

I am writing to address the changes that the Iowa City Community Police Review Board (CPRB) recommended be made to ICPD's Bias-Based Policing Policy. While I do not speak for the board as a whole or attest to the reasoning behind anyone else's vote, I can explain why I drafted the recommendation and why it is such an important policy change to enact.

ICPD policy as it stands, which is to "patrol in a proactive manner, to investigate suspicious persons and circumstances, and to actively enforce the laws", is not in line with the promises that the City Council made over a year ago in response to our community's calls for change. The city assured residents that we would see significant changes in policing. We haven't.

While some people don't see the problems that policing causes in our community, the data support the lived experiences of those who deal with the issues daily. The reality is, we live in the country with the highest incarceration rate in the worldⁱ. We live in a state that has the fifth-highest racial disparities for marijuana arrests in the countryⁱⁱ and an overall incarceration rate that is 11 times higher for Black people than white, even though only 3.71% of our population is Blackⁱⁱⁱ. We live in a county with a sheriff's department so militarized that they have refused to give up their Mine-Resistant Ambush-Protected vehicle (MRAP)^{iv}, which was made for war but is at times driven down neighborhood streets in our city, eliciting fear in children^v. We live in an area where both the sheriff and city police department were involved in teargassing protesters who had their hands in the air^{vi}. We live in a city in which the police department's use of force reports consistently illustrate a racial disparity in relation to our population. A city in which a man's arrest was so obviously racially motivated that a federal judge dismissed the charges and called it a case of "Walking While Black"^{vii}. It is indisputable that problems with policing exist here, in our community. It is our job as members of that community to fix those problems. The CPRB's proposed policy change is a step towards doing that.

The proposed change would serve to refocus city policing to serve a public safety function only, as ICPD officers would "interfere with members of the public only when assistance is requested, or when there is an articulable and imminent risk to public safety". Since Iowa City has a higher arrest rate for low-level offenses than 80% of departments surveyed in the state and uses force during arrests more than 83%^{viii}, this has the potential to be quite impactful. It is well established that punitive measures do not decrease drug use^{ix} or prevent drug deaths, yet 15% of arrests in Iowa City last year were substance use related^x. This is just one example of the many community issues that are more appropriately and successfully addressed by other agencies and evidence-based harm reduction programs.

Barring immediate public safety risks, police involvement rarely provides long-term solutions to problems^{xi}. In fact, it often escalates situations and makes people feel unsafe^{xii}. Some members of the City Council have publicly recognized this reality. Laura Bergus has acknowledged that the presence of armed officers presents "a significant impediment to the feeling of safety and trust"^{xiii}. As one could expect, the events of the last couple of years have left many residents even more wary of ICPD than they are of policing in general. By decreasing unnecessary and uninvited contact between police officers and residents, this policy change would decrease opportunities for discrimination, excessive force, and other incidents of harm caused by policing.

Some individuals have raised concerns that the new Back The Blue Law prevents the City from amending the policy as the board has recommended. In reality, it simply presents a challenge- that is how politics work. When harmful laws are passed, other government entities have a duty to challenge them. A city challenging a state law is not a new concept and is an integral part of how our legislative system functions. Most of the rights and privileges that we have were at one point debated in the courtroom. SF 342 is a harmful law that serves political interests over people and attempts to squash dissent. The public

has been clear about what kinds of changes they want to see in community safety and the Back The Blue Law moves in the opposite direction. The Iowa City Council passed a resolution in June of last year to “change 2021 City Council's legislative priorities to advocate for more criminal justice reform”. If that same council chooses to sit by and let a harmful state law negatively impact our community and block them from following through on their promises for structural change, their entire 17-point resolution will lose credibility.

Chief Liston hit the nail on the head when he said that enacting this recommendation would “fundamentally change” how the department works. That is exactly what it is intended to do. Last summer Mayor Teague said, “I think we’re all aware that what we’re going to be doing is going to be major^{xiv}.” A year later the problems that fueled the protests which extracted that promise still exist and ICPD is advertising to hire several more officers. This city, whose residents continue to be subjected to trauma as a result of its current policing policies, has yet to do anything major. It is time, and this is it.

ⁱ <https://www.statista.com/statistics/262962/countries-with-the-most-prisoners-per-100-000-inhabitants/>

ⁱⁱ *Iowa ranks Fifth-Worst in racial disparities of marijuana arrests*. ACLU of Iowa. (2020, June 28). <https://www.aclu-ia.org/en/news/iowa-ranks-fifth-worst-racial-disparities-marijuana-arrests>.

ⁱⁱⁱ <https://worldpopulationreview.com/states/states-by-race>

^{iv} Ojeda, H. (2021, August 19). *Johnson County supervisors delay decision on armored vehicle replacement to later this year*. Citizen. <https://www.press-citizen.com/story/news/crime-and-courts/2021/08/19/johnson-county-board-supervisors-postpone-decision-mrap-armored-vehicle-replacement/8186827002/>.

^v Breese, T. (2021, May 26). *Residents angry After ICPD uses military-grade armored truck to serve warrants*. KWWL. <https://kwwl.com/2021/05/25/residents-angry-after-icpd-uses-military-grade-armored-truck-to-serve-warrants/>.

^{vi} Staff, K. M. T. V. (2020, June 5). *Video shows Iowa City protesters getting hit with teargas*. KMTV. <https://www.3newsnow.com/news/local-news/video-shows-iowa-city-protesters-getting-hit-with-teargas>.

^{vii} <https://www.kcrg.com/2020/10/20/judge-dismisses-charges-against-black-man-saying-he-was-targeted-by-iowa-city-police/>

^{viii} CampaignZero. (n.d.). *We obtained data on 156 Iowa police departments*. Police Scorecard: Iowa City, IA. <https://policescorecard.org/ia/police-department/iowa-city>.

^{ix} Chandler, R. K., Fletcher, B. W., & Volkow, N. D. (2009). Treating drug abuse and addiction in the criminal justice system. *JAMA*, 301(2), 183. <https://doi.org/10.1001/jama.2008.976>

^x <https://www.iowa-city.org/WebLink/DocView.aspx?id=2016253&dbid=0&repo=CityofIowaCity>

^{xi} Sawyer, A. J. and W. (n.d.). *Arrest, release, repeat: How police and jails are misused to respond to social problems*. Arrest, release, repeat: How police and jails are misused to respond to social problems | Prison Policy Initiative. <https://www.prisonpolicy.org/reports/repeatarrests.html>.

^{xii} , National Guidelines for Behavioral Health Crisis Care – A Best Practice Toolkit 68–69 (n.d.).

^{xiii} Contributor, R. I. (2020, June 17). *Iowa city leaders to Develop plan to restructure police department*. Radio Iowa. <https://www.radioiowa.com/2020/06/17/iowa-city-leaders-to-develop-plan-to-restructure-police-department/>.

^{xiv} <https://www.iowapublicradio.org/news/2020-06-17/iowa-city-council-votes-to-develop-major-plan-to-restructure-police-department>