

CHAPTER 10
RESERVE PEACE OFFICERS

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

501—10.1(80D) General requirements for reserve peace officers. In no case shall any person hereafter be selected or appointed as a reserve peace officer unless the person:

10.1(1) Is a citizen of the United States and a resident of Iowa or intends to become a resident of Iowa upon appointment as a reserve peace officer, provided that the state residency requirement under this subrule shall not apply to employees of a city or county that has adopted an ordinance to allow the employees of the city or county to reside in another state and shall not apply to an employee of a city or county that later repeals such an ordinance if the employee resides in another state at the time of the repeal. A city or county that has adopted an ordinance to allow the employees of the city or county to reside in another state shall provide a current copy of the ordinance to the Iowa law enforcement academy.

10.1(2) Is 18 years of age at the time of selection or appointment.

10.1(3) Has a valid driver's or chauffeur's license issued by the state of Iowa. Reserve peace officers who are allowed to reside in an adjacent state shall be required to possess a valid driver's or chauffeur's license of the state of residence of the officer.

10.1(4) Is not addicted to drugs or alcohol.

10.1(5) Is of good moral character as determined by a thorough background investigation, including a fingerprint search conducted on local, state and national fingerprint files, and has not been convicted or adjudicated of any offense listed in 501—subrule 2.1(5).

10.1(6) Is not by reason of conscience or belief opposed to the use of force when necessary to fulfill the person's duties.

10.1(7) Is a high school graduate with a diploma or possesses a GED equivalency certificate.

10.1(8) Has an uncorrected vision of not less than 20/100 in both eyes, corrected to 20/20.

a. The applicant shall have color vision consistent with the occupational demands of law enforcement. An applicant's passing any of the following color vision tests indicates that the applicant has color vision abilities consistent with the occupational demands of law enforcement:

(1) Pseudoisochromatic plates tests such as, but not limited to, Tokyo Medical College, Ishihara, Standard Pseudoisochromatic Plates, Dvorine, American Optical HHR Plates, and American Optical.

(2) Panel tests such as Farnsworth Dichotomous D-15 Test or any other test designed and documented to identify extreme anomalous trichromatic, dichromatic or monochromatic color vision. Color corrective lenses may not be used by an applicant during the testing process per the American College of Occupational and Environmental Medicine (ACOEM) Guidance for the Medical Evaluation of Law Enforcement Officers.

b. An individual with extreme anomalous trichromatism or monochromasy color vision, as determined through testing, is not eligible to serve as a reserve peace officer in the state of Iowa.

10.1(9) Has hearing corrected to normal hearing standards. Hearing is considered normal when, tested by an audiometer, hearing sensitivity thresholds are within 25dB measured at 1000Hz, 2000Hz and 3000Hz averaged together. Hearing tests conducted within 12 months before appointment or selection may be used. A person who performs policing duties alone and without the direct supervision of a certified regular law enforcement officer who is physically present with the reserve peace officer at all times must have normal hearing in each ear. Policing duties include but are not limited to responding to calls, making traffic stops, and patrolling the jurisdiction.

10.1(10) Is examined by a licensed physician, physician assistant or surgeon and meets the physical requirements as defined by the law enforcement agency necessary to fulfill the responsibilities of the reserve peace officer position being filled.

[ARC 6137C, IAB 1/12/22, effective 2/16/22; ARC 6727C, IAB 12/14/22, effective 1/18/23]

501—10.2(80D) Higher standards not prohibited. A person who does not meet minimum standards shall not be selected or appointed as an Iowa reserve peace officer. Agencies are not limited or restricted in establishing additional standards.

[ARC 6137C, IAB 1/12/22, effective 2/16/22]

501—10.3(80D) Certification through training required for all reserve peace officers.

10.3(1) Each person appointed to serve as a reserve peace officer after July 1, 2007, shall satisfactorily complete a minimum training course established by the academy consisting of at least 80 hours of training and 40 hours of supervised time. Training for individuals appointed as reserve peace officers shall be provided by the Iowa law enforcement academy through the learning management system, through approved regional academies, or through instructors at a law enforcement agency approved by the academy. Reserve peace officers must be certified within 18 months from the date of their appointment.

a. The training modules will be available through a learning management system online. The modules are self-paced and must be completed in order. The reserve peace officer completing the training module will be given an academy-developed test covering the completed module. The reserve peace officer completing the training module must pass the test with a score of 70 percent or better. If the first test score is below 70 percent, the reserve peace officer may take the test a second time following remediation of the failed topic(s) with an Iowa law enforcement academy instructor. Failure of the test the second time will result in the individual's not being eligible for certification for a period of one year following the date of the second test failure. At the completion of the training modules, the reserve peace officer will be given an academy-developed test covering all six modules. The reserve peace officer must pass this test with a score of 70 percent or better. If the first test score is below 70 percent, the reserve peace officer may take the test a second time following remediation of the failed topic(s) with an Iowa law enforcement academy instructor.

b. Supervised time is defined as direct supervision by a regular certified law enforcement officer of the reserve peace officer while the reserve peace officer is performing activities consistent with the reserve peace officer's duties, such as ride-along time, jail time, or other assigned duties.

c. Upon satisfactory completion of training and supervised time required by the academy, the individual shall be certified by the academy as an Iowa reserve peace officer and shall be issued a certificate by the academy.

10.3(2) The academy council may, at the council's discretion, extend the 18-month time period in which a reserve peace officer must become certified for up to 180 days after a showing of undue hardship by the reserve peace officer or the reserve peace officer's appointing agency. To be considered for an extension of the 18-month certification period, the person or agency requesting the extension must initiate the request in writing not less than ten days prior to the council meeting at which the extension request is to be discussed and must also make a presentation to the council at the next regularly scheduled meeting of the council. An extension shall not be liberally granted and shall only be granted after a showing that all other alternatives to an extension have been considered and rejected.

10.3(3) The time period within which a person must achieve certification as a reserve peace officer in the state of Iowa shall commence on the day a person is first appointed as a reserve peace officer in the state of Iowa. Any subsequent changes in a reserve peace officer's appointment status, including transfers to a different appointing agency, shall not toll or otherwise extend the certification period.

10.3(4) Should a person appointed as a reserve peace officer fail to achieve certification within the time period or under any extension allowed by this rule, that person shall not be eligible for appointment as a reserve peace officer and shall not serve as a reserve peace officer in the state of Iowa for a period of not less than one year from the date the time period in which to achieve certification expired, or from the date that the person was last appointed as a reserve peace officer in the state of Iowa, whichever comes first.

[ARC 6137C, IAB 1/12/22, effective 2/16/22]

501—10.4(80D) Curriculum for training modules. Six modules consisting of 12 to 16 hours of required training topics per module will be developed by the academy. The training modules will include curriculum and training materials for each topic. Curriculum and training materials will be provided by the academy to all reserve officer candidates via the online learning management system and to agencies with academy-

approved instructors. Training modules will be updated no less than every three years. Approved training module curriculum shall include the following topics:

10.4(1) Module A.

- a.* Implicit bias.
- b.* Patrol techniques.
- c.* Ethics.
- d.* Use of force.
- e.* De-escalation.
- f.* Defensive tactics.

10.4(2) Module B.

- a.* Law of arrest.
- b.* Report writing.
- c.* Discretion.
- d.* Interviews and interrogations.
- e.* Role of emergency communication.
- f.* Precision driving.
- g.* Traffic direction.
- h.* Motor vehicle law.

10.4(3) Module C.

- a.* Vehicle stops.
- b.* Collision scene control.
- c.* Criminal law.
- d.* Current drug trends.
- e.* Recognizing impairment.
- f.* Community policing.

10.4(4) Module D.

- a.* Search and seizure.
- b.* Felony calls.
- c.* Introduction to crime scene.
- d.* Crisis and conflict.
- e.* Domestic abuse.
- f.* Juvenile law.

10.4(5) Module E.

- a.* Human trafficking.
- b.* Hazmat awareness.
- c.* Civil liability.
- d.* Bloodborne pathogens.
- e.* Weather preparedness.
- f.* Court organization.
- g.* Testifying in court.
- h.* Community relations.

10.4(6) Module F.

- a.* Mandatory reporting.
- b.* Practical skills testing in the areas of defensive tactics, vehicle stops, precision driving, and report writing.

[ARC 6137C, IAB 1/12/22, effective 2/16/22]

501—10.5(80D) Weapons certification.

10.5(1) Reserve officers must receive council certification in the use of weapons the hiring authority expects and authorizes the reserve peace officers to carry. Weapons training is not required with any weapons the reserve officers are not authorized to carry.

10.5(2) Individuals who have been certified through training by the Iowa law enforcement academy as regular officers may be certified to carry weapons as reserve officers without repeating the required reserve officer's weapons training under the following conditions:

a. The academy certification through training was acquired through a school in which firearms training was required; and

(1) The individual is serving as a regular officer for another department at the time of appointment as a reserve officer, or

(2) The individual has served as a regular officer within the two years immediately preceding appointment as a reserve officer.

b. Verification must also be provided to the council that the officer has fired a qualifying score of 80 percent or higher on a firearm course using targets approved by the academy within the past 12 months. This verification must be provided by an academy-trained and -certified firearms instructor.

10.5(3) Firearms, striking instruments and chemical weapons training must be provided by an Iowa law enforcement academy-certified instructor before a reserve peace officer can be certified to carry weapons. Reserve officer weapons training requirements are the same as those required of regular law enforcement officers during their basic training.

10.5(4) Application for weapons certification.

a. Application for weapons certification must be made in writing to the council on forms provided by the academy.

b. An applicant for certification to carry weapons as a reserve peace officer must be of good moral character and not have been convicted or adjudicated of any offense listed in 501—paragraph 2.1(5)“*a.*”

c. Verification must be received by the council that a fingerprint check has been made with the Federal Bureau of Investigation and the division of criminal investigation of the Iowa department of public safety and that the applicant has not been convicted or adjudicated of any offense listed in 501—paragraph 2.1(5)“*a.*” Fingerprint check responses from these agencies must be dated not more than one year prior to the date of the receipt by the academy of the application to the council for certification.

d. Council certification will be granted only where weapons proficiency is documented. Training in support of an application to the Iowa law enforcement academy council to carry weapons as a reserve peace officer shall have been accomplished not more than one year prior to the date of the receipt by the academy of the application to the council for certification. Failure to file the application within one year of the date of training shall require the officer to undergo weapons training anew.

e. Interim certification to carry weapons may be granted by the chairperson of the council if all requirements for certification have been met by the reserve officer and certified by the appointing authority. All interim certifications to carry weapons shall then be brought before the council at the next regularly scheduled meeting in order that the council can approve or reject the reserve officer's certification to carry weapons.

[ARC 6137C, IAB 1/12/22, effective 2/16/22]

501—10.6(80D) Reserve peace officers moving from agency to agency. A reserve peace officer who has been certified by the Iowa law enforcement academy council to carry weapons and who transfers from one Iowa law enforcement agency to another as a reserve officer without more than a 180-day break in service (affiliation) will not be required to undergo weapons certification training anew, provided that a completed application to carry weapons as a reserve officer for the new agency in compliance with Iowa Code section 80D.7 is filed with the academy within 180 days of the date of transfer. If firearms certification is requested, the application must show that the officer has fired qualifying rounds under the supervision of an academy-certified firearms instructor within 30 days of the date of application. The application shall further state that all training records for the officer have been transferred to the new agency.

[ARC 6137C, IAB 1/12/22, effective 2/16/22]

501—10.7(80D) Reserve peace officers in agencies under intergovernmental agreements. When jurisdictions enter into an intergovernmental agreement under the provisions of Iowa Code chapter 28E for the sharing of law enforcement services by those jurisdictions and sharing of reserve peace officers, the compliance of reserve peace officers with rule 501—10.1(80D) does not need to be reverified if the

execution, filing and recording of the intergovernmental agreement conform to the requirements of Iowa law and a certified copy of the agreement is provided to the director of the academy. However, this exception from reverification does not apply to the establishment of a unified law enforcement district as defined in Iowa Code section 28E.21, wherein a new legal entity or political subdivision is established.

[ARC 6137C, IAB 1/12/22, effective 2/16/22]

501—10.8(80D) Reserve peace officers serving more than one agency.

10.8(1) A reserve peace officer who has previously met all the requirements of rule 501—10.1(80D) and who intends to move reserve peace officer status from one Iowa law enforcement agency to another Iowa law enforcement agency, or who intends to be a reserve peace officer for more than one Iowa law enforcement agency simultaneously, shall be of good moral character as determined by a thorough background investigation by the law enforcement agency, including but not limited to a fingerprint search conducted by the Iowa division of criminal investigation and the Federal Bureau of Investigation. If the results of the fingerprint file checks cannot reasonably be obtained prior to the time of appointment, the appointment shall be considered conditional until such time as the results are received and reviewed by the appointing agency.

10.8(2) Except as otherwise specified, the provisions of rule 501—10.1(80D) do not need to be verified upon the movement of reserve peace officer status from one Iowa law enforcement agency to another Iowa law enforcement agency or upon the reserve peace officer's being appointed as a reserve peace officer by more than one Iowa law enforcement agency simultaneously, if the reserve peace officer met all of the requirements of rule 501—10.1(80D) when the person was initially appointed as a reserve peace officer and if, without a break of not more than 180 days from law enforcement service, the person is appointed as a reserve peace officer by another Iowa law enforcement agency.

10.8(3) A reserve peace officer who serves more than one Iowa law enforcement agency at the same time must be certified by the Iowa law enforcement academy council to carry weapons for each agency that the reserve officer serves in compliance with Iowa Code section 80D.7. It is not necessary for the officer to complete weapons training for each such agency, but all agencies shall maintain duplicate training records for the officer.

[ARC 6137C, IAB 1/12/22, effective 2/16/22]

501—10.9(80D) Minimum in-service training requirements. All certified reserve peace officers shall meet the following mandatory minimum in-service training requirements:

10.9(1) *Firearms training.* A certified reserve peace officer who is authorized to carry firearms must qualify with all duty firearms annually on a course of fire using targets approved by the Iowa law enforcement academy and must successfully fire a minimum score as established by the Iowa law enforcement academy, using targets approved by the academy under the supervision of an academy-certified firearms instructor. This subrule applies only to those reserve peace officers who are authorized to carry firearms by the officers' appointing agency.

10.9(2) *CPR certification required.* Reserve peace officers shall maintain current course completion in cardiopulmonary resuscitation (CPR), automated external defibrillator (AED) and foreign body airway obstruction for all age groups according to national standards recognized by the Iowa law enforcement academy.

10.9(3) *General training.* In addition to the firearms training and CPR training requirements, a certified reserve peace officer must receive a minimum of 12 hours per year, or 36 hours every three years, of law enforcement-related in-service training. Whether training is law enforcement-related shall be determined by the employing agency administrator.

10.9(4) *Mental health training.* In addition to the requirements of subrules 10.9(1), 10.9(2) and 10.9(3), a certified reserve peace officer must receive mental health in-service training from a course of study approved by the Iowa law enforcement academy.

a. Initial in-service training. Effective September 25, 2013, each certified reserve peace officer shall complete within one year a minimum of four hours of mental health training from a course of study approved by the Iowa law enforcement academy council. Successful completion of mental health first aid

or crisis intervention (Memphis Model or similar model) training after January 1, 2011, shall satisfy the initial requirement.

b. Annual in-service training. Effective September 25, 2013, each certified reserve peace officer shall complete a minimum of one hour per year, or four hours every four years, of mental health training from a course of study approved by the Iowa law enforcement academy council. This annual in-service training is separate from and in addition to any other in-service training requirements set forth in this chapter, including the initial in-service mental health training required.

10.9(5) De-escalation training. In addition to the requirements of subrules 10.9(1), 10.9(2), 10.9(3) and 10.9(4), a certified reserve peace officer must receive a minimum of four hours per year of training that includes all of the following topics:

a. An emphasis on law enforcement officer understanding and respect for diverse communities and the importance of effective, noncombative methods of carrying out law enforcement activities in a diverse community.

b. Instruction on diverse communities in order to foster mutual respect and cooperation between law enforcement and members of all diverse communities.

c. An examination of the patterns, practices, and protocols that cause biased law enforcement actions, and the tools to prevent such actions.

d. An examination and identification of key indices and perspectives that make up differences among residents in a local community.

e. Instruction on implicit bias and consideration of the negative impact of bias, whether intentional or implicit, on effective law enforcement, including examination of how historical perceptions of profiling have harmed community relations.

f. Instruction on the perspectives of diverse local constituency groups from experts on particular cultural and law enforcement-community relations issues in a local area.

g. A presentation of the history and the role of the civil rights movement and the impact on law enforcement.

h. Instruction on de-escalation techniques, including verbal and physical tactics to minimize the need for the use of force and nonlethal methods of applying force.

10.9(6) Training and in-service requirements for regular law enforcement officers who become certified reserve peace officers.

a. An active certified regular law enforcement officer who also serves as a reserve peace officer or a certified regular law enforcement officer who retires or leaves active regular law enforcement and returns within 180 days to an Iowa law enforcement agency as a reserve peace officer needs no further training.

b. Any individual who leaves an Iowa law enforcement officer position and becomes a certified reserve peace officer shall receive in-service training within one year of the individual's appointment date as follows:

<u>Period Outside of Iowa Law Enforcement</u>	<u>In-Service Training Required</u>
6 months to 12 months	12 hours
More than 12 months to 24 months	24 hours
More than 24 months to 36 months	36 hours
More than 36 months	60 hours

The subject matter of this training will be determined and approved by the law enforcement agency.

10.9(7) Agency responsibility for record keeping. It shall be the responsibility of the law enforcement agency administrator to ensure that in-service training records are regularly kept and maintained. The law enforcement administrator shall also ensure that these records are made available for inspection upon request by the Iowa law enforcement academy or its designee.

a. In-service training records shall include the following:

- (1) The subject matter of the training;
- (2) The name of the instructor conducting the training;
- (3) The name of the individual who completed the training;
- (4) The number of credit hours received from the training;
- (5) The location where the training took place; and

(6) The scores, if any, achieved by the reserve peace officer to show proficiency in or understanding of the subject matter to include qualifying range scores.

b. It shall be the responsibility of law enforcement agency administrators to ensure that all certified reserve peace officers under their direction receive the minimum hours of in-service training required by these rules.

[ARC 6137C, IAB 1/12/22, effective 2/16/22]

501—10.10(80D) Reserve peace officers appointed prior to July 1, 2007—obtaining state certification.

10.10(1) A reserve peace officer enrolled in an approved minimum course of training prior to July 1, 2007, shall obtain state certification by July 1, 2012. Current reserve peace officers choosing not to be state-certified by examination or by module training established by the academy will continue to hold agency certification only and will not be recognized as reserve peace officers after July 1, 2012.

10.10(2) If a reserve peace officer appointed prior to July 1, 2007, with agency certification only transfers to another agency, the reserve peace officer will be considered a new reserve peace officer and will be subject to the 18-month training requirements for state certification.

[ARC 6137C, IAB 1/12/22, effective 2/16/22]

501—10.11(80D) Active law enforcement officer moving to reserve peace officer status.

10.11(1) An active law enforcement officer who has previously met all the requirements of rule 501—2.1(80B) and who intends to move to reserve peace officer status, or who intends to be a reserve peace officer for more than one Iowa law enforcement agency simultaneously, or who intends to be a reserve peace officer for an Iowa law enforcement agency while also working as an active law enforcement officer shall be of good moral character as determined by a thorough background investigation by the law enforcement agency, including but not limited to a fingerprint search conducted by the Iowa division of criminal investigation and the Federal Bureau of Investigation. If the results of the fingerprint file checks cannot reasonably be obtained prior to the time of appointment, the appointment shall be considered conditional until such time as the results are received and reviewed by the appointing agency.

10.11(2) Except as otherwise specified, the provisions of rule 501—10.1(80D) do not need to be verified upon the movement of active law enforcement officer status to reserve peace officer status or upon the officer's being appointed as a reserve peace officer by more than one Iowa law enforcement agency simultaneously, or upon the officer's being appointed as a reserve peace officer by one Iowa law enforcement agency while serving in active law enforcement status for another agency if the peace officer met all of the requirements of rule 501—2.1(80B) when the person was initially appointed as a peace officer and if, without a break of not more than 180 days from law enforcement service, the person is appointed as a reserve peace officer by another Iowa law enforcement agency.

[ARC 6137C, IAB 1/12/22, effective 2/16/22]

501—10.12(80D) Time frame—tolled. The time frame requirements for completion of any mandatory training are tolled during the period a reserve peace officer is called to active military service.

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