

**IOWA CITY
COMMUNITY POLICE
REVIEW BOARD
BY-LAWS**

(Revised 12/3/19, Res.19- 284)

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POLICE REVIEW BOARD**

ARTICLE I. AUTHORITY:

The Community Police Review Board formerly known as the Citizens Police Review Board (hereafter referred to as the Board) shall have that authority which is conferred by Chapter 8 of the City Code of the City of Iowa City, Iowa and through the adoption of these by-laws stated herein.

ARTICLE II. PURPOSE:

The purpose of the by-laws stated herein is to provide for the general welfare of the Iowa City community by establishing a Board to advise the Police Chief, City Manager and City Council on matters pertaining to the policies, practices and overall performance of the Iowa City Police Department. Further, in an effort to assure that the Iowa City Police Department's performance is in keeping with community standards, this Board is created to review investigations into complaints of police misconduct to ensure that such investigations are conducted in a matter which is fair, thorough, and accurate, and to maintain a central registry and to provide City Council with an annual report on all such complaints.

ARTICLE III. MEMBERSHIP:

Section 1. Qualifications. The Board shall consist of five (5) members appointed by the City Council who shall be eligible electors of the City of Iowa City, Iowa and shall meet the criteria contained in Chapter 8, City Code, City of Iowa City, Iowa. Appointments to the Board shall include one current or former "peace officer" as that term is defined by state law. The City Council may waive the residency requirement for good cause shown and may waive the requirement that the Board include one current or former "peace officer" for good cause shown.

Section 2. Compensation. Members shall serve without compensation, but may be reimbursed for expenses incurred for travel outside the city on designated Board business. Such expenses must be submitted to the City Manager for approval and reimbursement.

Section 3. Orientation for New Members. Prior to the first regular meeting following their appointment, new members shall be provided with copies of the ordinance creating the Board, the written policies of the Iowa City Police Department, the Board by-laws, open records law, open meetings law, the name of the council member appointed by the City Council to serve as the liaison to the Board and other documentation that would be useful to Board members in carrying out their duties. They shall also be given an orientation briefing by the appropriate City staff and the Board as is deemed appropriate.

Section 4. Absences. The Board may recommend to the City Council that the City Council discharge any Board member who: (1) is absent from two consecutive regular or special meetings without excuse as determined by the Board on a case by case basis; or (2) is absent from four consecutive regular or special meetings, whether excused or unexcused; or (3) is absent from at least four out of six consecutive regular or special meetings, whether excused or unexcused.

Section 5. Vacancies. Any vacancy on the Board because of death, resignation, long-term illness, disqualification or removal shall be filled by the City Council after at least 30 days public notice of the vacancy.

Section 6. Terms. Members shall be initially appointed for staggered terms as outlined in Chapter 8, City Code, City of Iowa City, Iowa. Thereafter, Members shall be appointed for terms of four years, with terms expiring on June 30. If a position becomes vacant by reason of resignation or otherwise, and results in an unexpired term of six months or less, the Council may choose to fill the unexpired term in such a manner that the appointee shall continue in the position not only through the unexpired term, but also through a subsequent regular term.

Section 7. Resignations. Resignations shall be submitted in writing to the Mayor with a copy to the City Clerk and the Chairperson of the Board at least 30 days prior to the date of intended departure.

ARTICLE IV. OFFICERS:

Section 1. Number. The officers of this Board shall be a Chairperson and Vice-Chairperson, each of whom shall be elected by the members of the Board.

Section 2. Election and Term of Office. Officers of the Board shall be elected by a majority of all members as soon as practicable after formation of the Board, and thereafter annually at the first regular meeting in October each year; if the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as is convenient.

Section 3. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or other cause shall be filled by the members for the unexpired portion of the term.

Section 4. Chairperson. The Chairperson shall, when present, preside at all meetings, appoint committees, call special meetings and in general perform all duties incident to the office of a Chairperson, and such other duties as may be prescribed by the members from time to time.

Section 5. Vice-Chairperson. In the absence of the Chairperson, or in the event of death, inability or refusal to act, the Vice-Chairperson shall perform the duties of the Chairperson and when so acting shall have all the powers of and be subject to all the restrictions upon the Chairperson.

ARTICLE V. BOARD MEETINGS:

Section 1. Regular Meetings. The Board's regular meeting will be held the second Tuesday of each month. This meeting time may be rescheduled upon agreement by a majority of the Board.

Section 2. Special meetings. Special meetings may be called by the Chairperson and shall be called by the Chairperson or Vice Chairperson at the request of three or more Members of the Board. At least one (1) full day's written notice of meeting place, time and agenda shall be given to each Member and the media.

Section 3. Agenda. Insofar as possible, at regular and special meetings only matters included on the agenda may be discussed and formal votes taken. Care shall be taken to avoid discussion of non-agenda items.

Section 4. Quorum. A majority of the members of the Board shall constitute a quorum at any meeting.

Section 5. Place of Meetings. Meetings, both regular and special, shall be held in an accessible City facility. Meetings which are forums solely for community input may be in other appropriate meeting places in Iowa City.

Section 6. Notice of Meetings. Notice of meetings shall be required; meetings may be called upon notice not less than twenty-four (24) hours before the meetings unless such notice is impossible or impracticable, in which case notice shall be provided as outlined in the Iowa Code. The news media shall be notified by staff. Board meetings shall be public except where provided in the Iowa Code.

Section 7. Proxies. There shall be no vote by proxy.

Section 8. Public Discussion. Time shall be made available during all meetings for open public discussion.

Section 9. Motions. Motions may be made or seconded by any member of the Board, including the Chairperson.

Section 10. Exported Contacts. A member who has had a discussion of an agenda item outside of a public meeting with an interested party shall reveal the contact, name the other party and share specifics of the contact, copies if in writing or a synopsis if verbal.

Section 11. Conflict of Interest. Members who believe they have a conflict of interest on a matter about to come before the Board shall state the reason for the conflict of interest, leave the room before the discussion begins, and return after the vote.

Section 12. Voting. A majority vote is required for adoption of any motion, except for a motion to close a session as provided for in the Iowa Code. Upon request, voting will be by roll call and will be recorded by yeas and nays. Every member of the Board, including the Chairperson, is required to cast a vote upon each motion. A member who abstains shall state the reason for abstention.

Section 13. Roberts Rules of Order. The rules in the current edition of Roberts Rules of Order Newly Revised shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules or order the Board may adopt.

ARTICLE VI. GENERAL AND LIMITED POWERS AND DUTIES:

The Board shall have the powers and duties set forth in Chapter 8 of the City Code of Iowa City.

ARTICLE VII. PUBLIC RECORDS; -EXCEPTIONS

Section 1. All records of the Board shall be public, except:

- (a) Complaints, reports of investigations, statements and other documents or records obtained in investigation of any complaint shall be closed records unless a public hearing is held or a contrary determination is made by Counsel to the Board pursuant to the provisions of the Iowa Code.
- (b) The minutes and tape recordings of any session closed under the provisions of the Iowa Code shall be closed records.

- (c) No member of the Board or of its staff shall disclose information protected by the Iowa Open Records Law or the Iowa Open Meetings Law. Nothing in this provision shall prevent the Board from releasing such information concerning alleged or acknowledged practices to the Iowa City City Council, the City Manager and/or Chief of Police, either in the form of its required annual report or otherwise. This section does not prevent any complainant, witness or other person from publicizing the filing of a complaint or the matter therein complained of. Violation of these provisions by a member of the Board or its staff shall constitute grounds for removal.

ARTICLE VIII. CONDUCT OF BOARD BUSINESS:

Section 1 . Agenda. The Chairperson, or a designated representative, together with staff assistance shall prepare an agenda for all Board meetings. Agendas are to be posted at least 24 hours before the meeting and shall be sent to Board members and the media prior to meetings. Copies will be available to the public at the meeting.

Section 2. Minutes. Minutes of all meetings are to be prepared and distributed to Board and City Council members. Specific recommendations requiring Council action are to be set off from the main body of the minutes and appropriately identified.

Section 3. Review Policy. The Board shall review all policies and programs of the City relating to the Board's duties as stated herein, and make such recommendations to the City Council as are deemed appropriate.

Section 4. Referrals from Council. From time to time letters, requests for information, requests for recommendations, and other matters are referred to the Board by the City Council. The Board will initiate consideration of each item at the next regular Board meeting and shall notify Council of its disposition.

Section 5. Annual Report. An annual report detailing the activities of the Board shall be prepared by the Chairperson, approved by the Board, and submitted to the City Council.

ARTICLE IX. SUBCOMMITTEES:

The subcommittees of this Board including composition, duties, and terms shall be as designated by the Chairperson.

ARTICLE X. AMENDMENTS:

These by-laws may be altered, amended or repealed, and new by-laws adopted by an affirmative vote of not less than three members of the Board at any regular meeting or at any special meeting called for that purpose. Amendments shall become effective after approval by the City Council.