

Scott County Board of Supervisors
June 1, 2020 5:00 p.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 his understanding is that he has the right to call a special meeting in an emergency situation and dispense twenty four hour notice.

He said the primary intent for the meeting is to discuss a curfew, which was announced this morning. He said there is some vagueness regarding protocol and qualifications for when a curfew might be called. He said it is also important for the Board of Supervisors to approve the curfew.

The Board recited the Pledge of Allegiance.

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

Knobbe reviewed the contents of the resolution and said that the need for the curfew would be reviewed on a daily basis and would be eliminated when conditions warranted. He said that the 9:00 p.m. to 5:00 a.m. curfew applied county-wide and to all persons, with the notable exceptions of government officials, those travelling to or from work, returning from a polling place, those requiring medical assistance or who have a legitimate family emergency, those participating in an official religious observance and members of the press. He said that law enforcement officers were authorized to make arrests of those in violation of the curfew.

Supervisor Croken said he understands that the events of last night were horrific and asked what the concern for tonight is, and if there is some specific, credible threat to take this action.

Knobbe answered there is lots of chatter on Facebook and chatter on police radio, and the consensus among the uniformed officers, especially in the light of an officer involved shooting that resulted in a death last night and tensions being high, they are expecting similar, if not expanded, activity tonight.

Croken said he is not convinced that history would tell us that a curfew would do much to diffuse those tensions. He asked what the Board's legal standing to do this is.

Knobbe said he consulted with County Attorney staff, and has support from the Governor, who he informed about the curfew. He said the Governor said she was one hundred percent in support of the curfew. He said Polk County has declared a curfew also and the Governor has provided the same support to Polk County. He said he received guidance from Scott County Attorney Mike Walton.

Supervisor Kinzer said it is imperative to thank everybody for what they have done, the Board Chairman, the County Administrator, and all of the people that have spent time at SECC in a strategy session. He said law enforcement is planning and several members of the military are present. He said there is concern for tonight and said Rock Island County has imposed a curfew.

Knobbe said the City of Bettendorf approved a curfew.

Kinzer said he supports the curfew and he is proud of every first responder in Scott County and his thoughts and prayers are with the officer that was injured and with the two lives that were taken. He said he believes to stop this the Board has to enact a curfew. He said peaceful demonstrations are always welcome and that it is our right, but that the Board needed to keep the situation from escalating considering a peace officer was shot and two citizens were killed.

Supervisor Maxwell said he appreciates everything that law enforcement and the officials at SECC have done, and said he believes the curfew is essential and necessary. He said he disagrees with Supervisor Croken in that a curfew will do no harm and the curfew will do good things.

Croken said he would appreciate if no one else characterizes his comments other than himself. He said he simply said he is not sure if the curfew would have the intended impact and did not say it will not.

Maxwell said that is not what he heard and apologizes if he did not hear correctly.

Supervisor Beck said many people have done a wonderful job to try to keep this under control as best as possible. He said it will be interesting to see what happens tonight with the curfew.

Knobbe said that a law enforcement officer told him that the curfew would have no effect in deterring perpetrators from committing crimes but would reduce the amount of traffic and thereby making finding the perpetrators easier.

Croken asked what thought has been given to a long term community dialogue regarding race relations and the issues that undermine the emergency conversation. He said the curfew is a limitation of civil rights, and would be easier to take if the long term intentions to address the underlying issues were known.

Knobbe said Davenport Police Chief Sikorski said that conversations are already taking place in his department, and training is ongoing, as well as conversations are happening at SECC. He said Croken's point is well taken and he will take on that task as Chairman and will make sure that continues on behalf of the Supervisors.

Kinzer said that Mike Matson, Mayor of Davenport, has reached out to several groups and explained the strategy to them and they supported this. He said, in light of the

election on June 2nd and having polling places throughout the County, he assumed that Knobbe had conversations about protection of the polling places and the protection of staff at the Administrative Center. He asked if Knobbe would follow up on those conversations.

Knobbe said he had such conversations and will continue to follow up.

Kinzer asked if there was a definitive plan.

Knobbe said that he was not aware of a definitive plan but would find out.

Croken said the County needs to make some communication now to the public about the safety of voting tomorrow and asked what the plan to communicate the safety of our polling places is.

Knobbe said he will ask the two elected officials in charge of those two things, elections and safety. He said he will talk to the Sheriff's Department staff that are in the SECC building and will have the same conversation with the Auditor. He said he talked to the Auditor in passing today, and that she expressed some concerns. He said he is not of the opinion that it is the Supervisor's job to run that world. He said we help where we can, we facilitate where we can but safety is the Sheriff's domain and elections are the Auditor's domain. He said they ought to be able to figure out what the strategy is and if they cannot agree, perhaps involve the Board.

Croken noted that it is the Board of Supervisors that is issuing the curfew, so Supervisors certainly have input on the perception of safety and therefore have shared responsibility to assure the public. He asked, in regards to the County Administrative Center, what is the plan to address the fears of the employees that may view themselves in harms way.

Tammy Speidel, Facility and Support Services Director, said the County made arrangements with the contracted security company to expand their hours tomorrow to 9:00 p.m. She said normally the Sheriff's Office provides security for after-hours security. She said a second security guard will be on site from 4:30 p.m. to 9:00 p.m. She said she talked to Auditor Moritz several times and she advised that the Sheriff's Reserves pick up from the polling places. Speidel said an email was sent to department heads this morning relaying the Sheriff's information that it was safe to come to work. She said if employees were concerned department heads would allow them to take vacation time. She said the Attorney's Office sent all of their staff home and Judge Greve ordered all State Court staff home.

Mahesh Sharma, County Administrator, said Speidel did a very good job explaining what was discussed and communicated.

WHEREAS, as a result of the death of Mr. George Floyd in Minneapolis, Minnesota, a violent outbreak of civil unrest and public disorder has taken place on May 30 – June 1, 2020 within Scott County, Iowa; and

WHEREAS, this civil unrest and public disorder has resulted in substantial interference with the public peace as to constitute a significant threat to the health and safety of the people and a significant threat to private and public property; and

WHEREAS, this civil unrest and public disorder is evidenced by significant public property damage in the City of Davenport, including damage to the courthouse; and

WHEREAS, this civil unrest and public disorder is evidenced by significant private property damage to businesses within the City of Davenport; and

WHEREAS, this civil unrest and public disorder is evidenced by multiple arrests over the three day period; and

WHEREAS, this civil unrest and public disorder is evidenced by two deaths, another injured in a shooting and the shooting of a Davenport Police Officer; and

WHEREAS, pursuant to section 331.301(1) of the Code of Iowa (2019), consistent with the laws of the general assembly and the Constitution of the State of Iowa, Scott County may exercise any power it deems appropriate to protect and preserve the rights, privileges and property of the county or its residents and to improve the peace, safety, health, welfare, comfort and convenience of its residents.

WHEREAS, Scott County, Iowa desires to enter a mandatory Curfew Order for Scott County to protect and preserve the rights, privileges and property of the County and its residents and to preserve and improve the peace, safety, health, and welfare of its residents.

NOW THEREFORE, the Scott County Board of Supervisors, acting on behalf of Scott County, Iowa and pursuant to Iowa Code Section 331.301(1) enacts the CURFEW ORDER as follows:

1) A mandatory curfew is in effect starting at 9:00 p.m. on June 1, 2020. The hours of the curfew are from 9:00 p.m. central daylight time until 5 a.m. central daylight time on June 2, 2020. This curfew will remain effective until further notice. The Board of Supervisors will reevaluate the need for continuation of the curfew on a daily basis. 2) The curfew is in effect for all of Scott County, Iowa and applies to all individuals except government officials, those who are travelling to and from work during those hours, returning from a polling place, those who require medical assistance or who have a legitimate family emergency, those participating in official religious observance, and credentialed member of the press. 3) All other individuals located in Scott County, Iowa shall remain in their place of residence during the hours the curfew is in effect. 4) Scott County, Iowa authorizes any peace officer employed thereby, when in full and

distinctive uniform or displaying a badge or other insignia of authority, to arrest without warrant any person violating or attempting to violate this Curfew Order in that officer's presence. 5) This resolution shall take effect immediately.

Moved by Beck, seconded by Kinzer at 5:29 p.m. a motion to adjourn. Roll Call: All Ayes.

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

ATTEST: Roxanna Moritz
Scott County Auditor