evaluation Agency of the U.S. Department of Justice

Police Integrity

On this page find:

- [Overview of Integrity](#)
- [Management and Culture Affect Integrity](#)
- [How to Improve Integrity](#)

Overview of Integrity

A police force with integrity is one with little or no misconduct or corruption. In the past, most studies viewed the problem of misconduct as one of individual problem officers, the so-called bad apples on the force. More recent studies show that whites generally see misconduct as episodic and confined to individual officers, while blacks tend to see misconduct as a more entrenched aspect of policing.^[1]

Management and Culture Affect Integrity

Current research finds that the management and culture of a department are the most important factors influencing police behavior.^[2] How the department is managed will dramatically affect how officers behave toward citizens. And how officers behave toward citizens will affect whether citizens view law enforcement as an institution with integrity.

Organizations that place priorities in the following areas will do better at maintaining integrity ^[3]:

- Accountability of managers and supervisors
- Equal treatment for all members of the organization
- Citizen accessibility to the department
- Inspections and audits
- Quality education for employees

Defining values and principles and incorporating them into every facet of operations may be more important than hiring decisions. Diligence in detecting and addressing misconduct will show officers that managers practice what they preach.

How to Improve Integrity

Findings from a study of 3,235 officers from 30 mostly municipal law enforcement agencies reveal the following recommendations for police managers^[4]:

- Address and discipline minor offenses so officers learn that major offenses will be disciplined too.
- Open the disciplinary process to public scrutiny.
- Rotate officer assignments to discourage the formation of bonds that lead officers to cover up the misconduct of others.

Many departments are improving integrity and raising the standards for officers by taking the following steps:

- Improving the way they hire and train officers in ethics and cultural awareness.
- Collecting data to track traffic stops and other encounters with citizens.

- Soliciting community input through citizen review boards, ombudsmen or community problem-solving initiatives.

Learn more from [Enhancing Police Integrity \(pdf, 16 pages\)](#) by Carl B. Klockers et al. 2005.

Learn more from [Principles for Promoting Police Integrity \(pdf, 45 pages\)](#) a report from the U.S. Department of Justice, 2001.

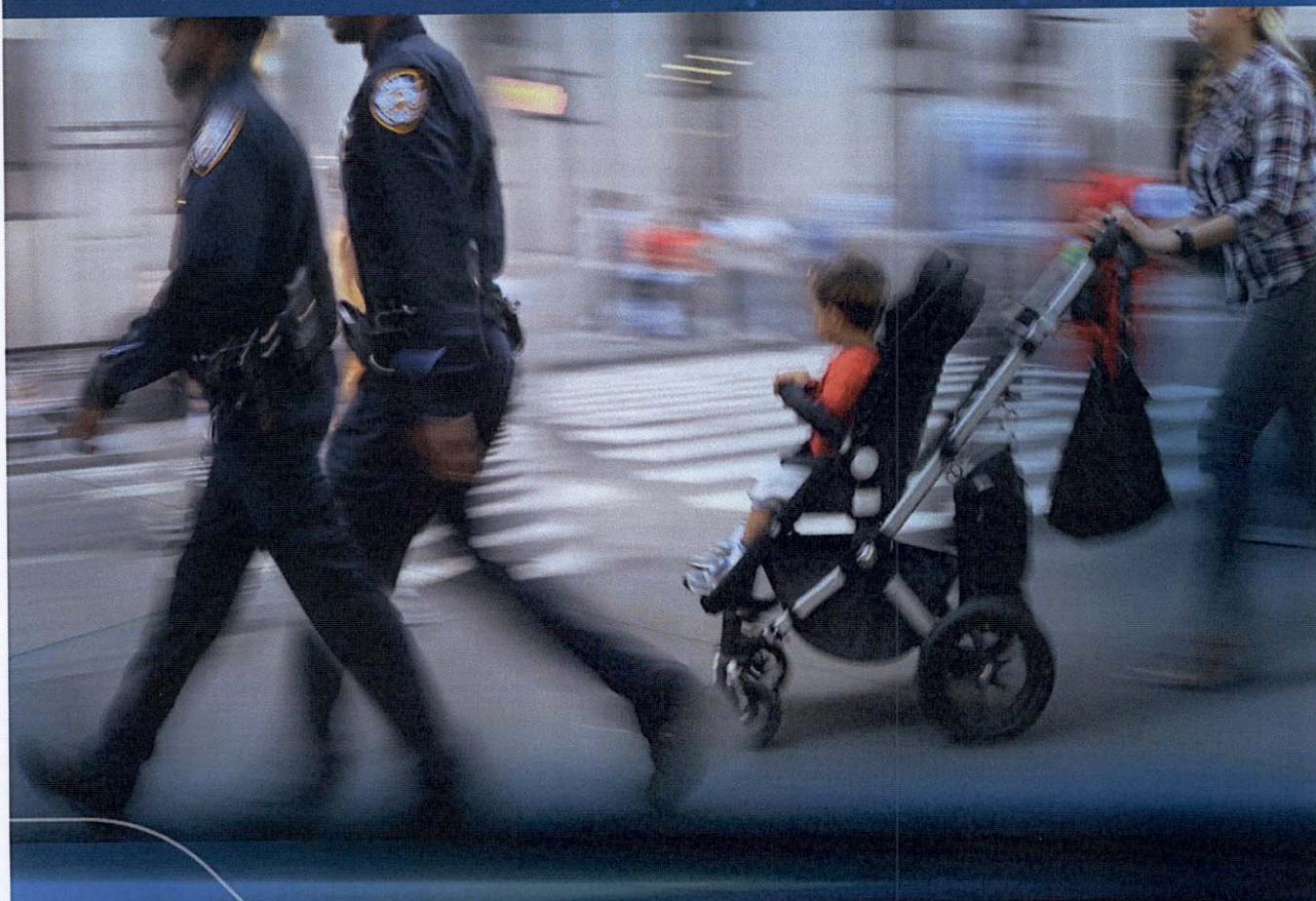
[Back to: Law Enforcement: Race, Trust and Legitimacy.](#)

Notes

- [1] Weitzer, Ronald, and Steven A. Tuch, "Race and Perceptions of Police Misconduct," *Social Problems* 51 (August 2004): 305–325.
- [2] Fridell, Lorie, Robert Lunney, Drew Diamond, and Bruce Kubu, [Racially Biased Policing: A Principled Response \(pdf, 175 pages\)](#), Washington, D.C.: Police Executive Research Forum, 2001, [Exit Notice](#).
- [3] Gaffigan, Steven J., and Phyllis P. McDonald, eds., [Police Integrity: Public Service With Honor \(pdf, 103 pages\)](#), Washington, D.C.: U.S. Department of Justice, National Institute of Justice, January 1997, NCJ 163811.
- [4] Klockars, Carl B., Sanja Kutnjak Ivkovich, and Maria R. Haberfeld, [Enhancing Police Integrity \(pdf, 16 pages\)](#), NIJ Research in Brief, Washington, D.C.: U.S. Department of Justice, National Institute of Justice, December 2005, NCJ 209269.

Date Created: January 10, 2013

Community Policing Defined



COPS

COMMUNITY ORIENTED POLICING SERVICES
U.S. DEPARTMENT OF JUSTICE

The Primary Elements of Community Policing

Other Government Agencies

Community Members/Groups

Nonprofits/Service Providers

Private Businesses

Media

Agency Management

Organizational Structure

Personnel

Information Systems (Technology)

Community Partnerships

Organizational Transformation

Problem Solving

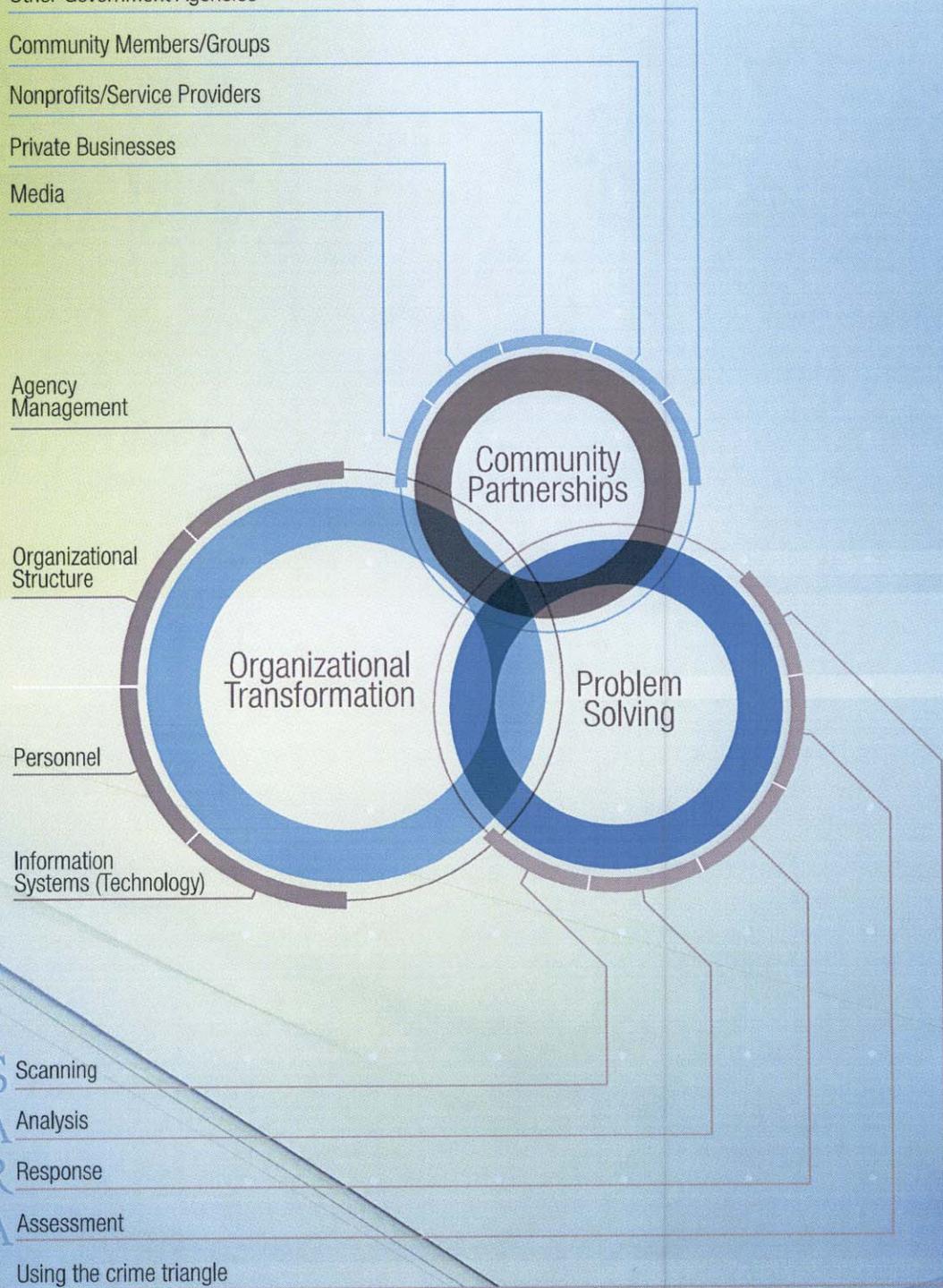
S Scanning

A Analysis

R Response

A Assessment

Using the crime triangle



Community policing is a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.

Community policing is comprised of **three** key components:

Community Partnerships

Collaborative partnerships between the law enforcement agency and the individuals and organizations they serve to develop solutions to problems and increase trust in police.

Organizational Transformation

The alignment of organizational management, structure, personnel, and information systems to support community partnerships and proactive problem solving.

Problem Solving

The process of engaging in the proactive and systematic examination of identified problems to develop and evaluate effective responses.





Community Partnerships

Collaborative partnerships between the law enforcement agency and the individuals and organizations they serve to develop solutions to problems and increase trust in police.

Community policing, recognizing that police rarely can solve public safety problems alone, encourages interactive partnerships with relevant stakeholders. The range of potential partners is large and these partnerships can be used to accomplish the two interrelated goals of developing solutions to problems through collaborative problem solving and improving public trust. The public should play a role in prioritizing and addressing public safety problems.

Other Government Agencies

Law enforcement organizations can partner with a number of other government agencies to identify community concerns and offer alternative solutions. Examples of agencies include legislative bodies, prosecutors, probation and parole, public works departments, neighboring law enforcement agencies, health and human services, child support services, ordinance enforcement, and schools.

Community Members/Groups

Individuals who live, work, or otherwise have an interest in the community—volunteers, activists, formal and informal community leaders, residents, visitors and tourists, and commuters—are a valuable resource for identifying community concerns. These factions of the community can be engaged in achieving specific goals at town hall meetings, neighborhood association meetings, decentralized offices/storefronts in the community, and team beat assignments.

Nonprofits/Service Providers

Advocacy and community-based organizations that provide services to the community and advocate on its behalf can be powerful partners. These groups often work with or are composed of individuals who share common interests and can include such entities as victims groups, service clubs, support groups, issue groups, advocacy groups, community development corporations, and the faith community.

Private Businesses

For-profit businesses also have a great stake in the health of the community and can be key partners because they often bring considerable resources to bear in addressing problems of mutual concern. Businesses can help identify problems and provide resources for responses, often including their own security technology and community outreach. The local chamber of commerce and visitor centers can also assist in disseminating information about police and business partnerships and initiatives, and crime prevention practices.

Media

The media represent a powerful mechanism by which to communicate with the community. They can assist with publicizing community concerns and available solutions, such as services from government or community agencies or new laws or codes that will be enforced. In addition, the media can have a significant impact on public perceptions of the police, crime problems, and fear of crime.



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Organizational Transformation

The alignment of organizational management, structure, personnel, and information systems to support community partnerships and proactive problem solving.

The community policing philosophy focuses on the way that departments are organized and managed and how the infrastructure can be changed to support the philosophical shift behind community policing. It encourages the application of modern management practices to increase efficiency and effectiveness. Community policing emphasizes changes in organizational structures to institutionalize its adoption and infuse it throughout the entire department, including the way it is managed and organized, its personnel, and its technology.

Agency Management

Under the community policing model, police management infuses community policing ideals throughout the agency by making a number of critical changes in climate and culture, leadership, formal labor relations, decentralized decision-making and accountability, strategic planning, policing and procedures, organizational evaluations, and increased transparency.

Climate and culture

Changing the climate and culture means supporting a proactive orientation that values systematic problem solving and partnerships. Formal organizational changes should support the informal networks and communication that take place within agencies to support this orientation.

Leadership

Leaders serve as role models for taking risks and building collaborative relationships to implement community policing and they use their position to influence and educate others about it. Leaders, therefore, must constantly emphasize and reinforce community policing's vision, values, and mission within their organization and support and articulate a commitment to community policing as the predominant way of doing business.

Labor relations

If community policing is going to be effective, police unions and similar forms of organized labor must be a part of the process and function as partners in the adoption of the community policing philosophy. Including labor groups in agency changes can ensure support for the changes that are imperative to community policing implementation.

Decision-making

Community policing calls for decentralization both in command structure and decision-making. Decentralized decision-making allows front-line officers to take responsibility for their role in community policing. When an officer is able to create solutions to problems and take risks, he or she ultimately feels accountable for those solutions and assumes a greater responsibility for the well-being of the community. Decentralized decision-making involves flattening the hierarchy of the agency, increasing tolerance for risk-taking in

problem-solving efforts, and allowing officers discretion in handling calls. In addition, providing sufficient authority to coordinate various resources to attack a problem and allowing officers the autonomy to establish relationships with the community will help define problems and develop possible solutions.

Strategic planning

The department should have a written statement reflecting a department-wide commitment to community policing and a plan that matches operational needs to available resources and expertise. If a strategic plan is to have value, the members of the organization should be well-versed in it and be able to give examples of their efforts that support the plan. Components such as the organization's mission and values statement should be simple and communicated widely.

Policies

Community policing affects the nature and development of department policies and procedures to ensure that community policing principles and practices have an effect on activities on the street. Problem solving and partnerships, therefore, should become institutionalized in policies, along with corresponding sets of procedures, where appropriate.

Organizational evaluations

In addition to the typical measures of police performance (arrests, response times, tickets issued, and crime rates) community policing calls for a broadening of police outcome measures to include such things as greater community satisfaction, less fear of crime, the alleviation of problems, and improvement in quality of life. Community policing calls for a more sophisticated approach to evaluation—one that looks at how feedback information is used, not only how outcomes are measured.

Transparency

Community policing involves decision-making processes that are more open than traditional policing. If the community is to be a full partner, the department needs mechanisms for readily sharing relevant information on crime and social disorder problems and police operations with the community.

Organizational Structure

It is important that the organizational structure of the agency ensures that local patrol officers have decision-making authority and are accountable for their actions. This can be achieved through long-term assignments, the development of officers who are “generalists,” and using special units appropriately.

Geographic assignment of officers

With community policing, there is a shift to the long-term assignment of officers to specific neighborhoods or areas. Geographic deployment plans can help enhance customer service and facilitate more contact between police and citizens, thus establishing a strong relationship and mutual accountability. Beat boundaries should correspond to neighborhood boundaries and other government services should recognize these boundaries when coordinating government public-service activities.

Despecialization

To achieve community policing goals, officers have to be able to handle multiple responsibilities and take a team approach to collaborative problem solving and partnering with the community. Community policing encourages its adoption agency-wide, not just by special units, although there may be a need for some specialist units that are tasked with identifying and solving particularly complex problems or managing complex partnerships.

Resources and finances

Agencies have to devote the necessary human and financial resources to support community policing to ensure that problem-solving efforts are robust and that partnerships are sustained and effective.

Personnel

The principles of community policing need to be infused throughout the entire personnel system of an agency including recruitment, hiring, selection, and retention of all law enforcement agency staff, from sworn officers to civilians and volunteers. Personnel evaluations, supervision, and training must also be aligned with the agencies' community policing views.

Recruitment, hiring, and selection

Agencies need a systematic means of incorporating community policing elements into their recruitment, selection, and hiring processes. Job descriptions should recognize community policing and problem-solving responsibilities and encourage the recruitment of officers who have a “spirit of service,” instead of only a “spirit of adventure.” A community policing agency also has to thoughtfully examine where it is seeking recruits, whom it is recruiting and hiring, and what is being tested. Agencies are also encouraged to seek community involvement in this process through the identification of competencies and participation in review boards.

Personnel supervision/evaluations

Supervisors must tie performance evaluations to community policing principles and activities that are incorporated into job descriptions. Performance, reward, and promotional procedures should support sound problem-solving activities, proactive policing, community collaboration, and citizen satisfaction with police services.

Training

Training at all levels—academy, field, and in-service—must support community policing principles and tactics. It also needs to encourage creative thinking, a proactive orientation, communication and analytical skills, and techniques for dealing with quality-of-life concerns and maintaining order. Officers can be trained to identify and correct conditions that could lead to crime, raise public awareness, and engage the community in finding solutions to problems. Field training officers and supervisors need to learn how to encourage problem solving and help officers learn from other problem-solving initiatives. Until community policing is institutionalized in the organization, training in its fundamental principles will need to take place regularly.

Information Systems (Technology)

Community policing is information-intensive and technology plays a central role in helping to provide ready access to quality information. Accurate and timely information makes problem-solving efforts more effective and ensures that officers are informed about the crime and community conditions of

their beat. In addition, technological enhancements can greatly assist with improving two-way communication with citizens and in developing agency accountability systems and performance outcome measures.

Communication/access to data

Technology provides agencies with an important forum by which to communicate externally with the public and internally with their own staff. To communicate with the public, community policing encourages agencies to develop two-way communication systems through the Internet that allow for online reports, reverse 911 and e-mail alerts, discussion forums, and feedback on interactive applications (surveys, maps), thereby creating ongoing dialogues and increasing transparency.

Technology encourages effective internal communication through memoranda, reports, newsletters, e-mail and enhanced incident reporting, dispatch functions, and communications interoperability with other entities for more efficient operations. Community policing also encourages the use of technology to develop accountability and performance measurement systems that are timely and contain accurate metrics and a broad array of measures and information.

Community policing encourages the use of technology to provide officers with ready access to timely information on crime and community characteristics within their beats, either through laptop computers in their patrol cars or through personal data devices. In addition, technology can support crime/problem analysis functions by enabling agencies to gather more detailed information about offenders, victims, crime locations, and quality-of-life concerns, and to further enhance analysis.

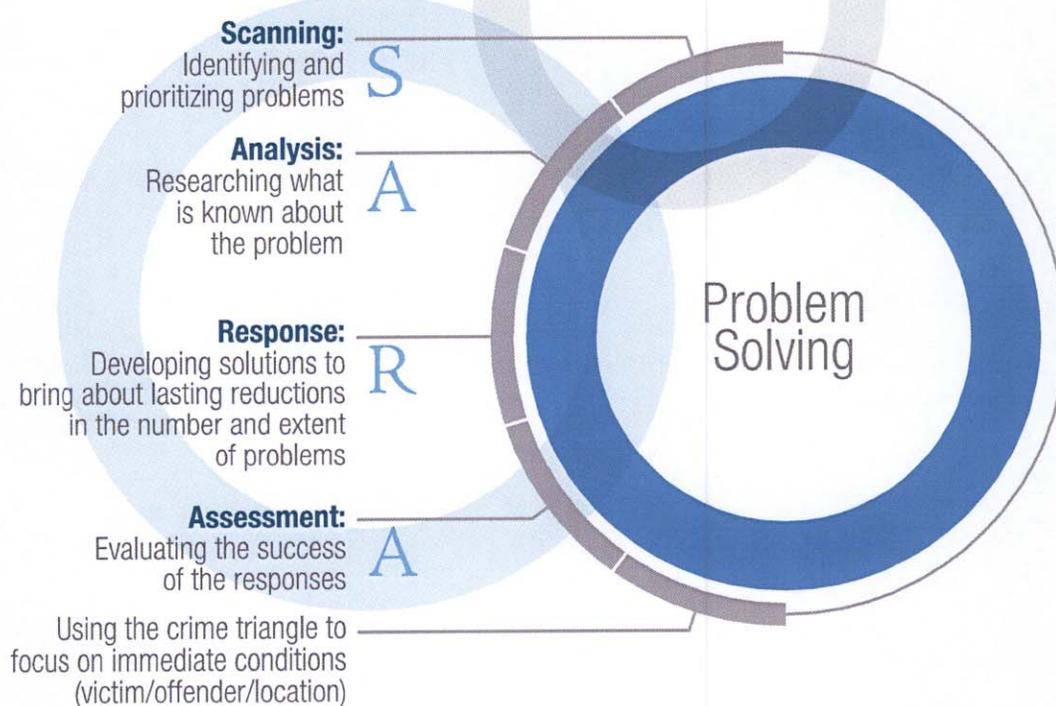
Quality and accuracy of data

Information is only as good as its source and, therefore, it is not useful if it is of questionable quality and accuracy. Community policing encourages agencies to put safeguards in place to ensure that information from various sources is collected in a systematic fashion and entered into central systems that are linked to one another and checked for accuracy so that it can be used effectively for strategic planning, problem solving, and performance measurement.

Problem Solving

The process of engaging in the proactive and systematic examination of identified problems to develop and evaluate effective responses.

Community policing emphasizes proactive problem solving in a systematic and routine fashion. Rather than responding to crime only after it occurs, community policing encourages agencies to proactively develop solutions to the immediate underlying conditions contributing to public safety problems. Problem solving must be infused into all police operations and guide decision-making efforts. Agencies are encouraged to think innovatively about their responses and view making arrests as only one of a wide array of potential responses. A major conceptual vehicle for helping officers to think about problem solving in a structured and disciplined way is the SARA (Scanning, Analysis, Response, and Assessment) problem-solving model.



Scanning: Identifying and prioritizing problems

The objectives of scanning are to identify a basic problem, determine the nature of that problem, determine the scope of seriousness of the problem, and establish baseline measures. An inclusive list of stakeholders for the selected problem is typically identified in this phase. A problem can be thought of as two or more incidents similar in one or more ways and that is of concern to the police and the community. Problems can be a type of behavior, a place, a person or persons, a special event or time, or a combination of any of these. The police, with input from the community, should identify and prioritize concerns.

Analysis: Researching what is known about the problem

Analysis is the heart of the problem-solving process. The objectives of analysis are to develop an understanding of the dynamics of the problem, develop an understanding of the limits of current responses, establish correlation, and develop an understanding of cause and effect. As part of the analysis phase, it is important to find out as much as possible about each aspect of the crime triangle by asking Who?, What?, When?, Where?, How?, Why?, and Why Not? about the victim, offender, and crime location.

Response: Developing solutions to bring about lasting reductions in the number and extent of problems

The response phase of the SARA model involves developing and implementing strategies to address an identified problem by searching for strategic responses that are both broad and uninhibited. The response should follow logically from the knowledge learned during the analysis and should be tailored to the specific problem. The goals of the response can range from either totally eliminating the problem, substantially reducing the problem, reducing the amount of harm caused by the problem, or improving the quality of community cohesion.

Assessment: Evaluating the success of the responses

Assessment attempts to determine if the response strategies were successful by understanding if the problem declined and if the response contributed to the decline. This information not only assists the current effort but also gathers data that build knowledge for the future. Strategies and programs can

be assessed for process, outcomes, or both. If the responses implemented are not effective, the information gathered during analysis should be reviewed. New information may have to be collected before new solutions can be developed and tested. The entire process should be viewed as circular rather than linear meaning that additional scanning, analysis, or responses may be required.

Using the crime triangle to focus on immediate conditions (victim/offender/location)

To understand a problem, many problem solvers have found it useful to visualize links among the victim, offender, and location (the crime triangle) and those factors that could have an impact on them, for example, capable guardians for victims (e.g., security guards, teachers, and neighbors), handlers for offenders (e.g., parents, friends, and probation), and managers for locations (e.g., business merchants, park employees, and motel clerks). Rather than focusing primarily on addressing the root causes of a problem, the police focus on the factors that are within their reach, such as limiting criminal opportunities and access to victims, increasing guardianship, and associating risk with unwanted behavior.



Eck, John E. 2003. "Police Problems: The Complexity of Problem Theory, Research and Evaluation." In Johannes Knutsson, ed. *Problem-Oriented Policing: From Innovation to Mainstream*. Crime Prevention Studies, vol. 15. pp. 79–114. Monsey, New York: Criminal Justice Press and Devon, U.K.: Willan Publishing.

About the COPS Office

The Office of Community Oriented Policing Services (COPS Office) is the component of the U.S. Department of Justice responsible for advancing the practice of community policing by the nation's state, local, territory, and tribal law enforcement agencies through information and grant resources.

Rather than simply responding to crimes once they have been committed, community policing concentrates on preventing crime and eliminating the atmosphere of fear it creates. Earning the trust of the community and making those individuals stakeholders in their own safety enables law enforcement to better understand and address both the needs of the community and the factors that contribute to crime.

COPS Office resources, covering a wide breadth of community policing topics—from school and campus safety to gang violence—are available, at no cost, through its online Resource Information Center at www.cops.usdoj.gov. This easy-to-navigate website is also the grant application portal, providing access to online application forms.





COPS

COMMUNITY ORIENTED POLICING SERVICES
U.S. DEPARTMENT OF JUSTICE

U.S. Department of Justice
Office of Community Oriented Policing Services
145 N Street, N.E.
Washington, DC 20530

To obtain details on COPS Office programs,
call the COPS Office Response Center at 800.421.6770.

Visit COPS Online at www.cops.usdoj.gov.

Transportation Introduction / Needs Assessment

During the course of community information gathering sessions and Committee meetings the Committee repeatedly listened to issues regarding miscommunications between the Iowa City Transportation Department and community members about:

- lack of Sunday service
- limited Saturday service
- difficulty accessing public transit to get to work
- rules and regulations while being a passenger
- procedures for disruptions
- the role of Transit bus drivers in regards to their position when en route

Community members and local organizations who serve and work with diverse populations also expressed frustration with:

- long bus rides due to lack of information
- missing the bus due to time interpretations
- delays in riders with cross-town destinations due to the downtown interchange

Other concerns such as the cleanliness of high volume bus stops and the lack of community outreach to assist youth and new residents about acceptable rider conduct were mentioned.

A. Service/schedule Issue:

Pursue additional transit needs for certain areas of the community and minority populations as it relates to service and schedule.

Recommendation:

The Committee proposes the Iowa City Transportation Department work on providing additional transit needs as specified below:

1. Sunday Service options
 - a. Assessing the Free Downtown Shuttle as a potential revenue route to offset additional bus services or researching how to develop a free shuttle service in other areas
2. Expand time on Saturdays
3. Increase start times for weekday services
 - a. Specifically for certain routes that service areas where there are swing shifts such as the Heinz Road Area. We are also suggesting that Transit Services contact management of the business in that area that may be able to assist with surveying the bussing needs of their employees.
4. Public forum input suggested there may be issues with buses leaving a bus stop early. Current transit policy requires drivers not to leave a stop early. The central bus facility uses an atomic clock for the purpose of drivers to sync their clocks/watch. The Transit office is placing a clock at the downtown interchange that syncs with a clock posted on BONGO and the City website. This would allow drivers and riders to routinely sync their watches, etc. with the transit time. The Committee concurs.

B. Education Issue:

Lack of education about acceptable behavior on public transit and understanding how to use public transit.

Recommendation:

This Committee recommends the Iowa City Transportation Department look into alternatives to notifying the public about acceptable behavior expectations and procedures. Specifically, the Committee recommends:

- Creating a document/pamphlet outlining the procedure followed by the Iowa City Transportation Department when there is an incident on the bus
 - This information should be displayed on the bus, website, Downtown Interchange, and schools.
- Create youth liaison by partnering with local schools to find students in leadership roles to help drivers with incident is involving other youth
 - Youth liaisons can be rewarded with free bus passes and/ or other incentives to help maintain order during school times.
 - Youth liaisons would be trained in peer mediations and de-escalation techniques and bus safety protocols.

- Youth liaisons need to be current riders

This Committee recommends the Iowa City Transportation Department increases their community outreach efforts. Specifically, the Committee recommends:

- Creating a video with local youth/community members that explains how to appropriately use city transit services. The video would address, but is not limited to, the following suggestions:
 - How to understand transit maps/schedules
 - How to understand and use the website
 - Provide access to online language translator
 - How to understand and use BONGO
- Providing an interactive informational kiosk at the Downtown Interchange
 - How to understand transit maps/schedules
- Connecting with local schools, neighborhood associations, etc. to inform the community on ongoing changes and improvements in transit services.
- Iowa City Transportation Department staff participate in ongoing culturally and linguistically appropriate diversity trainings as the community continues to grow.

This Committee recommends the Iowa City Transportation Department create a survey addressing current transportation needs of the community. Specifically, the Committee recommends questions assessing:

- Community needs for Sunday and extended Saturday service
- Community needs for extending service both AM & PM on weekdays
- Assessing needs for low-income areas
- Broad outreach and publicizing of survey

In addition consideration must be made for individuals not being able to access the survey electronically (access to hard copy) and translation needs for different languages and email distribution.

Note: This survey needs to be implemented and analyzed in 2013. Subsequent surveys should be completed every two years. All survey results should be accessible to the general public.

C. Environment Issue:

Improve overall environment of Downtown Interchange and high volume bus stops/shelters.

Recommendation:

The Committee proposes the Iowa City Transportation Department work on providing additional transit needs as specified below:

- Pursue additional seating in downtown interchange
- Increase number of shelters
- Increase frequency of maintaining bus stops (e.g. litter, overall appearance)

D. Communication Issue:

Improve communication between other transit services in Iowa City/Coralville vicinity.

Recommendation:

The Committee proposes the Iowa City Transportation Department work on providing additional transit needs as specified below:

- Establish radio communication with the other transit services in order to provide transfer options
- Trip planner to include all local transit services and assist riders to travel throughout the Iowa City/Coralville area
- Review current services for streamlining and/or duplication of services with other transit services
- Consideration should be given to social and cultural issues when considering structural changes to the transit system

a. EQUITY REPORT

That the City of Iowa City (City), City Manager provide an annual report to the City of Iowa City Council (City Council) and the public concerning the status of law enforcement, public transportation, and other City services or programs as these City services relate to the needs and concerns of the City's racial/ethnic minority, immigrant, juvenile and elderly, disabled, poor, veteran, and other special populations. This annual report of the City Manager shall be called "The City of Iowa City Annual Equity Report" (Report) and shall involve and include the following:

1. The Report format and composition shall be developed by the City Manager in consultation with the City Council, the City of Iowa City Human Rights Commission, and any other committees determined by the City Council.
2. The Report will include the most recent data and information available regarding the Iowa City Police Department: a.) stops and arrests, b.) police calls from schools and action taken, c.) incarcerations, d.) offences/infractions, e.) formal complaints made to or about the Police Department, f.) administrative procedures and practices, e.g. personnel, recruitment, and training, including cultural, linguistic interpretation and communication skills, and performance reviews, g.) community outreach and communication programs and services, h.) other pertinent information.
3. The Report will include the most recent data and information available regarding the Iowa City Transportation Services Department: a) routes, stops, and frequency of service, b.) occupancy/ utilization, c.) coordination with other public transportation services, including public schools d.) users/ridership communication services, e.) use of surveillance technology, f.) disruptions of service, g.) complaints, h.) administrative procedures and practices, e.g. personnel, recruitment, and training, including cultural, linguistic interpretation and communications skills, i.) other pertinent information.
4. The Report data and information (whenever available and aggregated to protect individual/personal identification) shall include: a.) race/ethnicity, b.) citizenship, c.) gender d.) juvenile/adult status or age, e.) disability status, f.) geographical location, g.) socio-economic status, h) veteran status.

b. HOUSING AND CITY EMPLOYMENT

Comments were received regarding housing and city employment issues not related to the scope of the work of this Committee.

c. PUBLIC ACCESS AND UPDATES

After adoption of the recommendations by the City Council the recommendations should be available to the public via the City website and timeframes identified for each and progress updates provided to the site.

APPENDIX C

Community Police Review Board Standard Operating Procedures

Document begins on the next page.

Prepared by: Marian Karr, City Clerk, 410 E. Washington St., Iowa City, IA 52240 (319) 356-5041

RESOLUTION NO. 15-223

RESOLUTION TO ADOPT THE IOWA CITY COMMUNITY POLICE REVIEW BOARD STANDARD OPERATING PROCEDURES AND GUIDELINES TO REFLECT THE NAME CHANGE FROM CITIZENS POLICE REVIEW BOARD AND REMOVE OR REPLACE THE WORD "CITIZEN" IN ACCORDANCE WITH RECENT CHANGES TO THE CITY CHARTER AND REPEALING RESOLUTION 13-290

WHEREAS, the City Council adopted Ordinance 97-3792 in 1997 which created the Police Citizens Review Board ("PCRB") to assure that investigations into claims of police misconduct are conducted in a manner which is fair, thorough, and accurate; and

WHEREAS, the PCRB was designed to assist the Police Chief, the City Manager and the City Council in evaluating the overall performance of the Police Department as a whole, by having a review process for Police Department investigations into complaints; and

WHEREAS, the PCRB was renamed the "Citizens Police Review Board" ("CPRB") in 2013 at the request of the Board and the Ad Hoc Diversity Committee; and

WHEREAS, the Charter Review Commission reviewed the Charter and suggested changing the name to the "Community Police Review Board" ("CPRB") and removed references to "citizens" in 2015; and

WHEREAS, the only change in the proposal is the name and to remove or replace the word "citizen" in accordance with recent changes to the City Charter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF IOWA CITY, IOWA, THAT:

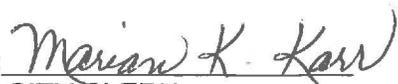
1. That Resolution 13-290 is hereby repealed.
2. The Iowa City Community Police Review Board Standard Operating Procedures and Guidelines are hereby adopted, as attached.

Passed and approved this 16th day of June, 2015.

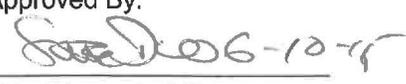


MAYOR

ATTEST:


CITY CLERK

Approved By:



City Attorney's Office

Resolution No. 15-223

Page 2

It was moved by Payne and seconded by Botchway the Resolution be adopted, and upon roll call there were:

AYES:

NAYS:

ABSENT:

X
X

X
X
X
X

X

Botchway
Dickens
Dobyns
Hayek
Mims
Payne
Throgmorton

**CITY OF IOWA CITY IOWA
COMMUNITY POLICE REVIEW BOARD
STANDARD OPERATING PROCEDURES AND
GUIDELINES**

June 16, 2015

The Community Police Review Board formerly known as the Citizens Police Review Board (hereafter referred to as the Board) was established to assure that investigations into claims of police misconduct are conducted in a manner which 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 having it review the Police Department's investigation into complaints. To achieve these purposes, the Community Police Review Board shall comply with Chapter 8 of the Iowa City Code, Board By-Laws and Standard Operating Procedures and Guidelines.

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- II. RESERVED
- III. Meetings
- IV. Complaint Review Process
- V. Identification of Officers
- VI. Review of Policies, Procedures and Practices of the Iowa City Police Department
- VII. Annual Report
- VIII. General

I. Complaint Process

In an effort to assure the Iowa City community that the Iowa City Police Department's performance is in keeping with community standards, the Board shall review investigations into complaints about alleged police misconduct to insure that such investigations are conducted in a manner which is fair, thorough and accurate. The Board shall achieve this by receiving, reviewing and reporting on complaints in accordance with the procedural rules in Chapter 8 of the City Code, following the Board By-Laws, and Standard Operating Procedures and Guidelines.

- A. Complaints shall be filed in accordance with Chapter 8 of the City Code:
 - 1. All documents and related materials filed with the Board shall not be returned.
 - 2. Complaints filed in the City Clerk's Office shall be assigned a complaint number consisting of the last two digits of the present year with consecutive numbers, starting with one (1) (e.g. 98-1).
 - 3. Complaint copies will be sent to the Equity Director, Police Chief or City Manager. The complaint copy sent to Board members shall have all references to police officer names and other identifying information deleted. A letter will be sent to the Complainant confirming receipt of the complaint and identifying the Equity Director as another resource for them to contact throughout the complaint process.
 - 4. Board deadlines are contained in Chapter 8 of the City Code.
 - 5. A copy of each complaint filed shall be provided to Board members in the next meeting packet.
 - 6. Amendments to a complaint must be in written form.
 - 7. The complainant may withdraw the complaint at any time prior to the Board's issuance of its report to City Council.
- B. Procedures for complaints subject to summary dismissal follow:
 - 1. A complaint that appears to be untimely filed or a complaint that does not involve the conduct of an Iowa City sworn police officer shall be handled in the same manner as outlined in subsection "A" of the Complaint Process.
 - 2. The copy of the complaint furnished to the Police Chief or City Manager, shall include a cover letter from the Board indicating that it appears to be an untimely complaint or a complaint that does not involve the conduct of an Iowa City sworn police officer and will be reviewed by the Board at its next meeting.

3. The Board shall determine whether additional information is necessary to assess whether the complaint should be summarily dismissed and, if additional information is necessary, the method by which such information will be obtained. The methods available include an interview of the complainant by a subcommittee of the Board, a request to the complainant for a written submission on the issue presented and an investigation by the Board, but shall not include an invitation to the complainant to address the Board at a public meeting or an interview of the complainant at a public meeting.
4. Upon the completion of such investigation and the Board's determination that additional information is not necessary, the Board shall, by motion in open session, vote to determine whether the complaint will be dismissed under Section 8-8-3E of the Ordinance. The Board shall not discuss the facts or substance of the complaint at said open meeting.
5. If the Board dismisses the complaint, staff shall:
 - a. Untimely Complaints:
 1. Forward a copy of the decision to the Police Chief or City Manager including a cover letter stating that the complaint has been dismissed and that a report to the Board by the Police Chief or City Manager is not required by Chapter 8 of the Code.
 2. Forward a copy of the decision to the complainant including a cover letter advising that although the complaint has been dismissed and will not be reviewed by the Board, there is a method for the complainant to file a complaint directly with the Iowa City Police Department.
 3. Forward a copy of the decision to the City Council indicating the dismissal and referring to the section of the City Code.
 - b. Complaints not involving a sworn Iowa City police officer:
 1. Forward a copy of the decision to the Police Chief or City Manager including a cover letter stating that the complaint has been dismissed and that a report to the Board by the Police Chief or City Manager is not required by Chapter 8 of the Code.
 2. Forward a copy of the decision to the complainant including a cover letter stating why the complaint was dismissed.
 3. Forward a copy of the decision to the City Council indicating the dismissal and referring to the section of the City Code.

4. If the Board determines the complaint shall not be dismissed, it shall so advise the Police Chief or City Manager so that the investigation may continue and make the required report to the Board.

II. RESERVED

III. Meetings

Regular meetings shall be held monthly. Special meetings may be called by the Chair as needed. The Board shall comply with the Board's By-Laws and the Board Standard Operating Procedures and Guidelines.

- A. Meeting packets shall be distributed to Board members at least two (2) days prior to a meeting when possible.
- B. Place of Posting Notices and Agendas.
 1. Follow requirements of Section 21.4, The Code of Iowa.
 2. The City of Iowa City provides the Notice Bulletin Board in the lobby of City Hall.
- C. Consent Calendar shall include:
 1. Minutes of the last meeting(s);
 2. Correspondence and/or memoranda directed to the Board (not complaint-related). Staff shall be given directions based on Board discussion as to whether staff shall respond or whether Board members shall respond, with copies furnished to the Board.
- D. Time for open public discussion shall be made available at all open meetings as provided by the Board By-Laws.
- E. Time for "Board Information" and "Staff Information" shall be made available at all meetings.
- F. Decisions made in executive session shall be ratified in open session.
- G. Taped minutes of open meetings shall be kept thirty (30) days from acceptance and approval of minutes.
- H. Taped minutes of executive meetings shall be kept for one year from the date of the meeting.
- I. To the extent practicable, legal counsel for the Board shall attend all meetings of the Board.

J. Electronic Participation

1. Follow the requirements of Chapter 21, The Code of Iowa for “electronic meetings”.
2. It shall be the rule of the Board to secure electronic participation by absent members whenever it is physically feasible where such participation is necessary or desirable because of statutory voting requirements or the importance of the subject matter to the public. This rule shall not apply to electronic participation by a majority of the Board members.

K. Quorum and Voting Requirements

1. Quorum. See By-Laws.
2. Voting. See By-Laws.
3. Voting to close a session. See Chapter 21, The Code of Iowa.

L. Iowa Open Records Law

1. The Board must follow all the requirements of Chapter 22, The Code of Iowa, Examination of Public Records (Open Records). This means every person has the right to examine and copy the public records of the Board pursuant to that Chapter.
2. The lawful custodian of the Board public records is the City Clerk of Iowa City. If the City Clerk requires legal counsel concerning whether a document is public or confidential, the Clerk shall notify both the City Attorney’s Office and counsel to the Board of the request.
3. In accordance with Iowa Law, the Board shall maintain the confidentiality of complaints, reports of investigations, statements and other documents or records obtained in investigation of any complaint as outlined in the Board’s By-Laws.
4. In accordance with Iowa Law, the Board shall maintain the confidentiality of information protected by the Iowa Open Records Law as outlined in the Board’s By-Laws.

M. Iowa Open Meetings Law.

1. In accordance with Iowa Law, the Board must follow all the requirements of Chapter 21, Official Meetings Open to Public (Open Meetings).
2. In accordance with Iowa Law, confidentiality of information protected by the Iowa Meetings Law as outlined in the Board’s By-Laws.

- N. Conflicts of Interest and Ex Parte Contacts
 - 1. Conflicts of Interest. See By-Laws.
 - 2. Ex Parte Contacts. See By-Laws.

IV. Complaint Review Process

The Board shall review all Police Chief's reports and City Manager's reports concerning complaints utilizing Sections 8-8-6, 8-8-7 and 8-8-8 of the City Code and the Board Standard Operating Procedures and Guidelines.

- A. Review of Police Chief's report or City Manager's report as outlined in Chapter 8 of the City Code.
- B. Select a level of review as outlined in Chapter 8 of the City Code. The Board shall notify the Complainant and the Police Chief, or the City Manager if the complaint is against the Police Chief, of the selected level of review. The Police Chief shall notify the officer of the selected level of review.
- C. Pursuant to Chapter 8 of the City Code, the Board may choose to subpoena witnesses or documents.
 - 1. A motion to issue a subpoena to compel the appearance of a witness or for the production of documents may be made by any Board member pursuant to the voting procedure outlined in the Board's By-Laws. Such a motion if made in closed session will be ratified in open session.
 - 2. The subpoena will be prepared by legal counsel for signature by the Board Chair.
 - 3. Funds for the payment of witness fees, mileage and service will be issued by the City Clerk.
 - 4. The subpoena may be issued to compel the appearance of a witness to be interviewed by a committee, of no more than two Board members assigned by the Chair, at a time and place determined by the committee.
- D. The Board may request an extension of time to file the Board's public report as outlined in Chapter 8 of the City Code.
- E. The Board shall not issue a public report critical of a police officer until after a name-clearing hearing has been held or waived by the police officer as outlined in Chapter 8 of the City Code.
- F. Name-clearing hearing procedure
 - 1. If the Board determines that the comments or findings contained in its proposed report will be critical of the conduct of a sworn police officer, it

must offer the officer a name-clearing hearing prior to the issuance of the Board's report to Council.

2. The Board shall select a proposed date for the name-clearing hearing.
 3. Written notice of the date, time and place of the name-clearing hearing shall be given to the officer no less than ten working days prior to the date set for hearing. The notice to the officer should be transmitted via the Police Chief. The notice to the officer shall provide a written response form for the officer to demand or waive the name-clearing hearing. Said written response form shall also allow the police officer to state whether he or she requests an open or closed session.
 4. If the officer provides a written waiver of the name-clearing hearing prior to the date set for hearing, the hearing shall not be held.
 5. If the officer does not respond to the notice prior to the time of the hearing, the hearing shall be convened. If the officer does not appear, the hearing shall be terminated.
 6. If the officer demands a hearing or appears at the hearing, the Board will first determine whether the hearing shall be open or closed. If the officer requests a closed session, the Board shall close the session pursuant to motion specifically identifying an appropriate provision of Chapter 21 Iowa Code as the basis for closure. If the officer does not request a closed session the session shall be open except where closure is appropriate pursuant to Section 21.
 7. Before the hearing, the Board shall advise the officer of the Board's proposed criticism(s). At the hearing, evidence supporting the criticism shall be presented. The officer shall be given the opportunity to be heard and to present additional evidence, including the testimony of witnesses.
 8. If, subsequent to a name-clearing hearing or waiver of a name-clearing hearing by the officer, the Board changes its level of review, it shall issue a new written notice pursuant to subparagraph B, hereof. If, following said change, the proposed report is critical of the sworn officer's conduct, the Board shall offer another name-clearing hearing to the officer pursuant to the name-clearing hearing procedures herein.
 9. The complainant shall not receive a notice of, or have the right to participate in, a name-clearing hearing.
- G. Report Writing – See Chapter 8 of the City Code
1. The Chair shall appoint a committee to prepare draft reports. The committee may request assistance from staff as needed.
 2. When possible, a draft report shall be included in the agenda packet prior to the meeting at which it is discussed.

3. Draft reports shall be discussed in executive session and finalized by the full Board.
 4. Draft reports shall be confidential.
 5. Final Public Reports shall be reviewed by legal counsel to the Board before being submitted to the City Council.
- H. Final Board Public Reports shall be distributed according to Chapter 8 of the City Code. The copy sent to the City Council shall be accompanied by the minutes of the meeting which approved it and be sent to the City Clerk for inclusion in the next Council agenda packet.
 - I. Once the Public Report is sent to designated parties, the complaint file is closed.
 - J. An exit survey tool will be mailed to the complaint and responses returned will be contained in the Board's annual report.

V. Identification of Officers

- A. The reports of the Police Chief and the City Manager to the Board will identify the officers with unique identifiers, i.e. same number for same officer from one complaint to the next, but not by name. In its public reports, however, the Board shall not use the same number for the same officer from one report to the next, in order to guard against inadvertent identification of the officer to the public by the Board. The Board reserves the right, however, to identify the officer in a sustained complaint pursuant to Chapter 8 of the City Code and may obtain the officer's name from the City Clerk for this purpose.
- B. An allegation of misconduct or previous allegation of misconduct against an officer is not and shall not be used by the Board as evidence of misconduct.

VI. Review of Policies, Procedures and Practices of the Iowa City Police Department

As stated in Chapter 8 of the City Code, the Board's By-Laws, and Standard Operating Procedures and Guidelines, the Board shall, from time to time, report to the City Council on policies, procedures and practices of the Iowa City Police Department, including recommended changes, if appropriate.

- A. Policy-review discussions shall be held at regular meetings, when possible.
- B. Pursuant to Chapter 8 of the City Code, on at least one occasion each year the Board shall hold a community forum for the purpose of hearing views on the policies, practices and procedures of the Iowa City Police Department. The format, location, date and time, of the forum will be determined by the Board. The procedures and requirements set forth in the Board's By-Laws, will be satisfied.

- C. When persons have a concern about police procedures or practices, but there is no allegation of individual officer misconduct, there may be an issue of policy. Any person or Board member may raise an issue at a Board meeting.
- D. The Board encourages signed written correspondence but will accept anonymous correspondence concerning policies, procedures, and practices of the Iowa City Police Department.

VII. Annual Report

The Board shall maintain a central registry of all formal complaints against sworn police officers and shall provide an annual report to the City Council which will give the City Council sufficient information to assess the overall performance of the Iowa City Police Department.

- A. The annual report shall include information required by Chapter 8 of the City Code.
- B. The Board's annual report may also include recommendations to amend Chapter 8 of the City Code.

VIII. General

- A. The lawful custodian of the Board records and the central depository for all information is the City Clerk's Office of the City of Iowa City.
- B. The Chair is the official spokesperson for the Board.
- C. When legal counsel and/or staff are contacted on Board business, they shall report that information to the Chair and to each other.
- D. Contacts between a Board member and the Police Chief and/or City Manager shall be in the form of written communication when possible.
- E. Requests for information from the Board to the Police Chief or City Manager shall be in writing.
- F. The City Clerk's office shall provide the Board a monthly "Office Contacts Report," stating the number of telephone calls and in-office contacts which come directly to the City Clerk's office, the general substance of such contacts, and their disposition.
- G. Voice Mail telephone messages to the Board office shall not be retained nor will messages be transcribed unless there are extenuating circumstances on a case-by-case basis determined by legal counsel for the Board and the City Attorney's Office.
- H. The Board shall utilize its own letterhead stationery.

APPENDIX D

Summary of all Complaints Filed with the Community Police Review Board from 1997 to 2020

Note: In some cases, the Board may have found some allegations in a complaint to be "sustained," while other allegations in the same complaint were "not sustained." In these instances, multiple Board dispositions are listed, followed by the allegation number to identify the difference. Otherwise, the reader should assume the listed disposition applies to all allegations included in the complaint.

1997

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|--|------------------------|-------------------------------------|
| 97-01 | (1) Excessive use of force (2) Inappropriate response to complaint | Not Sustained | Not Sustained (1), Sustained (2) |
| 97-02 | (1) Conspiracy against the complainant (2) Officers vindictive and fabricated charges | Not Sustained | Not Sustained |
| 97-03 | (1) Excessive use of force (2) Harassment, slander, and attempt to incite complainant (3) Unwarranted videotaping by officer | Not Sustained | Not Sustained |
| 97-04 | (1) Privacy violation (video-taping) | Not Sustained | Not Sustained |
| 97-05 | (1) Unwarranted arrest for public intoxication (2) Arrest on private property | Not Sustained | Not Sustained |
| 97-06 | (1) Privacy violation (video-taping) | Not Sustained | Not Sustained |
| 97-07 | (1) Harassment and denial of human rights (2) Officers cracked glass on front door (3) Malicious prosecution | Not Sustained | Not Sustained |

1998

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|---|------------------------|------------------------|
| 98-01 | (1) Right to be protected by police violated (2) Denied ability to live peacefully (3) Harassment | Not Sustained | Not Sustained |
| 98-02 | (1) Harassment (2) Vehicle stopped without probable cause (3) Unreasonable search and seizure | Not Sustained | Not Sustained |

| | | | |
|-------|---|---------------------|---|
| 98-03 | (1) Human rights denial and harassment (2) Failure to respond to correspondence (3) Trespassing and damage to front door | Not Sustained | Not Sustained |
| 98-04 | (1) Harassment | Not Sustained | Not Sustained |
| 98-05 | (1) Harassment | Not Sustained | Not Sustained |
| 98-06 | (1) Use of derogatory term & harassment (2) Vehicle stopped without probable cause (3) Officer did not respond to call for service | Not Sustained | Not Sustained |
| 98-07 | (1) Right to live in peace violated (2) Harassment | Not Sustained | Not Sustained |
| 98-08 | (1) Harassment (2) Illegal Investigation | Not Sustained | Not Sustained |
| 98-09 | (1) Right to live in peace denied (2) Harassment | Not Sustained | Not Sustained |
| 98-10 | Complaint not filed within allowed time | Summarily Dismissed | |
| 98-11 | (1) Excessive Use of Force (2) Unprofessional conduct and contact | Not Sustained | Not Sustained |
| 98-12 | (1) Officer not uniformed during traffic enforcement (2) Use of profanity (3) Unwarranted charges filed | Not Sustained | Sustained (1), Not Sustained (2, 3) |
| 98-13 | (1) Civil rights violation and harassment (2) Officer wore wrong nametag (3) Unnecessary breath test (4) Unreasonable traffic stop | Not Sustained | Not Sustained |
| 98-14 | (1) Conduct was cruel and racially motivated | Not Sustained | Not Sustained |
| 98-15 | (1) Complainant not informed of outstanding warrant (2) Complainant not allowed to take medication (3) Improper and rude behavior | Not Sustained | Not Sustained |
| 98-16 | (1) Excessive use of force (2) Unreasonable search | Not Sustained | Not Sustained |
| 98-17 | (1) Vehicle stopped without probably cause (2) Inappropriate, condescending language (3) Inappropriate behavior and made complainant wait in car too long | Not Sustained | Not Sustained (1, 3) Sustained (2) |
| 98-18 | (1) Complainant was arrested with limited contact and warnings from officer (2) Disagreement between officer and complainant assessment of situation | Not Sustained | Not Sustained |
| 98-19 | (1) Use of Excessive Force (2) Unfair treatment and charges | Not Sustained | Not Sustained |
| 98-20 | (1) Unnecessary breath test (2) Unreasonable vehicle stop and search (3) Racial discrimination | Not Sustained | Not Sustained |

1999

Ten total complaints filed: 1 summarily dismissed, 9 not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|--|----------------------------|------------------------|
| 99-01 | <i>Complaint not filed within allowed time</i> | <i>Summarily Dismissed</i> | |
| 99-02 | (1) Unfairly targeted in vehicle stop (2) Intimidated into allowing vehicle search | Not Sustained | Not Sustained |
| 99-03 | (1) Vehicle stopped due to racial bias | Not Sustained | Not Sustained |
| 99-04 | (1) Breath test administered without reasonable suspicion (2) Officer failed to advise that the breath test could be refused (3) Officer used inaccurate breath test | Not Sustained | Not Sustained |
| 99-05 | (1) Officer threatened to use OC spray (2) Complainant handled roughly (3) Officer did not communicate reason for arrest or advise Miranda rights | Not Sustained | Not Sustained |
| 99-06 | (1) Arrest due to bias, not probable cause (2) Medical treatment not offered for injuries (3) Officers planted a controlled substance on the person | Not Sustained | Not Sustained |
| 99-07 | (1) Excessive force used during arrest (2) Failure to provide medical attention (3) Arrested without reason | Not Sustained | Not Sustained |
| 99-08 | (1) ICPD communicated inappropriately with news media regarding case | Not Sustained | Not Sustained |
| 99-09 | (1) Complainant detained and harassed based on racial bias (2) Vehicle stopped without probable cause | Not Sustained | Not Sustained |
| 99-10 | (1) Officer used excessive physical force (2) Handcuffs placed too tightly | Not Sustained | Not Sustained |

2000

Four total complaints filed: 1 partially sustained, 2 not sustained, 1 withdrawn by complainant.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|--|------------------------|------------------------|
| 00-01 | (1) Race and gender discrimination (2) False testimony during court | Not Sustained | Not Sustained |

| | | | |
|-------|---|---------------------------------------|---------------------------------------|
| 00-02 | (1) Officer used excessive physical force (2) Coerced compliance through threats (3) Interviewed child without permission (4) Caused damage to front door | Not Sustained | Not Sustained |
| 00-03 | (1) Officer was accusatory, intimidating, and invasive of personal space (2) Complainant believes follow-up on complaint from neighbor was misuse of police resources (3) Officer failed to provide timely notice of warrant for arrest | Not Sustained (1,2), Sustained (3) | Not Sustained (1,2), Sustained (3) |
| 00-04 | <i>Withdrawn by Complainant</i> | | |

2001

Six total complaints filed: 2 partially sustained, 1 withdrawn by complainant, 3 not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|--|-------------------------------------|-------------------------------------|
| 01-01 | (1) Unlawful entry into residence (2) Residence unlawfully searched | Not Sustained | Not Sustained (1), Sustained (2) |
| 01-02 | (1) Misuse of pepper spray (2) Officers failed to communicate rights and charges against individual (3) False information given to media (4) Damage to property (5) Rude behavior | Not Sustained | Not Sustained |
| 01-03 | <i>Withdrawn by Complainant</i> | | |
| 01-04 | (1) Officer abused power and kept complainant on public display (2) Handcuffs applied too tightly (3) Officer was overly aggressive and condescending | Not Sustained | Not Sustained |
| 01-05 | (1) Officer initially failed to arrest the intoxicated person that the complainant reported (2) Officer used word "vindictive" to describe the complainant's wish to have the individual arrested | Not Sustained (1), Sustained (2) | Not Sustained (1), Sustained (2) |
| 01-06 | (1) Inappropriately arrested for public intoxication and obstruction of justice | Not Sustained | Not Sustained |

2002

Four total complaints filed: 4 not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|--|------------------------|------------------------|
| 02-01 | (1) Excessive use of force (2) Failure to provide for safety and protection of arrested individual (3) Discourteous behavior | Not Sustained | Not Sustained |
| 02-02 | (1) Officer used unnecessary force and applied handcuffs too tightly (2) Officer was rude and disrespectful | Not Sustained | Not Sustained |
| 02-03 | (1) Officer made inappropriate contact with complainant and made improper referral to DHS | Not Sustained | Not Sustained |

2003

Thirteen total complaints filed: 1 summarily dismissed, 2 partially summarily dismissed, 1 partially sustained, 1 withdrawn by complainant, 8 not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|--|---|---|
| 03-01 | (1) Videotape of incident altered (2) Three additional allegations not filed within allowed time frame: rude and offensive, failure to provide medical assistance, and excessive use of force | Not Sustained (1), Summarily Dismissed (2) | Not Sustained (1), Summarily Dismissed (2) |
| 03-02 | (1) Excessive use of force (2) Inappropriate comments | Not Sustained (1), Sustained (2) | Not Sustained (1), Sustained (2) |
| 03-03 | Complaint not filed within allowed time period | Summarily dismissed | |
| 03-04 | (1) Officers were mean, rude, and inconsiderate (2) Unlawful arrest | Not Sustained | Not Sustained |
| 03-05 | (1) Inadequate investigation (2) Dissatisfied with Press-Citizen publishing son's name in assault charge (3) Dissatisfied son spent two days in Linn County Juvenile Detention | Not Sustained (1), Summarily Dismissed (2, 3) | Not Sustained (1), Summarily Dismissed (2, 3) |
| 03-06 | (1) False report (2) Improper conduct (3) Unlawful arrest | Not Sustained | Not Sustained |
| 03-07 | (1) False report (2) Improper conduct (3) Unlawful arrest | Not Sustained | Not Sustained |
| 03-08 | (1) Excessive Use of Force | Not Sustained | Not Sustained |

| | | | |
|-------|---|---------------|---------------|
| | (2) Rudeness | | |
| 03-09 | (1) Failure to supervise | Not Sustained | Not Sustained |
| 03-10 | (1) Failure to investigate | Not Sustained | Not Sustained |
| 03-11 | (1) Officers made false statements (2) Failure to provide medical care (3) Unlawful searches | Not Sustained | Not Sustained |
| 03-12 | Withdrawn by complainant | | |
| 03-13 | (1) Excessive use of force (2) Unnecessary use of OC spray (3) Post-arrest harassment (4) Failure by officers to identify themselves | Not Sustained | Not Sustained |

2004

Three total complaints filed: 1 summarily dismissed, 2 not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|---|------------------------|------------------------|
| 04-01 | Complaint did not involve ICPD sworn officer | Summarily Dismissed | |
| 04-02 | (1) Excessive use of force (2) Failure to inform | Not Sustained | Not Sustained |
| 04-03 | (1) Excessive use of force | Not Sustained | Not Sustained |

2005

Four total complaints filed: 1 summarily dismissed, 3 not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|---|------------------------|------------------------|
| 05-01 | Complaint not filed within allowed timeframe | Summarily Dismissed | |
| 05-02 | (1) Aggressive and improper language | Not Sustained | Not Sustained |
| 05-03 | (1) Differential treatment (2) Improper conduct | Not Sustained | Not Sustained |
| 05-04 | (1) Did not properly investigate complaint (2) Use of condescending tone | Not Sustained | Not Sustained |

2006

Six total complaints filed: 6 not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|--|------------------------|------------------------|
| 06-01 | (1) Violation of Fourth Amendment | Not Sustained | Not Sustained |
| 06-02 | (1) Officer refused to allow prayer (2) Intimidation, harassment, and threats | Not Sustained | Not Sustained |
| 06-03 | (1) Personal unprofessional conduct | Not Sustained | Not Sustained |

| | | | |
|-------|--|---------------|---------------|
| | (2) General bad conduct on duty | | |
| 06-04 | (1) Inappropriate behavior (2) Wrongful arrest | Not Sustained | Not Sustained |
| 06-05 | (1) Harsh tone and manner, insulting, degrading, and showing prejudice (2) Unwarranted delay in accomplishing ticketing and searching | Not Sustained | Not Sustained |
| 06-06 | (1) Destruction of property (2) Retaliation | Not Sustained | Not Sustained |

2007

One total complaint filed: 1 not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|--|------------------------|------------------------|
| 07-01 | (1) Threatened revocation of Section 8 rental assistance (2) Unauthorized search of residence | Not Sustained | Not Sustained |

2008

Nine total complaints filed: 1 summarily dismissed, 1 partially sustained, 7 not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|---|------------------------|------------------------|
| 08-01 | (1) Improper use of force (2) Verbal abuse (3) Unlawful arrest | Not Sustained | Not Sustained |
| 08-02 | (1) Police did not respond to complaint (2) Did not allow complaint to be filed (3) Driving citation received as retaliation (4) Unfair parking ticket | Not Sustained | Not Sustained |
| 08-03 | Complaint did not involve ICPD sworn officer | Summarily Dismissed | |
| 08-04 | (1) Excessive use of force (2) Inadequate investigation of incident (3) Interference with medical emergency (4) Unprofessional behavior | Not Sustained | Not Sustained |
| 08-05 | (1) Inappropriate comments | Not Sustained | Not Sustained |
| 08-06 | (1) Harassment (2) Slander of complainant by officer | Not Sustained | Not Sustained |
| 08-07 | (1) Rude and bullish behavior (2) Unwilling to listen | Not Sustained | Not Sustained |
| 08-08 | (1) Officer not trained in service dog laws (2) Harassment and rude behavior | Not Sustained | Not Sustained |

| | | | |
|-------|---|--------------------------------------|--------------------------------------|
| | (3) Retaliation | | |
| 08-09 | (1) Handcuffs applied too tightly (2) Excessive use of force (3) Officers did not assess situation well (4) Officer lied in police report (5 – 7) Officer did not care for victim properly (8) Officer used bad judgement in moving the patrol car while individual was standing near it | Not Sustained (1 – 7), Sustained (8) | Not Sustained (1 – 7), Sustained (8) |

2009

Six total complaints filed: 1 summarily dismissed, 5 not sustained

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|---|------------------------|------------------------|
| 09-01 | (1) Officer maliciously made false statements, resulting in complainant behind suspended & fired from job | Not Sustained | Not Sustained |
| 09-02 | Complainant did not have "personal knowledge" of incident | Summarily Dismissed | |
| 09-03 | (1-3) Threatened with force and tear gas (4 -5) Complainant not given opportunity to give statement about incident (6) Miranda warning not communicated (7– 9) Officers unresponsive to information about attacker and assault (10 – 18) Complaints related to incidents in Johnson County Jail, not ICPD-related | Not Sustained | Not Sustained |
| 09-04 | (1) Harassed | Not Sustained | Not Sustained |
| 09-05 | (1 – 3) Safety and protection violated, lack of humane treatment, and handcuffs applied too tightly, causing injury | Not Sustained | Not Sustained |
| 09-06 | Complaint did not involve ICPD sworn officer | Summarily Dismissed | |

2010

Four total complaints filed: 1 partially sustained, 3 not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|---|------------------------|------------------------|
| 10-01 | (1) Use of excessive force | Not Sustained | Not Sustained |
| 10-02 | Complainant did not have "personal knowledge" of incident | Summarily Dismissed | |

| | | | |
|-------|--|---------------------------------------|---------------------------------------|
| 10-03 | (1) Officer was racially motivated (2) Officer's handling of investigation influenced by relationship to driver (3) Officer was rude, intimidating, and accusatory (4) Failure to record interactions (5) Ticket issued unfairly | Not Sustained (1-3, 5), Sustained (4) | Not Sustained (1-3, 5), Sustained (4) |
| 10-04 | (1) Officer touched complainant inappropriately while applying handcuffs | Not Sustained | Not Sustained |

2011

Three total complaints filed: three not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|---|------------------------|------------------------|
| 11-01 | (1) Officer inappropriately contacted complainant's employer and landlord, to encourage recourse against complainant (2) Officer was untruthful in statements and reports, and did not communicate charges to complainant (3) Officers did not respond in timely manner and were unprofessional (4) Audio/video missing from in-car cams | Not Sustained | Not Sustained |
| 11-02 | (1) Intimidated and threats | Not Sustained | Not Sustained |
| 11-03 | (1) Followed and harassed by officer, and mistreated with false accusations | Not Sustained | Not Sustained |

2012

Six total complaints filed: 1 summarily dismissed, 5 not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|---|------------------------|------------------------|
| 12-01 | (1) Excessive use of force (2) Harassment (3) False Arrest (4) Violation of Civil Rights | Not Sustained | Not Sustained |
| 12-02 | Complaint did not involve ICPD sworn officer | Summarily Dismissed | |
| 12-03 | (1) Officer's actions jeopardized safety of child (2) Improper conduct and demeanor | Not Sustained | Not Sustained |
| 12-04 | (1) Illegal search | Not Sustained | Not Sustained |
| 12-05 | (1) Officer calls locations where complainant applies for jobs and tells them not to hire | Not Sustained | Not Sustained |

| | | | |
|-------|---|---------------|---------------|
| | (2) Harassment in several locations throughout Iowa City (3) Charges filed in retaliation for PCRB complaint | | |
| 12-06 | (1) Excessive use of force (2) Illegal search | Not Sustained | Not Sustained |

2013

Seven total complaints filed: 2 summarily dismissed, 4 not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|---|------------------------|------------------------|
| 13-01 | (1) Racist behavior (2) Harassment | Not Sustained | Not Sustained |
| 13-02 | Complaint not filed within allowed timeframe | Summarily Dismissed | |
| 13-03 | Complaint not filed within allowed timeframe | Summarily Dismissed | |
| 13-04 | (1) Excessive use of force | Not Sustained | Not Sustained |
| 13-05 | (1) Excessive use of force (2) Miranda warning not read | Not Sustained | Not Sustained |
| 13-06 | (1) Assault and excessive use of force (2) Failure to complete a use of force report (3) Failure to use body camera (4) Withholding evidence | Not Sustained | Not Sustained |
| 13-07 | (1) Excessive use of force (2) Improper conduct | Not Sustained | Not Sustained |

2014

Eleven total complaints filed: 3 summarily dismissed, 1 withdrawn by complainant, 3 partially sustained, 4 not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|---|-------------------------------------|-------------------------------------|
| 14-01 | (1) Harassment (2) Lack of professionalism | Not sustained (1), Sustained (2) | Not sustained (1), Sustained (2) |
| 14-02 | (1) Excessive Use of Force | Not Sustained | Sustained |
| 14-03 | (1) Use of racial epithet (2) Harassment (3) Illegal search of vehicle | Not Sustained | Not Sustained |
| 14-04 | (1) Disobedience to laws and regulations (2) Neglect of responsibilities (3) Incompetence | Not Sustained | Not Sustained |
| 14-05 | Complaint not filed within allowed timeframe | Summarily Dismissed | |
| 14-06 | (1) Unlawful search and seizure | Not Sustained | Not Sustained |

| | | | |
|-------|---|---------------------|-------------------------------------|
| 14-07 | Withdrawn by complainant | | |
| 14-08 | (1) Inaccurate information included in official police report (2) Retaliation for filing an earlier complaint with CPRB | Not Sustained | Not Sustained |
| 14-09 | Complaint not filed within allowed timeframe | Summarily Dismissed | |
| 14-10 | Complaint did not involve ICPD sworn officer | Summarily Dismissed | |
| 14-11 | (1) Citation due to prejudice (2) Collision not investigated adequately (3) Officer's determination complainant was "at-fault" was incorrect and citation should not have been issued | Not Sustained | Not Sustained (1, 2), Sustained (3) |

2015

Three total complaints filed: 1 summarily dismissed, 2 not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|--|------------------------|------------------------|
| 15-01 | (1) Racial profiling (2) Discourtesy | Not Sustained | Not Sustained |
| 15-02 | (1) Differential treatment (2) False reports (3) Rude and harassment | Not Sustained | Not Sustained |
| 15-03 | Summarily Dismissed | | |

2016

Five total complaints filed: 1 summarily dismissed, 1 sustained, 1 partially sustained, 2 not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|---|----------------------------------|----------------------------------|
| 16-01 | Summarily Dismissed | | |
| 16-02 | (1) Questionable interview and interrogation tactics (2) Unlawful seizure of cell phone | Not Sustained | Sustained |
| 16-03 | (1) Unnecessary use of force (2) Unlawful entry | Not Sustained | Not Sustained |
| 16-04 | (1) Unnecessary use of force (2) 1 of 3 officers failed to activate body-worn camera | Not Sustained (1), Sustained (2) | Not Sustained (1), Sustained (2) |
| 16-05 | (1) First Amendment rights violated (2) Complainant not given opportunity to provide verbal identification or take pre-arrest sobriety/breath test | Not Sustained | Not Sustained |

| | | | |
|--|--|--|--|
| | (3) Reason for arrest not communicated (4) Probable cause fabricated (5) Improper application of handcuffs (6) Unlawful search after arrest (7) Unlawful arrest and detention (8) Profanity | | |
|--|--|--|--|

2017

Four total complaints filed: 1 withdrawn by complainant, 1 partially sustained, 2 not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|---|------------------------|-------------------------------------|
| 17-01 | (1) Failure to properly investigate accident (2) Discourtesy | Not Sustained | Not Sustained (1), Sustained (2) |
| 17-02 | Withdrawn by Complainant | | |
| 17-03 | (1) Discrimination | Not Sustained | Not Sustained |
| 17-04 | (2) Discrimination | Not Sustained | Not Sustained |

2018

Two total complaints filed: 2 not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|--|------------------------|------------------------|
| 18-01 | (1) Failure to perform duties | Not Sustained | Not Sustained |
| 18-02 | (1) Improper investigation (2) Misinformation on collision report | Not Sustained | Not Sustained |

2019

Five total complaints filed: 5 not sustained.

| Complaint Number | Allegation(s) Summary | Chief's Finding | Board's Finding |
|-------------------------|---|---|------------------------|
| 19-01 | (1) Excessive use of force (2) Apartment wrecked during search (3) Failure to provide copy of warrant | Not Sustained | Not Sustained |
| 19-02 | (1) Excessive use of force | Complainant lacked standing due to lack of personal knowledge | Not Sustained |
| 19-03 | (1) Improper towing of vehicle | Not Sustained | Not Sustained |

| | | | |
|-------|--|---------------|---------------|
| 19-04 | (1) Officer's decision not to file charges influenced by personal relationship (2) Incident not investigated properly (3) Illegal search and seizure | Not Sustained | Not Sustained |
| 19-05 | (1) Improper investigation | Not Sustained | Not Sustained |

Definitions of Allegation Categories

To aid in the development of data visualizations, complaint allegations were categorized into 19 different allegation types. For example, if a complaint allegation alleges that an officer was rude and disrespectful, this was sorted into the 'Unprofessional Conduct' category. Definitions for all types of allegations are included below, in alphabetical order:

- **Biased Policing:** Allegations of an officer displaying discrimination, prejudice, or bias based race, gender, religion, or any other protected class.
- **Civil Rights or Liberties Violation:** Allegations in which the complainant invoked a real or perceived civil right, civil liberty, or human right as the basis of the allegation. Examples include allegations in which an officer is alleged to have violated an individual's right to live in peace. This category serves as a catch-all for these types of allegations that are not included in other categories, such as the "Unlawful Search and/or Seizure" category (which is still a Fourth Amendment right), or the "Biased Policing" category which includes allegations specific to discrimination motivated race, gender, etc.
- **Conspiracy or Abuse of Power:** Allegations which involve an officer/officers plotting against the complainant or contacting a complainant's employer or landlord to encourage them to take disciplinary action against the complainant.
- **Excessive Use of Force:** Allegations of an officer using a level of force that is not consistent with the circumstances, or that does not align with the ICPD Use of Force policy.
- **Harassment or Intimidation:** Allegations of an officer using aggressive verbal badgering, or coercing compliance and behavior through verbal threats and scare tactics.
- **Improper Interview or Interrogation Tactics:** Allegations of an officer conducting investigative interviews without permission or which involve deceptive or otherwise unnecessary behavior.

- **Improper or Inadequate Investigation:** Allegations of an officer failing to conduct an investigation as requested, or performing an investigation which the complainant finds insufficient or in some way compromised.
- **Improper Procedure:** Allegations which do not fit into another identified category and accuse an officer not following ICPD policies, practices, or procedures. Examples of allegations in this category include officers not informing individuals of rights or charges against them, applying handcuffs too tight, failing to activate an in-car or body-worn camera, or administering a breath test inappropriately.
- **Incorrect or False Police Report:** Allegations of officers including incorrect or false information in official incident or collision reports, media statements, or court testimony.
- **Lack of or No Service:** Allegations of officers failing to respond, in part or in whole, to calls for service, complaints, or requests for information or an investigation.
- **Neglect of Health or Safety:** Allegations of officers failing to provide needed medical attention, or taking an action which puts the safety and wellbeing of those involved at risk.
- **Property Damage:** Allegations of officers causing damage to personal property.
- **Retaliation:** Allegations of officers issuing citations or charges or otherwise taking inappropriate action, in response to a prior grievance with the complainant.
- **Summarily Dismissed or Withdrawn by Complainant:** Complaints and allegations are summarily dismissed if they are not filed within the allowed timeframe, do not involve an Iowa City sworn police officer, or the complainant does not have "personal knowledge" as defined by the ordinance. On some occasions, complainants also withdraw complaints by their own accord before the complaint is processed by the Police Chief or Board.
- **Traffic Stop without Probable Cause:** Allegations of officers making vehicle stops without a legitimate reason for the stop.
- **Unlawful Entry, Search, and/or Seizure:** Allegations of officers entering personal property, conducting an unreasonable or illegal search of private property, and/or seizure of personal property without reason.

- **Unprofessional Conduct:** Allegations in which officers act in a manner that is disparate from the professional behavioral expectations of a peace officer. Examples include swearing, inappropriate language, discourtesy, and rudeness.
- **Unwarranted Citation, Charge, or Arrest:** Allegations of an officer making issuing a citation or charge or making an arrest that is wrongful or without reason.