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

REQUEST FOR WAIVER IN THE MATTER OF: **MATTHEW STOUT,** Petitioner.	**ORDER RE:** **WAIVER REQUEST**

The Iowa Law Enforcement Academy Council ("Council") received a waiver request pursuant to 7 Iowa Administrative Code rule 2504.2 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:
> ...
> (9) Theft...

The Petitioner was pro se. The Council has authority under 7 Iowa Administrative Code Chapter 2504 to initiate waiver proceedings upon application. The matter was heard on October 1, 2026. Notice that the matter was set for consideration was provided to Petitioner.

FACTS

Petitioner was charged with Theft 5th in 2019 and pled guilty. Since the incident, Petitioner pursued additional education in criminal justice and maintained steady employment. He reaffirmed his faith and credits that commitment to his growth in accountability, integrity, service to others, and making better choices. A letter of support was included from his supervisor Charles Baier. Other than traffic violations, Petitioner has not had any further interactions with law enforcement since this incident.

The Petitioner seeks a waiver of 501 Iowa Administrative Code rule 2.1(5) so he may become certified as a law enforcement officer in Iowa.

CONCLUSIONS OF LAW

Pursuant to Iowa Code section 17A.9A(2), 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. Iowa Code § 17A.9A(3).

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 and learned from his errors. The Council finds that prohibiting him from pursuing a career in law enforcement given the time and distance from his offense 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 be 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 rule 2.1(5) is granted indefinitely.

Dated this 1st day of October 2026.

Melissa Henderson, Chair
Iowa Law Enforcement Academy Council

Copy to:

Matthew Stout
PETITIONER

Appeal Rights

Please see Iowa Admin. Code rule 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.