

IOWA LAW ENFORCEMENT ACADEMY COUNCIL
CAMP DODGE
P.O. BOX 130
JOHNSTON, IOWA 50131-0130

REQUEST FOR WAIVER IN THE MATTER OF: LUKE BADER, Petitioner.	ORDER RE: WAIVER REQUEST
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The Iowa Law Enforcement Academy Council ("Council") received a waiver request pursuant to 501 Iowa Administrative Code 16.5 from Petitioner. The Petitioner requested waiver of 501 Iowa Administrative Code rule 2.1(5), which states in part:

In no case shall any person hereafter be selected or appointed as a law enforcement officer unless the person:

...

Is of good moral character as determined by a thorough background investigation...and has not been convicted of a felony or a crime involving moral turpitude. Moral turpitude is defined as an act of baseness, vileness, or depravity in the private and social duties which a person owes to another person, or to society in general, contrary to the accepted and customary rule of right and duty between person and person. It is conduct that is contrary to justice, honesty or good morals.

a. The following nonexclusive list of acts has been found by the Iowa law enforcement academy council to involve moral turpitude:

...

(6) Any offense in which a weapon was used in the commission...

(9) Theft...burglary...

The Petitioner was pro se. The Council has authority under 501 Iowa Administrative Code Chapter 16 to initiate waiver proceedings upon application. The matter was heard on August 6, 2026. Petitioner appeared and testified at the informal hearing.

FACTS

Petitioner was convicted of criminal mischief 3rd in 2017 when he was 18 years of age. Petitioner also received a deferred prosecution agreement on a burglary and criminal mischief 5th. Petitioner received a deferred judgment and was successfully discharged from probation and his deferred prosecution agreement. Petitioner wrote apology letters to each victim and volunteered for community service at the county fairground to make amends for his offense.

Since that time, Petitioner served 4 years in the Marine Corps and was honorably discharged; and he obtained a BA in Criminal Justice with a minor in Political Science and Religious Studies. Petitioner currently works full-time as a Public Safety Officer for a health care facility. Other than traffic citations and being a witness to other offenses, Petitioner has not had any further interactions with law enforcement since his conviction. The Petitioner seeks a waiver of 501 Iowa Administrative Code rule 2.1(5) so he may become a law enforcement officer.

CONCLUSIONS OF LAW

Pursuant to 501 Iowa Administrative Code 16.3, the Council must find by clear and convincing evidence:

1. The application of the rule would impose an undue hardship on the person for whom the waiver is requested;
2. The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person;
3. The provisions of the rule subject to the petition for a waiver are not specifically mandated by statute or another provision of law; and
4. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.

The Council must find all four factors exist in order to grant the petition for waiver. *Id.* The Council must also determine the length of the waiver unless a specified time period is unrealistic. 501 Iowa Admin. Code 16.9(6).

Within 501 Iowa Administrative Code 2.1(5), moral turpitude is defined as “an act of baseness, vileness, or depravity in the private and social duties which a person owes to another person, or to society in general, contrary to the accepted and customary rule of right and duty between person and person. It is conduct that is contrary to justice, honesty or good morals.” Moral turpitude specifically includes convictions for any offense in which a weapon was used. *Id.*

APPLICATION OF LAW

The Council has considered all relevant information and applied all applicable law. The Council finds that the Petitioner met his burden as outlined above.

First, Petitioner has matured, learned from his errors, and contributed to his community. The Council finds that prohibiting him from pursuing a career as a law enforcement officer in Iowa given his demonstrated dedication in time and education toward a career in law enforcement would constitute an undue hardship.

Second, the Council does not find that granting a waiver would prejudice the substantial legal rights of any person.

Third, the moral character requirement is not mandated by statute or another non-waivable provision of law.

Finally, Petitioner would have to meet all other minimum requirements and complete all required law enforcement officer training in order to become certified, thus demonstrating that the public health, safety, and welfare will be adequately protected by a means other than that prescribed by the moral character rule. As a temporary waiver is not practical, the waiver is deemed indefinite.

ORDER

THEREFORE, the Petitioner's request for waiver of 501 Iowa Administrative Code 2.1(5) is granted indefinitely.

Dated this 10th day of August 2026.



Melissa Henderson, Chair
Iowa Law Enforcement Academy Council

Copy to:

Luke Bader
PETITIONER

Appeal Rights

Please see Iowa Admin. Code 501-16.15 and Iowa Code section 17A.19 for your appeal rights. Any appeal must be filed within 30 days from the date of the Order.

