

PROSECUTING ATTORNEYS TRAINING COORDINATOR

Iowa Code Chapter 13A

The Office of the Prosecuting Attorneys Training Coordinator (PATC) was created under the "Prosecuting Attorneys Training Coordinator Act of 1975." The duties of the PATC as defined by Iowa Code section 13A.8 are to:

"...keep prosecuting attorneys and assistant prosecuting attorneys of the state informed of all changes in law and matters pertaining to their office to the end that a uniform system of conduct, duty and procedure is established in each county of the state."

PATC provides continuing legal education and training to all 99 county attorneys and approximately 280 assistant county attorneys, as well as to other government attorneys and law enforcement officials. The Coordinator is assisted by an advisory Council consisting of the Attorney General, the president of the Iowa County Attorneys Association, and three county attorneys elected to staggered three year terms.

PATC annually provides 60 or more hours of continuing legal education. In 2001, 103 hours were provided. Training events include annual Spring and Fall County Attorney Training Conferences, New Legislation Workshops, and specialized training on topics of Search and Seizure, Drug Enforcement, and OWI law. Two special recent conferences provided training in child abuse detection and prosecution, and victim and witness assistance issues.

In Iowa there are 45 full time and 54 part time county attorneys. With an election this year, and every four years, there can be significant turnover in both the electees and their assistants. The newly elected county attorneys and their new assistants often have little or no prosecution experience. At these times the need for prosecutor training is critical and PATC, in January after each county attorney election, provides a week long New Prosecutors Course. The Course provides introductory training on not less than 40 different subject areas of great importance to a new prosecutor.

The events of 9/11 will, undoubtedly, expand the responsibilities of local prosecutors, especially in three areas of terrorism-related crime: drug trafficking, cybercrime, and identity theft. In order to shoulder these additional responsibilities, Iowa's county attorneys will need increased training and resources. Uniform and effective prosecutor training also has a trickle-down effect. Prosecutors "pass on" to local law enforcement officers a great deal of their training from PATC. The result is a further enhancement of the criminal justice system in Iowa.

In addition to education, PATC provides administrative support services, technical assistance, and educational publications to prosecutors and law enforcement. Publications include three newsletters: Annotations, Highway Safety Law Update, and Drug Enforcement Update; Iowa Charging Manual; OWI and Traffic Offenses Manual; Prosecution of Domestic Violence in Iowa; Iowa Sex Abuse Prosecution Manual; Iowa Search and Seizure Manual; Civil Desk Reference; and Criminal Law Handbook.

PATC also houses and provides support for two other programs with specific areas of assistance to local prosecutors: (1) Comprehensive Career Criminal and Drug Prosecution Support Program; (2) Impaired Driver Prosecution Assistance Program.

COMPREHENSIVE CAREER CRIMINAL & DRUG PROSECUTION SUPPORT PROGRAM

The Iowa Office of Drug Control Policy (ODCP) has for thirteen years maintained a Comprehensive Career Criminal & Drug Prosecution Support Program (CCC&DPSP). One portion of the program has been to join with the legislature in support of one assistant attorney general position with specialized duties in drug enforcement. Because of the nature of those duties, that position has been a part of the Office of the Prosecuting Attorneys Training Coordinator.

The CCC & DPSP supports 9 special prosecutors in 9 ODCP-funded drug task force areas. These prosecutors have vertical prosecution authority in 19 counties and are available 24 hours a day to assist the task forces. In addition, there are 14 ODCP-funded drug task forces that do not have a specialized prosecutor. These task forces serve an additional 54 counties, making a total of 73 counties out of 99 that receive support from ODCP. Because 80 of the 99 counties do not receive prosecution support from ODCP, the assistant attorney general noted above is available 24/7 to assist those 80 counties and 14 task forces not served by the 9 grant funded prosecutors.

Questions on search & seizure, forfeiture, charging decisions, and prosecution are some of the daily inquiries routinely handled by this Assistant. The Assistant Attorney General also provides specialized training to prosecutors and law enforcement across the state on topics relating to drug enforcement, search and seizure, property forfeiture, and the prosecution of career criminals. Presentations on similar topics are given to prosecutors at the Spring and Fall county attorney training conferences.

Two publications have been prepared under the auspices of the program: Drug Enforcement Resource Manual and Iowa Search and Seizure Manual. Each publication receives a periodic revision and updates. Drug Caselaw updates are drafted and distributed periodically to 650 prosecutors and law enforcement officers.

IMPAIRED DRIVER PROSECUTION ASSISTANCE PROGRAM

The Impaired Driver Prosecution Assistance Program, with federal funding from the Governor's Traffic Safety Bureau (GTSB), provides training and assistance to prosecutors and law enforcement officers on highway safety issues. Training throughout the year focuses on detection techniques, report writing, Search and seizure, trial practice issues, as well as training on the substantive law of OWI, vehicular homicide, youth alcohol, and seatbelts. The grant-funded assistant attorney general also provides case consultation with Iowa prosecutors, occasionally prosecutes conflict cases, and works closely with the Iowa State Patrol and the Iowa Law Enforcement Academy on officer training issues. The attorney made presentations to prosecutors at the Fall 2001 and Spring 2002 Iowa County Attorneys conferences and assisted in presenting two annual New Legislation workshops.

Presentations were made to law enforcement groups in thirteen different locations across Iowa on report writing, youth alcohol, automobile search and seizure, OWI, and mock trial exercises. The Program attorney also provided assistance to the Iowa Department of Public Safety and to legislators on traffic safety issues. He also participated in an effort facilitated by the American Bar Association to craft "per se" controlled substances impaired driving laws like Iowa Code section 321J.2(1)(c). In 2001 the attorney published a new edition of the OWI & Traffic Offenses in Iowa, A Prosecution Manual. Six newsletters focused on alcohol issues, traffic safety, and search and seizure issues are published annually and provided to over 500 prosecutors and law enforcement officers.