

## RESERVE PEACE OFFICERS

### **80D.1 Establishment of a force of reserve peace officers.**

The governing body of a city, a county, the state of Iowa, or a judicial district department of correctional services may provide, either separately or collectively through a chapter 28E agreement, for the establishment of a force of reserve peace officers, and may limit the size of the reserve force. In the case of the state, the department of public safety shall act as the governing body.

This chapter constitutes the only procedure for appointing reserve peace officers.

[C81, § 80D.1]

90 Acts, ch 1092, § 1; 2001 Acts, ch 104, §1

#### **80D.1A Definitions.**

As used in this chapter, unless the context otherwise requires:

1. "*Minimum training course*" means a curriculum of one hundred fifty hours of training and instruction required for certification as a reserve peace officer, excluding weapons training.
2. "*Reserve force*" means an organization of reserve peace officers established as provided in this chapter.
3. "*Reserve peace officer*" means a volunteer, nonregular, sworn member of a law enforcement agency who serves with or without compensation, has regular police powers while functioning as a law enforcement agency's representative, and participates on a regular basis in the law enforcement agency's activities including crime prevention and control, preservation of the peace, and enforcement of law.

90 Acts, ch 1092, §2

#### **80D.2 Personal standards.**

The director of the law enforcement academy with the approval of the law enforcement academy council may establish minimum standards of physical, educational, mental, and moral fitness for members of the reserve force.

[C81, § 80D.2]

#### **80D.3 Training standards.**

1. Each person appointed to serve as a reserve peace officer shall satisfactorily complete a minimum training course as provided in this section. In addition, if a reserve peace officer is authorized to carry weapons, the officer shall satisfactorily complete the same training course in the use of weapons as is required for basic training of regular peace officers by the Iowa law enforcement academy. The minimum training course for reserve peace officers must be satisfactorily completed within four years from the date of appointment. If reserve officer training received before July 1, 1990, meets the requirements of this section, the training may be applied to meet the minimum training course requirements of this section.
2. A reserve peace officer who does not carry a weapon shall not be required to complete a weapons training course, but the officer shall comply with all other training requirements.
3. A person appointed to serve as a reserve peace officer, who has received basic training as a peace officer

and has been certified by the Iowa law enforcement academy pursuant to chapter 80B and rules adopted pursuant to chapter 80B, may be exempted from completing the minimum training course at the discretion of the appointing authority if the officer meets one of the following qualifications:

- a.* The appointee is serving as a regular peace officer with a bona fide law enforcement agency when the application for a reserve peace officer appointment is made.
  - b.* The appointee has served as a regular peace officer with a bona fide law enforcement agency within three years of the date of application for appointment as a reserve peace officer.
4. The minimum training course required for a reserve peace officer shall be conducted pursuant to sections 80D.4 and 80D.7, and the following training schedule:

- a.* During the first year, thirty hours of general law enforcement training is required as provided in section 80D.4 and as prescribed by the Iowa law enforcement academy council. If weapons are to be carried, a reserve peace officer shall complete a weapons training course having the same number of hours of training as is required of regular peace officers in basic training pursuant to section 80D.7.
- b.* During the second through the fourth year, forty hours of training shall be provided each year. Ten hours annually shall be obtained by each reserve peace officer working with a regular peace officer. The remaining thirty hours annually shall be selected by the appointing authority from the approved basic training curriculum established by the Iowa law enforcement academy for use in training regular peace officers.
- c.* Notwithstanding the time schedule provided in this subsection, a person is eligible for certification as a reserve peace officer upon satisfactory completion of the one hundred fifty hours of training required for certification.

[C81, § 80D.3]

90 Acts, ch 1092, §3

#### **80D.4 Training.**

Training for individuals appointed as reserve peace officers shall be provided by that law enforcement agency, but may be obtained in a community college or other facility selected by the individual and approved by the law enforcement agency. Upon satisfactory completion of training required by the Iowa law enforcement academy, the chief of police, sheriff, commissioner of public safety, or director of the judicial district department of correctional services shall certify the individual as a reserve peace officer.

[C81, § 80D.4]

90 Acts, ch 1092, § 4; 90 Acts, ch 1253, § 121; 2001 Acts, ch 104, §2

#### **80D.5 No exemptions.**

There shall be no exemptions from the personal and training standards provided for in this chapter except as provided in sections 80D.7 and 80D.15.

[C81, § 80D.5]

#### **80D.6 Status of reserve peace officers.**

Reserve peace officers shall serve as peace officers on the orders and at the discretion of the chief of police,

sheriff, commissioner of public safety or the commissioner's designee, or director of the judicial district department of correctional services or the director's designee, as the case may be.

While in the actual performance of official duties, reserve peace officers shall be vested with the same rights, privileges, obligations, and duties as any other peace officers.

[C81, § 80D.6]

2001 Acts, ch 104, §3

#### **80D.7 Carrying weapons.**

A member of a reserve force shall not carry a weapon in the line of duty until the member has been approved by the governing body and certified by the Iowa law enforcement academy council to carry weapons. After approval and certification, a reserve peace officer may carry a weapon in the line of duty only when authorized by the chief of police, sheriff, commissioner of public safety or the commissioner's designee, or director of the judicial district department of correctional services or the director's designee, as the case may be.

[C81, § 80D.7]

90 Acts, ch 1092, §5; 2001 Acts, ch 104, §4

#### **80D.8 Supplementary capacity.**

Reserve peace officers shall act only in a supplementary capacity to the regular force and shall not assume full-time duties of regular peace officers without first complying with all requirements for regular peace officers.

[C81, § 80D.8]

#### **80D.9 Supervision of reserve peace officers.**

Reserve peace officers shall be subordinate to regular peace officers, shall not serve as peace officers unless under the direction of regular peace officers, and shall wear a uniform prescribed by the chief of police, sheriff, commissioner of public safety, or director of the judicial district department of correctional services unless that superior officer designates alternate apparel for use when engaged in assignments involving special investigation, civil process, court duties, jail duties, and the handling of mental patients. The reserve peace officer shall not wear an insignia of rank. Each department for which a reserve force is established shall appoint a certified peace officer as the reserve force coordinating and supervising officer. A reserve peace officer force established in a judicial district department of correctional services must be directly supervised by a certified peace officer who is on duty. That certified peace officer shall report directly to the chief of police, sheriff, commissioner of public safety or the commissioner's designee, or director of the judicial district department of correctional services or the director's designee, as the case may be.

[C81, § 80D.9]

2001 Acts, ch 104, §5

#### **80D.10 No reduction of regular force.**

The governing body shall not reduce the authorized size of a regular law enforcement department or office because of the establishment or utilization of reserve peace officers.

[C81, § 80D.10]

**80D.11 Employee pay.**

While performing official duties, each reserve peace officer shall be considered an employee of the governing body which the officer represents and shall be paid a minimum of one dollar per year. The governing body of a city, a county, the state, or a judicial district department of correctional services may provide additional monetary assistance for the purchase and maintenance of uniforms and equipment used by reserve peace officers.

[C81, § 80D.11]

83 Acts, ch 101, § 3; 2001 Acts, ch 104, §6

**80D.12 Benefits when injured.**

Hospital and medical assistance and benefits as provided in chapter 85 shall be provided by the governing body to members of the reserve force who sustain injury in the course of performing official duties.

[C81, § 80D.12]

**80D.13 Insurance.**

Liability and false arrest insurance shall be provided by the governing body to members of the reserve force while performing official duties in the same manner as for a regular peace officer.

[C81, § 80D.13]

**80D.14 No participation in a pension fund or retirement system.**

This chapter shall not be construed to authorize or permit a reserve peace officer to become eligible for participation in a pension fund or retirement system created by the laws of this state of which regular peace officers may become members.

[C81, § 80D.14]

**80D.15 Civil defense auxiliary police exempt.**

This chapter does not apply to local civil defense auxiliary police forces organized by local civil defense officials and trained according to standards established by the United States office of civil defense and contained in the code of federal regulations.

[C81, § 80D.15]