

Scott County Board of Supervisors
June 5, 2020 11:00 a.m.

The Board of Supervisors met pursuant to adjournment with Knobbe, Croken, Kinzer, Maxwell and Beck present. Due to social distancing concerns relating to COVID19, Supervisors and staff participated via telephone.

Chairman Knobbe said that after a night of active night law enforcement efforts, on the morning of June 1st he declared a curfew for Scott County, beginning at 9:00 p.m. and ending at 5:00 a.m. and continuing until further notice. He said he spent several nights at the Emergency Management Center in Davenport with law enforcement, elected officials and other dignitaries and management. He said on the night of June 3rd, the third night in a row, things were relatively quiet. He said one concern was the nationwide attention to the topic at hand and a number of protests on June 3rd, including one in Davenport, which was peaceful with full cooperation between law enforcement and members of the community. He said if things settled down he would recommend that the Board eliminate the curfew.

He said he met by phone with the mayors of the five largest cities of the Quad Cities and the Rock Island County Board Chair, and everyone agreed in recommending to eliminate the curfew, and get back to some sense of normality from a curfew and law enforcement standpoint in the Quad Cities. He said law enforcement will continue in a heightened stage of diligence with regard to the type of activities that occurred on the night of May 31st and the morning of June 1st, and they will continue to have extra officers on the streets, extra officers on stand-by and a heightened awareness of what is going on. He recommended that the Board eliminate the curfew.

Supervisor Maxwell asked if there was any discussion of changing the curfew times, possibly to 11:00 p.m. or midnight to 5:00 a.m. due to the number of disturbances which occurred between those hours.

Knobbe answered that was considered, but the elected officials told the public all week that if the situation remained calm the curfew would be eliminated sooner rather than later. He said it has been quiet after 11:00 p.m. every night. He said the situation is not unlike cybersecurity, in that you never really win, simply you deal with the situation at hand, take measures to deal with the particular incident and you remain vigilant against these problems, knowing they might happen in the future and you may need to go back to whatever measures were taken in the past. He said that he did not want to abuse the use of the curfew and hated implementing it but felt it was necessary.

Maxwell asked about the possible need to deploy the National Guard and having the Guard on stand-by.

Knobbe said the National Guard was here, but were never deployed, and fairly soon after arriving, there was a need for Guard services in Polk County and Des Moines, which was much more urgent than the need in Scott County.

Maxwell asked if Rock Island County and Polk County are removing their curfews.

Knobbe answered that he is not aware of Polk County or anywhere else in Iowa in regards to that decision, but for Rock Island County, the three major cities enacted the curfew and it was not countywide.

Supervisor Kinzer said he was glad to see all is well in our community and he certainly trusts law enforcement.

Supervisor Croken said he voted in support of the curfew on June 1st and believed it was the right thing to do. He said he thinks lifting the curfew is the right thing to do at this time. He said process matters, and when government deals with people's civil rights, it matters all the more. He said imposing and removing a curfew does not resolve the underlying problems, and the County needs to do more.

Supervisor Beck said he approves canceling the curfew, and asked if the County should engage in another unfortunate event, what the protocol to either reinstating a curfew or other means to take care of the matter is.

Knobbe said every situation is different, but that he would expect it to follow a similar timeline as in this situation. He said they will probably do some sort of analysis on this week's events and probably come back to the Board to decide if a decision-making process should be put in place for future situations. He said that he does not take lightly the constitutional rights at play in instituting a curfew.

Croken thanked Beck for bringing up that point, and said he was concerned about the appropriateness of announcing a curfew before the Board voted to approve a curfew. He said this opens the door to legitimate criticism.

Knobbe said that is something he intends to address as well in the future. He said the question becomes where the urgency lies and where the practicality of calling a Board meeting lies. He said the Board needs to decide how to address this type of situation in the future. He said counsel from County Attorney staff is needed.

Croken said if the Board had not supported the announced curfew the County would be open to charges of enforcing an illegal curfew.

Knobbe said that he agreed.

Beck said that he agreed the County needed a protocol for these types of decisions.

Moved by Beck, seconded by Croken that the following resolution be approved.
Roll Call: All Ayes.

BE IT RESOLVED BY the Scott County Board of Supervisors as follows: 1) That the resolution passed by this board on June 1, 2020 enacting a curfew order is hereby rescinded. 2) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Croken at 11:20 a.m. a motion to adjourn. All Ayes.

Tony Knobbe, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor