

# Iowa out of step on access to police video

Every few months, someone is killed or injured by police somewhere in the United States under circumstances that lead to inevitable questions about what exactly occurred.

Typically, answers come when video from the law officers' squad car cameras or their uniform cameras is made public. Each time this occurs, there are two inescapable conclusions:

First, police in most states realize it is their obligation to release this video. They know that public faith and respect for law officers will suffer if citizens and journalists are prevented from viewing the footage, especially when an incident results in death or injury, most notably when the person was not armed.

And second, each time such video is released somewhere in the United States, it becomes obvious Iowa is out of step with most other states — because in Iowa, law enforcement agencies and government attorneys insist the video must forever remain off-limits because it is part of a confidential investigative file.



**Stray Thoughts**  
Randy Evans

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This insistence on secrecy harms public trust and respect for Iowa law enforcement.

The Iowa Legislature has been asked repeatedly in the past half-dozen years to address this lack of transparency in a thoughtful, measured way — balancing legitimate concerns for police investigations that are still under way with the need for public transparency and accountability.

But lawmakers have steadfastly refused to debate such proposals. Instead, issues of transparency and accountability have fallen victim to pressure to “back the blue.”

Julie Pottorff, the chair of the Iowa Public Information Board, spoke out on this issue earlier this month during an IPIB meeting. Pottorff is an attorney. Before retiring a

decade ago, she spent 35 years in government service, concluding her career as Iowa's deputy attorney general.

Like many Americans, Pottorff was deeply shaken by the videos of the savage beating a half-dozen police officers inflicted on an unarmed Tyre Nichols on Jan. 7 in Memphis, Tenn. The fatal beating was recorded on officers' body cameras and on area surveillance cameras.

Pottorff told her fellow board members there were serious factual discrepancies between what the officers claimed in their written reports about the Nichols incident and what the videos showed occurred.

Likewise, Pottorff said, Chicago police officers' reports about a 2014 altercation that ended with Laquan McDonald being fatally shot 16 times were contradicted a year later when the video from the incident finally was made public.

“The video really tells the story that the reports do not,” Pottorff said of Nichols' beating. “It was so powerful.”

The impact of the footage of both deaths

has led to important public conversations about the extreme actions some law officers engage in, she told her IPIB colleagues.

Pottorff said she has been disappointed Iowa lawmakers are unwilling to consider needed middle-ground solutions — a compromise that would allow some law enforcement video to remain confidential, while allowing for the release of certain other videos, such as those showing incidents ending in an unarmed person being shot by officers.

But such a compromise will not be considered by the Legislature until law enforcement recognizes more transparency is critically important to maintaining Iowans' respect and confidence in law enforcement. The Iowa Newspaper Association held a series of discussions with prosecutors and police several years ago in trying to find such a compromise. But law enforcement dug in and refused to budge, and the association's efforts went nowhere.

Another sign of Iowa being out of step on transparency came in January,

after the Iowa attorney general's office completed its investigation of the fatal shooting of a 16-year-old Des Moines boy by three police officers.

Officers were called to an apartment by the boy's stepfather after the teen pulled a gun on him. Officers tried to persuade the boy to drop the weapon, imploring him 70 times to put the gun down. When he raised the gun and pointed it directly at officers, they fired 14 shots, fatally wounding him.

There have been no assertions officers acted improperly during the incident. The boy's relatives and a friend who were in the apartment did not criticize the officers or their decision to shoot.

Following the Des Moines Police Department's longstanding transparency practice, at the conclusion of the state's investigation police planned to release a diagram of the shooting scene, the recording of the 911 call, photos from the scene and videos from the officers' uniform cameras.

But the Des Moines city legal staff stepped in and stopped the release. The lawyers said it would

violate Iowa's juvenile confidentiality laws if the video were made public.

The city attorneys said the video shows a minor committing a delinquent act — pointing a gun at police. Revisions made in Iowa's juvenile justice laws in 2016 require records concerning a minor involved in a delinquent act to be kept confidential until a complaint is filed in court, the attorneys said.

Because Trevontay Jenkins died in this incident, no juvenile court charge was filed — and no video could be released, in the opinion of the city's lawyers.

The analysis by the city's legal staff, and the unwillingness of lawmakers to bring needed transparency to certain police incidents, means that sooner or later there is likely to be a nightmare scenario in which an Iowa teen or adult is gunned down or beaten to death, much like Tyre Nichols or Laquan McDonald, and police will refuse to release their video.

It is overdue for Iowa to catch up with other states in the important area of transparency of police video. ■

## Never a right time

A dear friend of mine lost her son recently, and the visitation, funeral and celebration of life were held over the weekend. He was so young and full of life. No one understands why these things happen, and until the autopsy comes back, no one will.

My husband also died suddenly... 10 1/2 years ago, now. My youngest was a senior in high school, and after this happened, my son and I just passed through the house like ships in the night. We barely spoke... we were in shock. I didn't know how my husband died either, until the autopsy came back. I knew he had a headache and stayed home the night my son had a football game. That was it.

That whole evening is still so clear, though. I went by myself to watch the game and met my bestie there, thinking everything was fine. When I returned home right afterward, I found him. I knew he had a headache and wanted to stay home, but I didn't know it would be the last time I would ever speak to him. Then I was overwhelmed by guilt. Should I have taken him to the hospital? If I were home, could I have administered CPR and saved his life? Some of that guilt remains today.

Also, that night, I called my other two boys to tell them the news. One called me a liar, and the other said very little and hung up. What I didn't know was that he dropped everything, got in the car with his then fiancé and drove to Iowa Falls from Iowa City. You'd think in time everything would be a blur, but I remember that night like it happened yesterday.

A week later, I was in my office at home when the call came about the autopsy. I knew I had to write it down because I wasn't ready to hear it, and I wasn't ready to know. Sudden cardiac death due to atrial fibrillation. My (now) daughter-in-law is a pharmacist and I had to call her and ask her to explain it to me.

So, last Friday evening, we went to the visitation to see my friend and her family and grieve with them. She reminded me of me at that stage. Disbelief, anger, guilt, questions. Most of all the questions of why him, and why now? However, her faith is strong and is pulling her through.

There were no empty chairs at the funeral Saturday, and we sat in the balcony. Photos of her son scrolled across the screen in a slideshow, and I felt like it wasn't real. Afterwards, we had lunch at the church, then went to the celebration of life at the country club. My youngest son was his friend, and he reconnected with other young adults he hadn't seen in a while, all coming together to celebrate and share fond memories.

Stories were told, the young people laughed, but there were times when they were serious, and deep in conversation. And although it was still such a sad time, it was also a celebration. Hugs were constant, and love was abundant.

Death is hard to understand. And when it happens to someone so close, it's even more difficult to fathom. We all grieve in our own way, and we all handle each day as they come as best as we can. People die, but it's always not when we're ready for them to. ■



**Little Pieces**  
Elaine Loring

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## Letter

### New tool helps watersheds

TO THE EDITOR,

Based on years of research and years of actual experience I've come to some conclusions concerning agricultural practices and the clean water initiatives, both state and federal. First and foremost, don't get angry at farmers or local environmental groups. It's fine to be upset with mass production and the problems it causes, but there are solutions available.

ISU has developed a program that allows the user to input a mitigating solution, like bio-digesters or saturated buffers into a given parcel of a watershed, and it will tell how

successful it will be, as in how many bio-digesters are required, or how many acres of saturated buffer is needed, to meet the goal. It's a very state of the art sustainability tool. The early knee jerk reaction by some who have seen it is that it will take too many acres out of production, and we can't possibly do that. First this tool is based on current production parameters. Yes, under current production parameters, we would have a reduction in overall yields per farm unit. However, America did not become great by using woe-is-me thinking. We change.

Did you know that soybeans have been genetically modified to stand up straighter to cut down on the low hanging beans and to make them easier to pick? We can increase the

number of beans per plant by engineering a bushy plant with more beans, it means modifying equipment, but we like innovations. Nothing better than smarter, better, big iron running through the fields. Did you know that Stein makes a shorter corn stalk that can be grown closer together to increase yields by as much as 30 percent per acre and be wind damage resistant? My point is innovation through genetics and big iron can offset acres we need to take out of production to protect our surface waters. We don't have to waste the nutrients on lower per acre yields, spread out over more surface area. We can maintain or increase yields and restore wildlife habitat and meet clean water objectives. Don't get angry, get smart and

preserve our soil and keep our waters clean. Every cost input used by a growing plant is a dollar in the farmer's pocket. Right now 3 percent of an average farm's net income is washed away or wasted (assuming 60 percent of P and N is not used by the cash crop).

We can do this folks, and live together in harmony and not be adversarial. Just because we publish the data or the research, doesn't mean Congress or the people are going to do it. We're just showing folks how it can be done right, and smart, and achieve the 45 percent reduction that Gov. Reynolds has been asking for to get cleaner surface waters.

**STEVE THROSSEL**  
PRESIDENT, IOWA RIVER WATERSHED COALITION

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