501—6.5(80B,80D) Investigation of complaints or reports. The council's investigatory staff may request additional information, solicit a response from the law enforcement or reserve officer, subpoena records, conduct interviews, gather evidence, and perform other investigatory duties to sufficiently conduct a licensing investigation.

6.5(1) *Confidentiality of investigative files.* Complaint, report, and investigative files in the possession of the council or its agents that relate to law enforcement or reserve officer discipline are confidential under Iowa Code section 80B.13A(5).

6.5(2) *Council consideration.* The council will consider all investigations and may take any of the following actions.

a. Administrative closure. If a determination is made that the case is without merit, the council may close the case without further investigation.

b. Further inquiry. If a determination is made to order further inquiry, the council will return the investigation to the investigator with a statement specifying the information requested.

c. Finding of no probable cause. If a determination is made that the evidence does not substantiate a violation of the code of professional conduct, the council may find it does not have probable cause to proceed and close the case.

d. Accepting the case. If a determination is made that probable cause exists to conclude the code of professional conduct has been violated, the council may direct the academy's counsel to negotiate a combined statement of charges and settlement agreement or to file a statement of charges on behalf of the council. In determining whether to pursue formal discipline, the council may consider:

(1) Whether the alleged violation was an isolated incident;

(2) Whether the alleged violation was serious enough to warrant a hearing by the council;

(3) Whether there is sufficient evidence to support the complaint; or

(4) Whether adequate steps have been taken to remedy the violation and to ensure that incidents of a similar nature do not occur in the future.

This rule is intended to implement Iowa Code sections 80B.11(1)*"h,"* 80B.13, 80B.13A, and 80D.4A.

[**ARC 0732D**, IAB 11/11/26, effective 1/1/27]