

Senate File 260 - Introduced

SENATE FILE 260

BY PETERSEN

A BILL FOR

1 An Act relating to background investigations for certification
2 or recertification as a law enforcement officer.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 80B.17A Background investigation
2 prior to certification or recertification.

3 1. For purposes of this section, "*moral turpitude*" is
4 defined as an act of baseness, vileness, or depravity in the
5 private and social duties which a person owes to another person
6 or to society in general, and includes conduct that is contrary
7 to justice, honesty, or good morals.

8 2. All law enforcement officers shall be certified through
9 the successful completion of training at an approved law
10 enforcement training facility. Prior to enrollment in a
11 certifying training program, all law enforcement officers shall
12 be of good moral character as determined through a thorough
13 background investigation and shall not have been convicted
14 of any felony or a crime or adjudication involving moral
15 turpitude, including but not limited to any of the following:

16 a. A misdemeanor crime of domestic violence as defined in
17 section 724.26, subsection 2, paragraph "c", or other offenses
18 of domestic violence.

19 b. An adjudication of delinquency based on conduct that
20 would constitute a felony if committed by an adult.

21 c. Any sex crime or crime listed in chapter 709.

22 d. Any crime committed as an adult that resulted in being
23 listed on the sex offender registry.

24 e. An adjudication of delinquency based on conduct that
25 would constitute a crime if committed by an adult that resulted
26 in being listed on the sex offender registry.

27 f. Any crime involving child abuse as defined in section
28 232.68, subsection 2, resulting in placement in the central
29 registry as a case of founded child abuse under section
30 232.71D.

31 3. All law enforcement officers seeking recertification
32 shall be subject to a background investigation as provided in
33 subsection 2.

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EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

1 the explanation's substance by the members of the general assembly.

2 This bill relates to background investigations for
3 certification or recertification as a law enforcement officer.

4 The bill provides that prior to enrollment in a certifying
5 training program, all law enforcement officers shall be of good
6 moral character as determined through a thorough background
7 investigation and shall not have been convicted of any felony
8 or a crime or adjudication involving moral turpitude. The bill
9 defines "moral turpitude" as an act of baseness, vileness,
10 or depravity in the private and social duties which a person
11 owes to another person or to society in general, and includes
12 conduct that is contrary to justice, honesty, or good morals.

13 The bill provides that a crime or adjudication involving
14 moral turpitude includes but is not limited to any of the
15 following: offenses of domestic violence; an adjudication of
16 delinquency based on conduct that would constitute a felony if
17 committed by an adult; any sex crime or crime listed in Code
18 chapter 709 (sexual abuse); any crime committed as an adult
19 that resulted in being listed on the sex offender registry;
20 an adjudication of delinquency based on conduct that would
21 constitute a crime if committed by an adult that resulted
22 in being listed on the sex offender registry; or any crime
23 involving child abuse.

24 The bill provides that law enforcement officers seeking
25 recertification shall be subject to the same background
26 investigation.