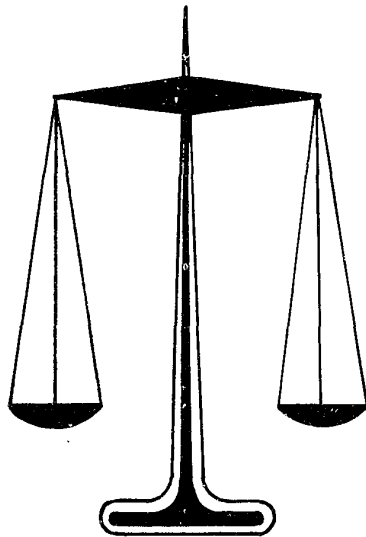


✓ Iowa  
Criminal Justice  
Standards and Goals

**LAW ENFORCEMENT**



Iowa Crime Commission

54479

Iowa  
Criminal Justice  
Standards and Goals

**LAW ENFORCEMENT**

Adopted By the Iowa Crime Commission

May, 1977

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# Office of the Governor

STATE CAPITOL  
DES MOINES, IOWA 50319

ROBERT D. RAY  
GOVERNOR

My Fellow Iowans:

A major concern of our people is the rising incidence of criminal activity. Although this is a nationwide phenomenon, there are initiatives we can take in our state to seek the solutions needed to reduce the social and economic damage caused by crime. One means of achieving this objective is through an efficient and effective criminal justice system.

To insure that Iowa has the best possible criminal justice system, a comprehensive analysis of our existing system was commenced almost three years ago. This effort, the Iowa Standards and Goals Project, was far-reaching in scope and depth and involved more than 350 knowledgeable persons. Their recommendations for system improvement are presented in these *Iowa Criminal Justice Standards and Goals* volumes. Recognizing the sacrifices in time and effort made by those participating in this study, I extend my deepest appreciation and thanks.

It is now our responsibility to put the Project's recommendations into action. The standards and goals provide us with the guidance necessary to modify our present system so that we can better combat crime. Clearly, the realization of a more effective and efficient criminal justice system demands a lengthy, dedicated effort by all of us. For this reason, we must begin implementing the Project's recommendations now. Your participation can make a difference.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert D. Ray".

Robert D. Ray  
Governor

RDR:sd

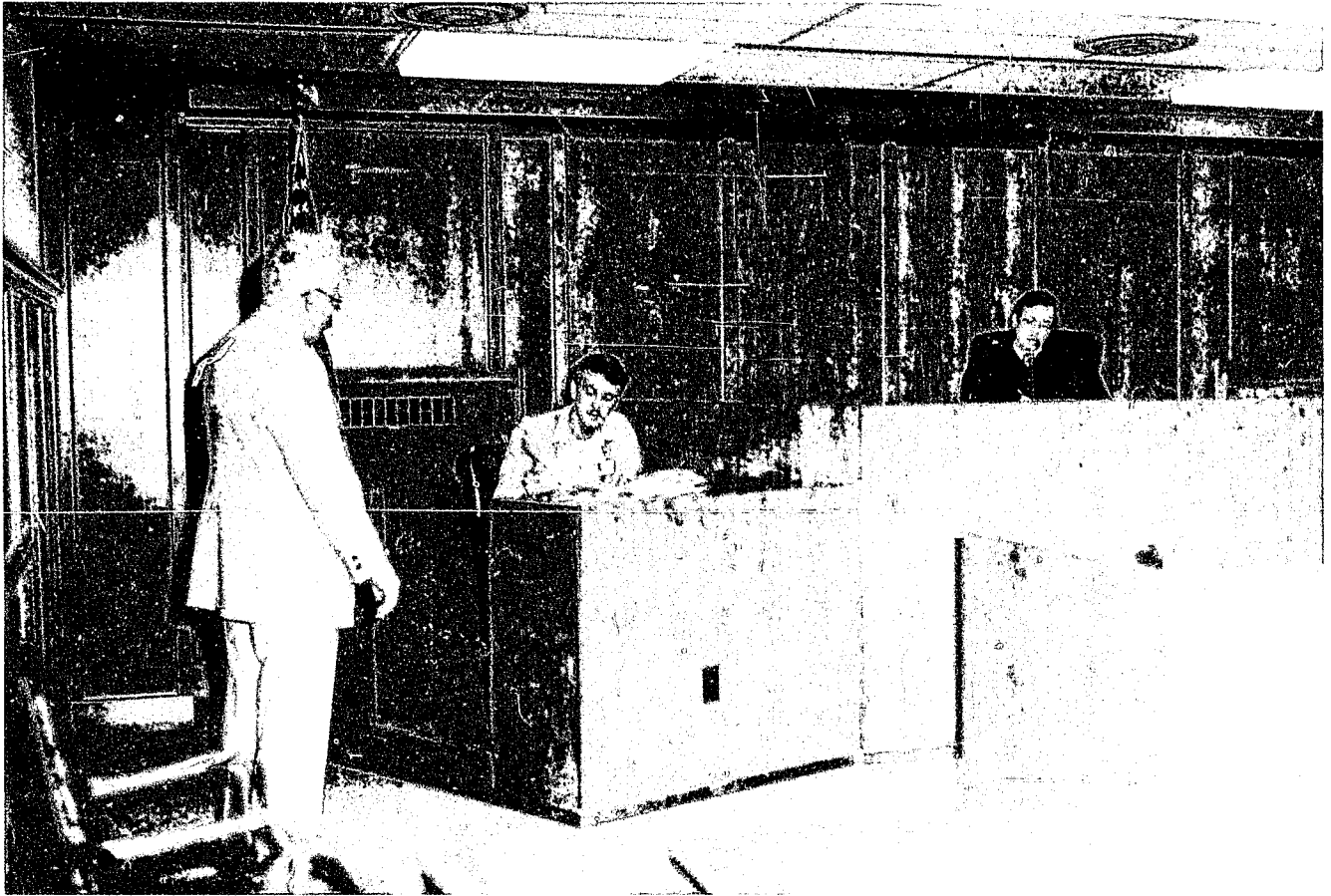


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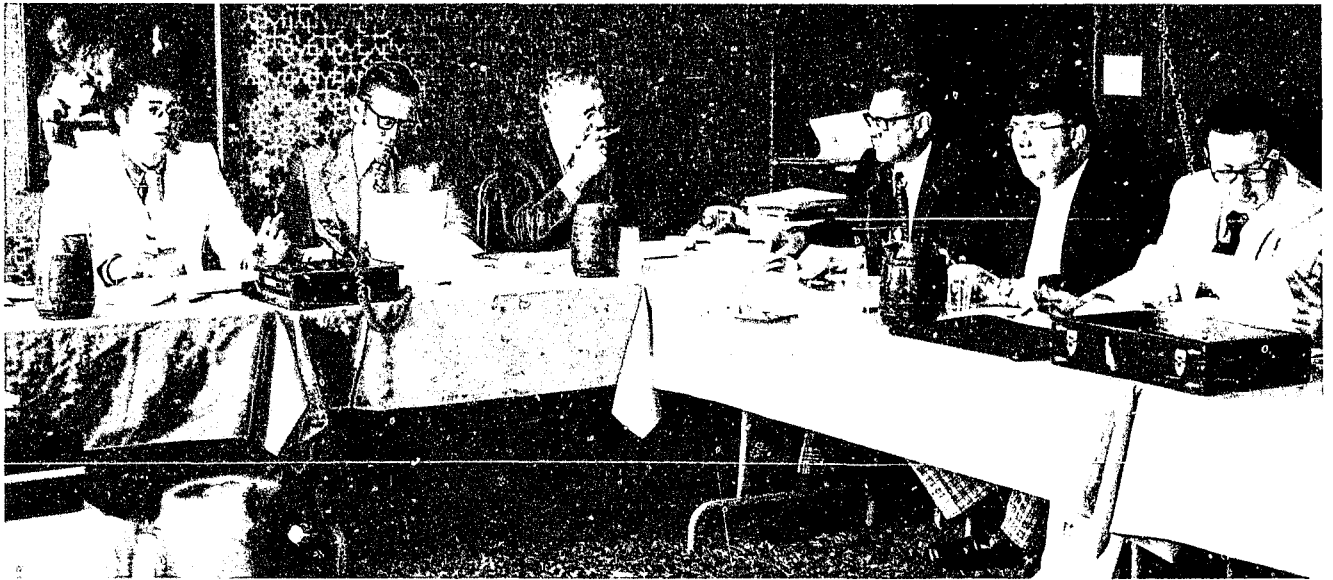


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# INTRODUCTION

Within the past several years, Iowa has experienced an unprecedented increase in reported criminal activity not unlike that experienced by other states. These reported increases have led to a greater awareness of the crime problem and has, subsequently, resulted in an intensification of efforts to seek solutions to it. Because the Iowa criminal justice system is responsible for combating and preventing criminal activity, one approach to crime reduction has been to identify deficiencies in the system and to recommend changes to make it more effective and efficient. The Iowa Standards and Goals Project was conducted for this purpose.

This document, and its companion courts and corrections volumes, consists of recommendations for the improvement of the Iowa criminal justice system. These recommendations for action, otherwise known as standards and goals, are not only directed toward criminal justice organizations or functionaries, but also to state and local elected officials, community organizations and leaders, and every citizen in the state concerned about crime. The standards are far-ranging in scope and application and include recommendations to the Legislature for the enactment of new statutes, to local and state agencies for changes in internal practices and procedures, and to administrators to reexamine their attitudes concerning the role of the criminal justice system.

The underlying theory structuring the formulation of Iowa's standards and goals was that the system which worked together was the system which worked best. This has not always been the case with the Iowa criminal justice system. The chronic friction and antagonism between the system's components has been a major factor in its inability to meet its responsibility to the people of the state. Consequently, an interdisciplinary approach was taken in the selection of individuals who analyzed the existing system, identified problems in the system, and were ultimately responsible for the formulation of the standards and goals. The adopted Iowa criminal justice standards, therefore, are all interrelated to form a coordinated criminal justice system.

## BACKGROUND

The origins of the Iowa Standards and Goals Project lie in the work of the National Advisory Commission on Criminal Justice Standards and Goals (NAC). The recommendations of this commission, presented in 1973, established performance levels for the operation of the criminal justice system as a whole, for police, for courts, for correctional agencies, and for service agencies of state and local governments. Recognizing that their recommendations could not be feasibly implemented by every state as written, they proposed that each state evaluate its own

system in terms of their recommendations and formulate more applicable standards and goals.

In November of 1973, Iowa took the first step in formulating its own criminal justice standards and goals. The Governor's Conference on Criminal Justice Standards and Goals, sponsored by the Iowa Crime Commission, was convened to consider select NAC recommendations. It became immediately apparent, however, that a more intensive and far-ranging effort was demanded.

In September, 1974, the current Iowa Standards and Goals Project was initiated. The first responsibility of the Project staff was to compare the existing criminal justice system in Iowa with that proposed by the NAC. This work, which served to direct the formulation of the Iowa standards in the subsequent developmental phase, has been included in the back of this document.

The actual consideration of the existing and formulation of standards and goals occurred at both regional and centralized statewide conferences. Recognizing the need for widespread input, as well as the inefficiency of mass meetings, local conferences were initially conducted in each of the seven regional planning units of the Iowa Crime Commission. Each regional session provided written input and selected representatives to attend centralized two-day conferences which took place in Des Moines. In addition to the regional representatives, other persons were invited because of their specific backgrounds in and knowledge of the topic under discussion. In that every topic discussed received due consideration, there were nine months of regional and centralized conferences conducted for each of the Project's functional areas (law enforcement, courts, corrections.) All told, more than 350 system functionaries, state and local elected officials, concerned citizens, and clients, were actively involved in the development of the standards and goals contained in these documents.

## WHAT NOW?

Revamping the Iowa criminal justice system to make it more effective is not a simple task. The system is responsible for the control of behavior of which the cause has yet to be definitively explained. Without a clear understanding of the conditions which cause or support criminal behavior—and that those conditions which are suspect, such as slums, lack of educational opportunities, and disruptive family life, are beyond the purview of the criminal justice system—, the system used to combat it may very well be guided by those with the loudest voices, the statistician with the greatest number of academic degrees, or those expousing currently fashionable theories.

Although the Project's recommendations will probably not be a panacea for criminal activity, they possess great value. The conference participants took great care in formulating the "ideal" criminal justice system for Iowa based upon their vast experience and varied backgrounds. The system they propose is efficient, cost-effective and, perhaps most significantly, within our reach if we unify our efforts to achieve the common goal of a more secure, crime-free Iowa. It is now the responsibility of every individual, organization, and governing authority to put these recommendations into action.

## GOALS AND STANDARDS FOR IOWA LAW ENFORCEMENT

Formulated by a select body representative of the Iowa criminal justice system and the general public, the law enforcement standards and goals adopted for Iowa are founded in sound administrative and management practices, recognized behavioral concepts, and innovative and progressive crime reduction and prevention techniques. The standards do not only concern the function of those individuals serving within the narrow confines of the state's law enforcement community; the scope of the standards is far ranging and demanding of the active involvement of state and local elected officials, criminal justice functionaries, and community leaders.

The dominant principle structuring the law enforcement standards and goals effort was that the end product would have to be realistic and pertinent to every jurisdiction and law enforcement organization in the state. Recognizing the great diversity in size, composition, governing authority, and budgetary resources among Iowa's jurisdictions, great care was taken to insure the desired level of utility. Through the process of broad-based input, as described earlier in this introduction, the adopted standards do possess statewide applicability. As such, every law enforcement chief executive, agency administrator, elected official, and community leader can utilize this study to overcome problems that lead to the inefficient or inadequate delivery of law enforcement services in his/her community. Clearly, the adopted standards are not, and were not intended to be, idealistic "pie in the sky" desires.

The adopted standards have widespread applicability because they offer guidance in how to cope with major problems commonly experienced by Iowa's law enforcement organizations. Whether large or small, metropolitan or rural, municipal, county, or state, law enforcement agencies continually face difficulties such as lack of public trust or confidence, high personnel turnover rates, inability to get criminal prosecution against apprehended offenders, or the inability to effectively cope with unusual occurrences. While the nature and severity of the problems may vary among departments, they are usually the result of similar conditions found within the organization

or the jurisdiction. The standards serve to resolve the overt, or apparent, problem by impacting upon the conditions which fostered them. For example, the lack of a community's trust in their law enforcement agency may be the consequence of their agency's inadequate complaint reception procedures. The internal discipline system, as recommended in Chapter Eight, should serve to alleviate this problem through the establishment of complaint reception procedures which are based on formalized policies and practices.

All told, 100 standards were formulated to cope with the 22 problem areas identified during the course of the Project's conferences. Each problem area is addressed in a separate chapter. The goal of each chapter, found on the chapter's goal statement page, states the conditions that should exist when all the standards have been implemented and all the problems resolved. Great care should be taken by the reader, however, not to view any one chapter or standard as the sole means to alleviate a particular problem. In that many causative factors are interrelated, the resolution of any one problem may entail the implementation of standards from several chapters.

## SUMMARY

The 22 chapters comprising this document have been organized into five major sections; Law Enforcement Management, Iowa Criminal Justice System Relationship, Personnel Administration, Field Operations, and Equipment and Telecommunications.

## LAW ENFORCEMENT MANAGEMENT

Although a law enforcement agency possesses a singular and unique role in the community, it shares characteristics with and problems common to most organizations. Poor guidance, absence of employee control mechanisms, functional unit duplicity, and a lack of evaluative or feedback devices are organizational deficiencies which are chronically experienced by law enforcement agencies. Clearly, the effective and efficient delivery of services to the community demands a vehicle which is free from such impediments. Section One, Law Enforcement Management, recommends the steps that should be taken to insure that the law enforcement organization is based on a firm foundation of sound organizational and management practices.

Perhaps more than anyone or anything else, the role played by the law enforcement chief executive is the single most important factor in the maintenance of a quality law enforcement organization. He/She should not merely be considered—or function as—the best or most qualified crime fighter in the community; the chief executive should be recognized as a policymaker responsible for allocating and directing agency resources and activities. These responsibilities, as set forth in Chapter One, The Law Enforcement Chief Executive, include estab-



lishing priorities and objectives, limiting the discretion of agency personnel, establishing inspection procedures to insure adherence to administrative directives, and seeking input from the most qualified members of the community in his/her decisionmaking process.

A law enforcement agency that fails to plan how to deal with current and anticipated problems usually cannot respond to problems effectively. Chapter Two, Planning, refers to the criteria that should be utilized to determine the magnitude of the planning effort needed by a law enforcement agency. The chapter also suggests that law enforcement agencies get involved with sectors of the community to plan for a more secure physical environment.

It is evident that a jurisdiction should receive the best possible law enforcement for the money it allocates for that function. Due to organizational structures which may result in duplication of services, however, the community may be supporting a law enforcement agency that cannot effectively meet even minimum service requirements (adequate response to calls for emergency service). Chapter Three, Allocation of Resources, suggests that every law enforcement agency and jurisdiction should reexamine the existing organizational structure used to provide services and, where service will be enhanced at cost-effective levels, make the necessary changes.

#### SYSTEM RELATIONSHIP

By the very nature of its function in the community, a law enforcement organization cannot operate in isolation. Its legislated responsibility—that of keeping the jurisdiction free of crime and disorder—demands continuous involvement with victims, offenders, and the general community. Coordination with other criminal justice agencies is also basic to its function; a law enforcement agency that is incapable of having apprehended offenders prosecuted is of little value and may be a cause of continued criminal activity. Section Two, Iowa Criminal Justice System Relationship, addresses the need for law enforcement to maintain a high level of liaison and cooperation with the people it serves and the system functionaries it works with.

Chapter Four, The Community, recommends the establishment of policy and programs that will assist the agency establish and maintain close coordination with the community. Implementation of the suggested policies and programs should result in a more secure environment, a mutually beneficial relationship with the local media, and greater community support of agency activities.

Teamwork among the various components of the Iowa criminal justice system is the goal of Chapter Five, The Criminal Justice System. The standards urge that every law enforcement organization take affirmative action to initiate, and develop channels to maintain, liaison and

cooperation with other local criminal justice functionaries. In particular, the chapter calls for ongoing relations between the agency and the local prosecutor to insure that criminal cases initiated by the agency can be successfully prosecuted.

#### PERSONNEL ADMINISTRATION

A law enforcement chief executive cannot expect to have his/her directives put into action unless the agency is staffed with competent and well-trained personnel. Especially in law enforcement, where independent decisions must be made in hostile or crisis situations, the necessity for individuals who possess specialized skills and abilities and above-average intelligence is imperative. Merely selecting individuals for law enforcement employment who have the potential to become competent employees is not enough; action must be taken by the agency throughout every employee's career to insure that they are performing at their highest levels of performance. The chapters comprising Section Three, Personnel Administration, set forth recommended practices for the effective administration of the organization's human resources.

The first step in attaining a quality force is the recruitment process. Unless sufficient numbers of potentially qualified individuals seek employment, the agency will have to employ the mediocre or marginally qualified. Due to the critical nature of the duties performed by each employee, law enforcement cannot be satisfied with disqualifying the unfit; the most qualified members of the community must be encouraged to apply. Chapter Six, Recruitment, suggests methods to achieve this objective.

The actual determination as to which applicants will be selected for employment is, perhaps, the single most important factor in maintaining a competent personnel complement. Not only should this process be timely and cost-effective, but, most critically, must insure that only those applicants with the greatest potential to become competent employees be selected. Chapter Seven, Selection, pertains to the problems inherent in the entry-level selection process, the need for non-arbitrary task-related selection criteria, and the most appropriate methods for administering the selection process.

To prevent and take effective action against employee misconduct, as well as to maintain the public's trust, every law enforcement organization needs an internal discipline system which is swift, certain, and sure. All complaints alleging employee misconduct, whether from external (community) or internal sources, must be openly accepted, thoroughly investigated, and fairly adjudicated. Chapter Eight, Internal Discipline, places ultimate responsibility for the system on the law enforcement chief executive and recommends policies and practices that should be adopted by all agencies in the state.

Because law enforcement organizations continue to support the "closed" entry structure—individuals from outside the agency's ranks cannot be initially employed to occupy supervisory or management positions—, it is essential that those employees with the greatest potential are retained. Employee benefits, including salaries, and health and retirement plans, are a major factor in an employee's decision whether to remain in or to leave the organization. The manner in which compensation is granted is also a factor in the retention of employees; a salary plan which rewards the most competent and mediocre equally may serve to discourage those who wish to develop their skills and abilities. Chapter Nine, Employee Benefits, describes a position classification plan and a benefit package which will motivate each employee to develop to his/her fullest potential.

When the policies of a law enforcement organization's administration are resisted or not wholly accepted by the employees, agency personnel may not function as members of a team sharing common goals and objectives. To insure that an atmosphere exists that encourages every employee to do his/her best work, administrative decisionmaking should involve input from employees at all levels. Chapter Ten, Employee Relations, recommends appropriate management techniques to realize this atmosphere within the agency.

Not all tasks in a law enforcement agency need to be performed by sworn officers. In many situations, a civilian with the proper experience and training can serve in these positions at cost-effective levels. Civilians can also be successfully utilized to assist peace officers in field operations. Chapter Eleven, Civilian Personnel, establishes criteria for the selection, training, and utilization of reserve officers and encourages the employment of civilians in those positions not requiring sworn status or peace officer experience.

No matter how much care is taken to select individuals with the potential to function in entry-level or supervisory positions, potential will not develop into competent performance without training. Chapter Twelve, Training, concerns the need to adequately train all employees before they serve in the position they will be responsible for. Additionally, inservice training is necessary to maintain an employee's competence and to upgrade his/her skills and abilities. The standards suggest methods to provide in-house training, the types of training that should be made available, and the establishment of minimum training requirements.

Traditionally, law enforcement employees who were being considered for promotion have been evaluated on past performance rather than on their potential to function in the promotional position. This situation has been caused, in part, by the use of suspect personnel evaluations, interviews, and

written tests that were not predictive in nature. To alleviate this problem, Chapter Thirteen, Promotion and Advancement, calls for the creation of a statewide management assessment center which would assist jurisdictions in selecting promotional candidates with the greatest potential. The standards also support the development of local programs to assist employees develop their potential to the fullest.

## FIELD OPERATIONS

Section Four, Field Operations, sets forth recommendations concerning a law enforcement organization's identification, deterrence, and investigation of criminal activity.

Chapter Fourteen, The Patrol Function, pertains to the patrol capability which should be maintained by every local law enforcement agency. Every law enforcement chief executive should acknowledge the patrol unit as the agency's primary tool used to deliver services to the community. Action should be taken to insure the competence of the patrol unit and to prevent patrol positions from becoming mere stepping stones to supervisory or specialist positions.

Throughout the nation, many of the larger municipalities have experimented with new techniques to increase patrol and investigatory effectiveness. The most popular and successful of these has been the team policing concept. Chapter Fifteen, Team Policing, recommends that those municipal departments in Iowa that may find such a concept useful should, after comprehensive analysis and planning, consider implementing it in their jurisdiction.

When the patrol force or existing functional units cannot cope with a crime problem, full- or part-time specialization may be demanded. Chapter Sixteen, Specialization, establishes the criteria for creating cost-effective specialized positions, selecting personnel for specialized assignment, and evaluation. The chapter also covers the operation of specialized capabilities common to Iowa law enforcement.

The success of an agency in conducting investigations and preparing cases for criminal prosecution is usually dependent upon specialized support capabilities. Chapter Seventeen, Support Services, describes three specialized support functions which all law enforcement organizations should maintain or have immediate access to. These include the ability to collect evidence at crime scenes, to analyze this evidence in a timely manner, and to securely store all evidence or property that comes into the custody of the department.

Because a law enforcement agency is normally only provided with the resources necessary to cope with an anticipated or expected workload, it usually does not have the capability to deal with an unusual occurrence (natural disasters, civil disturbances). In these situations, the involvement and assistance of other law enforcement and

emergency service organizations is necessary. Since reactive, uncoordinated responses to unusual occurrences are not effective, every jurisdiction must maintain a plan that could be put into action immediately in the event of an unusual occurrence. Chapter Eighteen, Unusual Occurrences, calls for the promulgation of local plans which would establish lines of authority, channels for coordination, and control capabilities.

#### EQUIPMENT AND TELECOMMUNICATIONS

To insure that a law enforcement organization's personnel receive the material support necessary to accomplish their tasks, the most appropriate and sophisticated equipment and technological devices must be utilized. Section Five, Equipment and Telecommunications, offers guidance in the selection and provision of personal equipment items, adaption of transportation equipment to serve law enforcement needs, and development of a telecommunications component to support administrative decisionmaking and field operations.

Chapter Nineteen, Personal Equipment, relates to the attire of agency employees, the equipment which they should possess, and the method by which the jurisdiction should make these items available at no cost to the employee. The standards call for setting local standards for the selection of firearms and the standardization of peace officers uniforms to insure high visibility.

Every law enforcement agency which performs the patrol function has transportation needs which may be fulfilled through in various ways. The method used to maintain transportation capabilities may effect the overall quality of the services provided to the community. Chapter Twenty, Transportation, suggests that, before any new transportation equipment is acquired, a comprehensive analysis of the agency's tasks and transportation needs be conducted. It is recommended that this analysis take into consideration the various transportation devices that are currently available and the most cost-effective method of acquisition and maintenance.

The time it takes a patrol unit to respond to a call for assistance is considered to be one of the most important factors in deterring criminal activity and apprehending offenders. An effective communications system— citizen caller to agency to dispatcher to mobile unit— is a prerequisite for rapid emergency response times. Rapid and accurate communication is also essential in responding to requests for information by field personnel. Chapter Twenty-One, Communications, in addition to supporting the recommendations of the Iowa State Telecommunications Plan, makes further recommendations in how to improve a law enforcement agency's communications system.

Chapter Twenty-Two, Data Management, relates to the collection, storage, and flow of information compiled and utilized by law enforce-

ment. The contemporary law enforcement agency not only relies upon data for investigatory and other field operation needs, but also to allocate and deploy personnel, establish crime reduction objectives and strategies, and to evaluate the impact of agency operations. The chapter calls for the local standardization of reporting practices and continued reliance upon computerized systems to facilitate information flow.

#### DEFINITION OF TERMS

**Law Enforcement Agency (Organization, Department)**—The organization whose primary responsibility is the control of crime in its jurisdiction and the delivery of services to the people in the community. Law enforcement agencies include every municipal police agency, county sheriff's department, and the Iowa Department of Public Safety. Standards referring to "local" law enforcement agencies do not pertain to the Iowa Department of Public Safety.

**Law Enforcement Chief Executive**—The individual recognized as the law enforcement agency's chief administrator and policymaker. Law enforcement chief executives are sheriffs, municipal chiefs of police, directors of public safety, or commissioners of public safety. In small cities or towns, a local elected official, such as the mayor, may be considered the agency's chief executive.

**Peace Officer**—Any sworn officer in Iowa serving in a law enforcement agency.

#### Department Size:

Large—approximately 75 + employees

Medium-size—approximately 20 to 75 employees

Small—approximately 5 to 20 employees

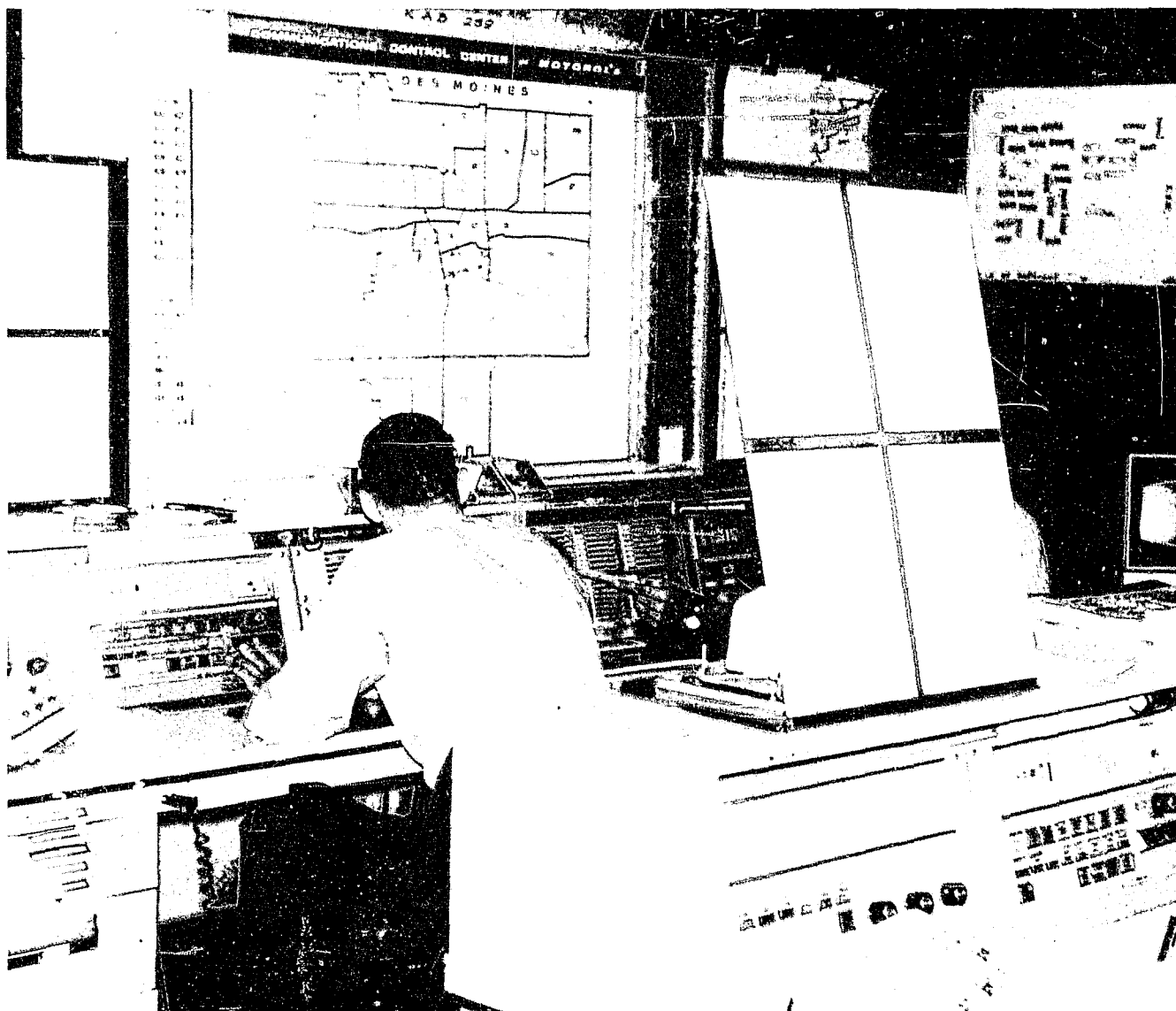


Photo Credit: Communications Center. Courtesy of Des Moines Police Department

## **Chapter One**

# **The Law Enforcement Chief Executive**

**Goal: Every law enforcement chief executive establishes goals and objectives for his/her organization and possesses the authority to insure their attainment.**

## STANDARD 1.1

### The Law Enforcement Function

Every law enforcement chief executive immediately should develop guidelines, based on policies of the governing body that provides formal authority for the law enforcement function, and should set forth the objectives and priorities that will guide the agency's delivery of services. Agency policy should articulate the role of the agency in the protection of constitutional guarantees, the enforcement of the law, and the provision of services necessary to reduce crime, to maintain public order, and to respond to the needs of the community.

1. Every law enforcement chief executive should acknowledge that the basic purpose of his/her organization is the maintenance of public order and the control of conduct legislatively defined as crime. The basic purpose may not limit the agency's role, but should be central to its full definition.
2. Crimes on which agency resources will be concentrated should be identified. In the allocation of resources, those crimes that are the most serious, stimulate the greatest fear, and cause the greatest economic losses should be afforded the highest priority.
3. Every law enforcement chief executive should recognize that some government services that are not essentially a law enforcement function are, under some circumstances, appropriately performed by the agency. Such services include those provided in the interest of effective government or in response to established community needs. A law enforcement chief executive:
  - a. Should determine if the services to be provided has a relationship to the objectives established by the agency. If not, chief executives should resist that service becoming a duty of the agency;
  - b. Should determine the budgetary cost of the service; and
  - c. Should inform the public and its representatives of the projected effect that provision of the service by the agency will have on the ability of the agency to continue the present level of enforcement services.
- d. If the service must be provided by the agency, it should be placed in perspective with all other agency services and it should be considered when establishing priorities for the delivery of services.
- e. The services should be made part of the agency's role until such time as it is no longer necessary to perform the service.

4. In connection with the preparation of their budgets, all law enforcement agencies should study and revise annually the objectives and priorities which have been established for the enforcement of laws and the delivery of services.
5. The scope and availability of other government services and public and private social services should be determined; its ability to make effective referrals to those services should be developed.

## STANDARD 1.2

### Authority and Accountability

Every law enforcement chief executive should establish and disseminate to the public and to every agency employee written policy acknowledging that agency effectiveness depends upon public approval and acceptance of law enforcement authority. This policy at least:

1. Should acknowledge that the limits of peace officer authority are strictly prescribed by law and that there can be no situation which justifies extralegal practices.
2. Should acknowledge that there are times when force must be used in the performance of law enforcement tasks. Public policy should state that force, when used, is authorized by and in strict compliance with Iowa law.
3. Should acknowledge that in their exercise of authority, the law enforcement agency must be accountable to the community by providing formal procedures for receiving both commendations and complaints from the public regarding individual officer performance.
4. Should provide for the immediate adoption of formal procedures to respond to complaints, suggestions, and requests regarding agency services.
  - a. The public should be involved in the development of these formal procedures.
  - b. There should be appropriate notice to the public acknowledging that the law enforcement agency desires community involvement.
  - c. Periodic public surveys should be made to elicit evaluations of law enforcement services and to determine the law enforcement needs and expectations of the community.

## STANDARD 1.3

### Goals and Objectives

Every law enforcement chief executive immediately should develop short- and long-range goals and objectives to guide agency functions. To assist in this development, every unit commander should review and put into writing the principle goals and objectives of his/her unit.

1. Every agency and every unit within the agency should insure that its goals and objectives are:
  - a. Consistent with the role of the agency as defined by the chief executive;
  - b. Responsive to community needs;
  - c. Reasonably attainable;
  - d. Sufficiently flexible to permit change as needed; and
  - e. Quantifiable and measurable where possible.
2. Maximum input both within and outside the agency should be provided by the agency in the development of its goals and objectives. It should;
  - a. Create an atmosphere that encourages unrestricted submission of ideas by all employees regardless of rank; and
  - b. Establish methods to obtain ideas from a variety of organizations and individuals outside the agency.
3. Agency goals and objectives should be published and disseminated to provide uniform direction of employee efforts.
4. Every unit commander should be required to make a periodic review of unit goals and objectives and submit a written evaluation of the progress made toward the attainment of these goals. Annually, in conjunction with the budget preparation, every chief executive should provide for review and evaluation of all agency goals and objectives and for revisions where appropriate.

## STANDARD 1.4

### Discretion

Every law enforcement chief executive should acknowledge the existence of the broad range of administrative and operational discretion that is exercised by all agencies and individual officers. That acknowledgement should take the form of comprehensive policy statements that publicly establish the limits of discretion, that provide

guidelines for its exercise within those limits, and that eliminate discriminatory enforcement of the law.

1. Every law enforcement chief executive should establish policy that guides the exercise of discretion by agency personnel in using arrest alternatives. This policy:
  - a. Should establish the limits of discretion by specifically identifying, insofar as possible, situations calling for the use of alternatives to continued physical custody;
  - b. Should be jurisdictionwide in both scope and application; and
  - c. Specifically should exclude offender lack of cooperation, or disrespect toward agency personnel, as a factor in arrest determination unless such conduct constitutes a separate crime.
2. Policy should be established that governs the exercise of discretion by agency personnel in providing routine peacekeeping and other law enforcement services that, because of their frequent recurrence, lend themselves to the development of a uniform agency response.
3. Procedures for developing and implementing the foregoing written policy should be formalized.
4. Inspection and control procedures should be adopted to insure that officers exercise their discretion in a manner consistent with agency policy.

## STANDARD 1.5

### Policy Development

Every law enforcement chief executive should establish guidelines in those areas of operations in which guidance is needed to direct agency employees toward the attainment of agency goals and objectives.

1. Policy should be promulgated by the chief executive that provides clear direction without necessarily limiting employees' exercise of discretion.
2. Maximum participation in the policy formulation process should be provided for. This participation should include at least:
  - a. Input from all levels within the agency—from the level of execution to that of management—through informal meetings between the chief executive and members of the basic rank, idea incentive programs, and any other methods that will promote the upward flow of communications; and

organizations, and the specific community affected.

3. Written policies in those areas in which direction is needed should be provided, including:
  - a. General goals and objectives of the agency;
  - b. Administrative matters;
  - c. Community relations;
  - d. Public and press relations;
  - e. Personnel procedures and relations;
  - f. Personal conduct of employees;
  - g. Specific law enforcement operations with emphasis on such sensitive areas as the use of force, the use of lethal and non-lethal weapons, and arrest and custody;
  - h. Use of support services; and
  - i. The most recent statutory and decisional laws regarding the rights of the citizen.

## **STANDARD 1.6**

### **Peace Officer Understanding Of Their Role**

Every law enforcement chief executive should immediately take steps to insure that every officer has an understanding of his/her role, and an awareness of the culture of the community where he/she works.

1. The procedure for developing policy regarding the law enforcement role should involve officers of the basic rank, first line supervisors, and middle managers. Every agency employee should receive written policy defining the agency's law enforcement role.
2. Explicit instruction in the law enforcement role and community culture should be provided in all recruit and in-service training.
3. The philosophy behind the defined law enforcement role should be part of all instruction and direction given to officers.
4. Middle managers and first line supervisors should receive training in the law enforcement role and thereafter continually reinforce those principles by example and by direction of those they supervise.
5. Methods of routinely evaluating individual officer performance should take into account all activities performed within the context of the defined role. Promotion and other incentives should be based on total performance within the defined role, rather than on any one isolated aspect of that role.

## **STANDARD 1.7**

### **Inspections**

Every law enforcement chief executive should immediately establish a formal inspection system to provide the information he/she needs to evaluate the efficiency and effectiveness of operations.

1. Ongoing line inspections should be required. Every law enforcement chief executive should give every manager and supervisor the responsibility and the authority to hold inspections and:
  - a. To conduct continual inspections of all personnel subordinate and directly responsible to him/her through any level of the chain of command and to inspect the equipment used and the operations performed by such subordinate personnel;
  - b. To take immediate action indicated by the results of such inspections: commendation for exemplary performance and correction of deficiencies.

## **STANDARD 1.8**

### **Legal Assistance**

Every law enforcement chief executive should immediately acquire the legal assistance necessary to insure maximum effectiveness and efficiency in all agency operations.

1. Maximum use should be made of the offices of its city attorney or county attorney, and the Iowa Attorney General to acquire the legal assistance he/she needs. If it is necessary to provide legal assistance supplementary to these sources, a legal advisor should be employed.
2. Legal assistance should be obtained in all agency operations where needed. This assistance may include:
  - a. Provision of legal counsel to the law enforcement chief executive in all phases of administration and operations;
  - b. Liaison with the city or county attorney, the Iowa Attorney General, the United States attorney, the courts, and the local bar association;
  - c. Review of general orders, training bulletins, and other directives to insure legal sufficiency;



- d. Case consultation with arresting officers and review of affidavits in support of arrest and search warrants in cooperation with the prosecutor's office;
  - e. Advisory participation in operations where difficult legal problems can be anticipated;
  - f. Attendance at major disturbances—and an oncall status for minor ones—to permit rapid consultation regarding legal aspects of the incident;
  - g. Participation in training to insure continuing legal training at all levels within the agency;
  - h. Drafting of procedural guides for the implementation of recent court decisions and newly enacted legislation; and
  - i. Provision of legal counsel for ad hoc projects, grant proposal development, and special enforcement problems.
3. Every law enforcement agency with 100 or more personnel should establish a legal unit with at least one attorney as a full-time legal adviser.
    - a. The size and composition of the legal unit should be proportionate to the size of the agency and the complexity of the legal assistance task.
    - b. One attorney should be designated as the director or administrative head when two or more attorneys are employed.
    - c. Adequate secretarial and clerical help should be provided, as well as peace officers or law student interns for para-legal work.
    - d. Organizationally, the legal unit should be a separate entity, similar to the house counsel of a corporation, reporting directly to the chief executive and readily available to him/her.
    - e. Legal advisors should be civilian attorneys who serve at the request of the law enforcement chief executive.
  4. Every law enforcement agency with fewer than 100 personnel may justify the establishment of a legal unit with at least one full-time attorney. When a full-time legal advisor cannot be justified, and adequate legal advice cannot be obtained regularly by enlargement of the city or county attorney's role, the agency should obtain needed legal assistance through:
    - a. Employment of part-time and contracted legal advisors; or
    - b. Use of the services of a multi-agency or regional legal advisor.
  5. In determining the need for a legal unit and the size of its staff, at least the following should be considered:
    - a. Whether the city or county attorney is located near agency headquarters;
    - b. Whether the staffs of the city or county attorney are full-time or part-time, and whether they are permitted to engage in private practice;
    - c. Whether the city or county attorney has effective legislative programs;
    - d. Whether the county attorney's office can be consulted routinely on planned enforcement actions prior to arrests;
    - e. Whether assistant prosecutors discuss pending cases adequately with arresting officers prior to trial;
    - f. Whether the county attorney's office will draft affidavits for arrest and search warrants and give other legal assistance whenever needed;
    - g. Whether the city or county attorney's staff is willing to answer routine questions; how promptly they respond to requests for written opinions; and how detailed and complete such opinions are;
    - h. How willingly the city or county attorney files suits on behalf of the agency; how vigorously he/she defends suits against the agency and its members; and how experienced his/her staff is in matters of criminal law and peace officer liability; and
    - i. The educational level of agency employees, comprehensiveness of preservice training given officers, and the quantity and quality of agency inservice training.
  6. Firm minimum qualifications should be set for the position of legal advisor. These qualifications should require that each candidate for this position:
    - a. Be a qualified attorney eligible, except for residence requirement, for admission to the Iowa bar, and either licensed in Iowa or licensed in a state where licensing requires examination. He/She should become licensed in Iowa as soon as possible;
    - b. Have a wide breadth of professional and practical experience in criminal justice, preferably in criminal trial work; and
    - c. Have attitudes and personality conducive to the development of trust and acceptance by agency personnel.
  7. In the assignment of his/her duties, the full-time legal advisor should not:
    - a. Prosecute criminal cases;
    - b. Decide what cases are to be prosecuted or what charges are to be brought except by agreement with the prosecutor;
    - c. Be assigned tasks unrelated to the legal assistance function that would interfere with performance of that function; nor
    - d. Either prosecute infractions of discipline before internal trial boards, or serve as a member of any trial or arbitration board.
  8. Legal advisors who also engage in private practice should not represent criminal defendants, bring a claim against a governmental agency he/she represents, lend his/her

name to or have a financial interest in any law firm that represents criminal defendants, accept private employment that necessitates procuring peace officers as witnesses or using agency information, conduct private business in an office located in agency facilities, or represent any agency employee organization.

9. The Iowa State Legislature should enact legislation enabling counties to enter into mutual agreements for the purpose of jointly employing a law enforcement legal advisor.

## **STANDARD 1.9**

### **Professional Assistance**

Every law enforcement chief executive should immediately establish liaison with professionals outside the law enforcement service who have expertise that can contribute to effective and efficient performance beyond the capabilities of agency employees. At a minimum, chief executives should establish liaison with:

1. Medical professionals, particularly those with specific expertise in:
  - a. Pathology;
  - b. Gynecology;
  - c. Psychiatry;
  - d. Dentistry and orthodontics;
  - e. Traumatic injuries;
  - f. Medical laboratory technology; and
  - g. Pharmacology.
2. Business, trade, and industrial professionals, particularly those knowledgeable in:
  - a. Banking;
  - b. Bookkeeping and accounting;
  - c. Labor relations;
  - d. The local economy; and
  - e. Local industry, business, and trades.
3. Educational professionals, particularly those with expertise in:
  - a. Elementary, secondary, and vocational education;
  - b. The physical, natural, and behavioral sciences; and
  - c. Research.
4. Behavioral science resources with expertise in:
  - a. Personnel selection, vocational assessment, and career counseling;
  - b. Teaching, training, and educational programming;
  - c. Research;

- d. Management consultation;
  - e. Personal problem counseling; and
  - f. Specialist consultation.
5. Members of the clergy.

## **COMMENTARY**

### **The Law Enforcement Function**

In serving their community, a law enforcement agency is continually requested to perform tasks that are not legislatively defined as a law enforcement function. These activities can range anywhere from providing funeral escort services to acting as a mediator in a domestic disturbance. The performance of these non-enforcement activities can deplete the agency's resources in their response to criminal activity. Additionally, the agency may go beyond their legislated authority in the delivery of these services.

The conference participants agreed that law enforcement organizations should not be responsible for these tasks. However, it was recognized that some government services that are not essentially a law enforcement function are, under some circumstances, appropriately performed by the law enforcement agency. This is particularly true outside of Iowa's more populous jurisdictions where there may be a limited number of other government services or public and private social service agencies. The participants acknowledged that law enforcement should be responsive to the needs of the people even if it would entail the performance of non-law enforcement activities.

To insure that sufficient resources are allocated for effective enforcement, every law enforcement chief executive should prioritize enforcement activities and should resist becoming responsible for non-enforcement services. Standard 1.1 states that every law enforcement chief executive should determine the budgetary costs for providing these services and the impact its delivery will have upon the present level of enforcement operations. If it becomes necessary for the agency to provide the service, the resources allocated for its delivery should be put into perspective with the other agency functions.

No matter what non-enforcement services the agency is ultimately responsible for, sufficient resources must be retained for their primary responsibility, the maintenance of public order and the control of conduct legislatively defined as crime. To this end, enforcement activities must receive priority in the allocation of resources.

In the allocation of resources, those crimes that are the most serious, stimulate the greatest fear, and cause the greatest economic losses should be afforded the highest priority. Although the participants acknowledged that all statutes should be enforced, they agreed with the National Advisory Commission in that:

Because there are innumerable Federal, State, and local statutes and ordinances to be enforced, and limited law enforcement resources to enforce them, full enforcement of all laws is not possible. Law enforcement administrators must make the difficult determination of which crimes will be actively investigated and to what extent, and which unreported crimes will be brought out and to what degree. A determination must be made as to whether a reported theft warrants the same investigative resources as a crime of violence. (NAC, **Police**, 14 (1973).)

#### Law Enforcement Accountability

Standard 1.2, Authority and Accountability, states that every law enforcement chief executive should establish written policy which acknowledges that his/her organization's effectiveness depends upon public approval and acceptance of the agency's authority. Essentially, such policy statements acknowledge that, since the law enforcement organization has no intrinsic powers, it cannot exceed the authority granted to it by the community as defined in statutory and decisional law. In that authority is derived from the people, departments must be accountable to their respective communities for the manner in which they utilize their authority in their delivery of law enforcement services. To this end, the conferees concurred that it was incumbent upon every chief executive to inform his/her personnel and community that the agency is accountable. It was recommended that the formal procedures outlined in the standard should be implemented to insure true responsiveness.

#### Goals and Objectives

To insure that all agency efforts are unified and directed toward the resolution of the jurisdiction's crime problems, every law enforcement chief executive should develop short- and long-range goals and objectives. For purposes of this commentary, the following definitions are used:

**Goal:** A statement of broad direction, general purpose or intent. A goal is general and timeless and is not concerned with a particular achievement within a specific time period.

**Objective:** A desired accomplishment which can be measured within a given time frame and under specifiable conditions. The attainment of the objective advances the system toward the corresponding goal.

The initial phase in the development of goals and objectives is that of the identification of problems encountered or anticipated by the agency. Conference participants found that these may consist of specific operational problems or administrative problems, such as poor chief executive—employee relations. Once the problems are identified, agency goals can be developed which state the general direction the agency should take in problem resolution. Utilizing the established goals, objectives may then be formulated that describe what should occur, in quantifiable terms, to advance the system toward the corresponding goal.

Law enforcement agencies must be able to measure its progress in attaining its objectives and resolving the identified problems. So that agency progress can be evaluated, goals and objectives should be quantifiable and measurable whenever possible. For this reason, the conferees highly recommended the implementation of a valid and reliable crime reporting and analysis system. (See Chapter 22, Data Management.)

Goals and objectives must be realistic; they must reflect the needs of the community as well as the resources available to the agency. Methods should be developed that encourage agency employees and organizations and individuals outside the agency to provide their input into the goal and objective developmental process. The conferees expressed strong beliefs that the established goals and objectives should not be so beyond the capabilities of the agency as to be far-fetched. This critical issue was also addressed by the NAC:

Goals and objectives that are impossible to attain cause discouragement and reduced effort. The setting of impossible goals defeats one of the purposes; unifying effort. Goals or objectives that are unattainable immediately should be incorporated into agency plans for further development if they become more practical. (NAC **Police**, 50 (1973).)

#### Discretion

One of the foremost problems facing Iowa law enforcement is that its chief administrators have failed to establish written policies which offer guidance to peace officers in their exercise of discretion. Not only have chief executives been hesitant to formalize operational policies, but many have not acknowledged that they, as well as their personnel, possess great discretion in the manner in which law enforcement services are delivered to their communities. This is apparent in the administrative area concerning allocation of resources as well as for specific enforcement operations. As related by the conference participants, what has resulted is that each peace officer takes the enforcement action he/she personally believes should be taken for a particular situation.

The fact that every peace officer in Iowa is provided with great discretionary authority is difficult to dispute. As stated by Kenneth Culp Davis in **Discretionary Justice** (1969), "[a] public officer has discretion whenever the effective limits of his power leave him free to make a choice among possible courses of action or inaction." Conference participants acknowledged that most situations which necessitate peace officer intervention allow the officer to take any one of several enforcement alternatives. For example, in many situations, the peace officer has the discretion to arrest, issue a warning, or even overlook the offense. As noted by the conferees, peace officers have this wide discretion, particularly in the enforcement of traffic laws.

While the well trained and experienced officer should be capable of using his/her discretion in an agency-approved manner, the need for formalized written policy covering all aspects of the peace officer function are essential. Policy, unlike procedures and rules, serves to guide the officer in his/her decision-making process as to what enforcement action should be taken in particular situations. Policy may also limit the officer's use of discretion by placing prohibitions on certain enforcement alternatives. The conferees observed that, particularly in potentially hazardous situations, such as high-speed pursuits or the use of deadly force in crowded places, the chief executive cannot assume that the involved officer will react in a manner consistent with that preferred by the agency. This problem is compounded when the involved officer is inexperienced and bases his/her enforcement action upon personal beliefs, emotions, or biases.

Policy on the use of discretion should also be established to limit wide variations in enforcement alternatives among officers and between shifts. Optimally, all officers should take the same enforcement action in the same situation. The action taken should be consistent with that expected by the law enforcement chief executive and the governing body.

It was observed by the conferees that the establishment of enforcement policy may leave the individual officers, or the jurisdiction, open to civil suits. In cases where the agency's policy is more restrictive than that mandated in the CODE OF IOWA—shooting policies are the most common example—an officer who violates agency policy, but not State law, may be sued. While this was a concern of several of the conferees, it was recognized that the benefits of more restrictive policy far outweigh its potential liabilities.

Formalized written policy concerning all aspects of the peace officer function are necessary; the law enforcement chief executive cannot expect all his/her personnel to be completely familiar with all policies through word of mouth. Conference participants proposed that, to be most effective, agency policy should be written and disseminated to every agency employee. While formal written policy is an absolute necessity in

large departments, where the line personnel are insulated from the administrators by levels of command, the conferees also agreed that small departments could benefit from it as well. To be assured that all employees are familiar with agency policy, each officer should be supplied with a current up-to-date policy handbook upon initial employment; this handbook should be continually updated. It was mentioned by several of the conferees that, currently, most departments do not keep these handbooks maintained properly, assuming they are even provided.

### Peace Officer Understanding of Role

Whether a peace officer is a new recruit or a long-time veteran of the force, he/she possesses certain conceptions about what his/her role in the community should be. Each officer's role conception will be based, to a large degree, upon his/her own personal biases and emotions. In that an officer's personal beliefs about his/her role influence the manner in which he/she performs the peace officer function, an officer's official behavior may not be consistent with that expected or approved of by the chief executive.

To prevent personal biases and emotions from affecting an officer's behavior, the conference participants recommended that every law enforcement chief executive insure that his/her employees have a clear understanding of what the agency expects of him/her. Conference participants felt that this could be achieved through the implementation of the procedures detailed in Standard 1.6.

### Inspections

To realize the attainment of agencywide and unit goals and objectives, it is essential that agency employees perform in compliance with the agency's policies, rules, and procedures. Normally, it is the function of the chief executive and his/her supervisors to oversee employee activities and to insure that they do comply. Conference participants related, however, that supervisory and management personnel may not always fulfill their responsibilities. In such situations, the chief executive may become isolated and, consequently, lose touch with agency operations. To insure that the chief executive is aware of the in-field application of his/her directives by line personnel, the conferees recommended that every chief executive implement an appropriate inspection system as described in Standard 1.7.

### Legal Assistance

Inasmuch as a law enforcement agency's ability to prepare criminal cases for successful prosecution is dependent upon the legal sufficiency of its operations, it is essential that its activities are in compliance with statutory and decisional law. Conference participants observed that this is no easy accomplishment. Criminal legislation

is often difficult to translate into field procedures; operational procedures must be in compliance with court decisions that are difficult to interpret; new legislation and court decisions must be immediately translated into agency policy and procedures; and the legal sufficiency of new enforcement operations may be in doubt when there are no clear statutory or decisional precedents.

In addition to the need for competent legal guidance in enforcement operational areas, law enforcement agencies also require legal assistance to cope with administrative problems. Grievance procedures, officer selection, promotion, E.E.O. guidelines, internal discipline, and multi-agency agreements are only several areas where the agency's chief executive needs legal guidance.

Theoretically, a law enforcement agency should have access to their county attorney and, in the larger municipalities, the city attorney, for their legal assistance needs. As reported by the conferees, however, the present law enforcement-county/city attorney relationship is not always conducive to the provision of timely legal assistance. (See Chapter 4.) As remarked at the conference, many county and city attorneys have neither the time, personnel, experience nor the inclination to provide adequate assistance to the law enforcement agency. While the conferees may have been expressing their own point of view—county and city attorneys may take the position that poor liaison is the fault of the law enforcement agency—there is, currently, a lack of legal guidance offered Iowa's law enforcement agencies.

To insure that every law enforcement agency maintains access to legal assistance, the conferees strongly urged every chief executive to implement the appropriate procedures outlined in Standard 1.8, Legal Assistance. This standard describes ways in which legal assistance may be provided to law enforcement organizations in small, medium, and large jurisdictions.

Due to the activity generated by any agency with more than 100 employees, the standard recommends that these departments employ a full-time legal unit. This unit, consisting of at least one lawyer who meets the stated qualifications, should perform all the functions outlined in the standard. The conferees remarked that to be effective, the unit must offer advice which is neutral and unbiased. As mentioned by one conferee, a legal advisor who is the chief's man may "...tend to bend his opinions to the thinking of the chief or other command officers." This type of assistance does not provide any benefit to the agency and may, in the long term, prove detrimental.

Departments with fewer than 100 personnel who cannot justify a full-time legal advisor should take action to maximize use of the city or county attorney's office. Optimally, one assistant county attorney should be designated as the law enforce-

ment legal advisor, should be required to spend a specified number of hours each week at the agency, and should be on-call whenever his/her services are needed. If adequate assistance cannot be rendered at the city/county attorney's existing organizational level or structure, additional personnel should be hired by that office.

It came to the attention of the conferees that departments serving in the rural jurisdictions with part-time county attorneys have the most limited access to legal assistance. In that the county attorney may devote little time to assisting the department, and that these departments individually could not support a full-time advisor, it was highly recommended that several departments, either on a county- or multi-county basis, employ a legal advisor. Conference participants predicted that not only could a multi-agency legal advisor serve the needs of all participating departments, but such an advisor could also perform this function at relatively low cost. Since the legal problems experienced by one participating agency would most probably be similar to that of the others, the legal advisor would become expert in these problems and be capable of offering meaningful guidance. It was mentioned that, in his/her role, the advisor could promote better inter-agency cooperation and coordination.

While Chapter 28E, CODE OF IOWA, does support multi-jurisdictional agreements, the conferees noted that it may not permit the employment of such a legal advisor. The Iowa State Legislature is strongly urged to consider the feasibility of multi-county law enforcement legal advisors and, if needed, immediately enact supportive legislation.

### Professional Assistance

As the law enforcement function becomes increasingly complex and sophisticated, chief executives are discovering that their employees may not possess the expertise necessary to assist in the solution of highly complex administrative or operational problems. Skills and abilities necessary for the effective and efficient functioning of a contemporary law enforcement agency, such as expertise in the areas of labor and employee relations, employee selection procedures, and the investigation of white collar crime, can only be provided by professionals who are usually found outside the law enforcement service. To insure that these individuals can be contacted in a timely fashion, every chief executive should establish liaison with those professionals listed in Standard 1.9, Professional Assistance.

Liaison with professionals should not be conducted in a reactive manner. Particularly in the event of a criminal investigation, delays in obtaining the necessary expert assistance may lessen the agency's ultimate effectiveness. The conference participants agreed with the NAC in that:

By the nature of the law enforcement role, many functions are necessarily reactive.

However, the agency cannot afford to permit the obtaining of professional assistance to be reactive. Individual sources of professional expertise should be contacted and ongoing liaison should be established. In cooperation with the supplier of the services, law enforcement agencies should develop procedures to facilitate use of the services. (NAC, **Police**, 273 (1973).

Conferees observed that law enforcement chief executives in Iowa's urban areas would find it easier to locate and contact professionals than his/her peers in the rural jurisdictions. It was remarked, however, that although rural chief executives may find fewer of these professionals in their jurisdictions, efforts should be made to establish liaison with them. In either case, the conferees recommended that the relationship be of an informal nature, when possible, so that the assistance does not necessitate the expenditure of agency funds for professional fees.

#### **COMPARATIVE ANALYSIS REFERENCE**

NAC Police 1.1, 2.1, 2.2, 1.3, 1.2, 11.2, 11.1, 2.3, 1.5

## **Chapter Two**

# **Planning**

**Goal:** Law enforcement organizations utilize intra-agency and regional planning to cope with current operational and administrative problems and to prepare for those that are anticipated.

## **STANDARD 2.1**

### **The Planning Function**

Every law enforcement agency should develop planning processes which will anticipate short- and long-term problems and suggest alternative solutions to them. Policy should be written to guide all employees toward effective administration and operational planning decisions. Every agency should adopt procedures immediately to assure the planning competency of its personnel through the establishment of qualifications for selection and training.

1. Written policy should be established setting out specific goals and objectives of the planning effort, quantified and measurable where possible, which at least include the following:
  - a. To develop and suggest plans that will improve service in furthering the goals of the agency;
  - b. To review existing agency plans to ascertain their suitability, to determine any weaknesses, to update or revise when needed, and to assure they are suitably recorded; and
  - c. To gather and organize into usable format information needed for agency planning.
2. The necessity for continual planning should be stressed in all areas throughout the agency, to include at least:
  - a. Within administrative planning: long range, fiscal and management plans;
  - b. Within operational planning: specific operational, procedural, and tactical plans;
  - c. Extradepartmental plans; and
  - d. Research and development.
3. Written qualifications of employees assigned specifically to planning activities should be established.
4. The training necessary for personnel to carry out their planning responsibilities should be provided.
5. If there are planning needs that cannot be satisfied by agency personnel, the agency should satisfy these needs through an appropriate arrangement with another law enforcement agency, another governmental agency, or a private consultant.

## **STANDARD 2.2**

### **Agency and Jurisdictional Planning**

Every law enforcement agency should identify the types of planning necessary for effective operation, and should assign specific responsibility for research and development, and agency and jurisdictional planning.

1. Departments with 75 or more employees should establish a unit staffed with at least one employee whose full-time responsibility will be intra-agency administrative planning and coordination of all planning activities for the agency.
  - a. The size and composition of this planning unit should be proportionate to the size of the agency and the magnitude of the present and anticipated planning task.
  - b. The employee in charge of the planning unit should be directly responsible to the law enforcement chief executive.
2. Agencies organized into subdivisions should delineate divisional planning responsibilities and should provide personnel accordingly.
  - a. To the extent feasible, divisional planning should be a staff activity performed by the agency's central planning unit.
  - b. The agency should insure coordination of all agency planning efforts.
3. Agencies with fewer than 75 personnel should assign responsibility for administrative planning and coordination of all planning activities of the agency.
  - a. If the magnitude of the agency's planning task justifies a full-time employee, one should be assigned; and
  - b. If it does not, this task should be assigned to an employee with related duties if not personally performed by the chief executive.
4. Responsibility for maintaining close inter-agency planning should be assigned.
  - a. Interagency planning should be engaged in by agencies that are geographically close, that regularly operate concurrently within the same jurisdictional boundaries, that participate in a plan for mutual aid, or that logically should participate in any combined or regional law enforcement effort.
  - b. Where regional law enforcement planning agencies exist, every agency should assign responsibility for planning with those regional planning agencies whose decisions might affect the assigning agency. This responsibility should include liaison with the established regional planning unit or other representatives of the Iowa State Planning Agency.



## STANDARD 2.3

### Physical Environment Planning

Every law enforcement agency should participate with local planning agencies and organizations, public and private, in community physical planning that affects the rate or nature of crime or the fear of crime.

1. Every law enforcement chief executive should recommend as a crime prevention measure the enactment of local ordinances that establish minimum security standards for all new construction and for existing commercial structures.
2. Upon request, security inspections should be conducted of businesses and residences and measures to avoid being victimized by crime should be recommended.
3. Private and public organizations involved with law enforcement related community physical planning should be given law enforcement planning assistance. If these services cannot be provided by the local agency, they should be provided by the State. This assistance should at least include planning involving:
  - a. Industrial area development;
  - b. Business and commercial area development;
  - c. Residential area development, both low and high rise;
  - d. Governmental or health facility complex development;
  - e. Open area development, both park and other recreation;
  - f. Redevelopment projects such as urban renewal; and
  - g. Building requirements (target hardening), both residential and commercial.

## COMMENTARY

### Planning

Once agency-wide and unit goals and objectives are formulated (See Standard 1.3), the law enforcement chief executive must be capable of directing agency activities toward their attainment. Long- and short-range planning at all levels of agency operations should be conducted to serve this purpose. Conference participants also considered continuous planning essential to the development of new goals and objectives as new problems arise or are anticipated. Without a planning capability the conferees predicted that goals designed to facilitate the improved delivery of law enforcement services could not be realized. As related by the National Advisory Commission:

A law enforcement agency that fails to plan ahead is forced to operate from day-to-day, adjusting to new demands as new demands arise, but never undertaking long range projects to upgrade law enforcement service. The agency may appear effective, but could be much more effective if it charted its own course. Such an agency delivers less than maximum law enforcement service and short-changes the community. (NAC, Police, 103 (1973).)

Resources allocated for planning activities should be proportionate to the size of the agency and the magnitude of the present and anticipated planning task. Departments experiencing a growing population in their community should conduct more long-range planning than a department of equal size whose community has stabilized. The increase in the incidence of criminal activity will also have a great impact upon the necessity for short-range planning to cope with specific crime problems. This form of short-range planning may consist of a redeployment plan that will allow the agency to target the criminal activity.

Although the resources allocated to planning will vary widely between departments, conference participants recommended that agencies with seventy-five employees maintain at least one qualified individual whose full-time responsibility would be law enforcement planning. In smaller agencies that cannot justify a full-time planner, planning activities should be delegated to an employee with related duties or conducted by the agency's chief executive himself/herself. If the necessary planning activities cannot be conducted in-house, agencies should meet their planning needs through an appropriate arrangement with another law enforcement agency, governmental unit, or private consultant.

The conference participants asserted that the individual or individuals responsible for planning must be highly competent and fully knowledgeable of the agency's function and role in the community. Law enforcement planners should also be tactful, articulate, and politically aware. It was remarked that this last personal trait is of particular importance for the contemporary planner in that he/she often interacts with elected officials of several jurisdictions in seeking Federal and State grants.

If possible, civilians, rather than peace officers, should be selected for full-time planning positions. Although civilians and peace officers equally have the potential for becoming competent law enforcement planners, conferees related that the career development of a peace officer may be impeded by assignment to a planning position. It was noted that he/she may become too valuable to the agency in the planning position and be overlooked for promotion if the promotion entailed training a new planner.

Not only must an agency select qualified individuals to become full- or part-time planners, but it is also incumbent upon the agency to keep them up to date. To this end, the conferees strongly encouraged the use of special training and out-of-state planning seminars. Without access to new planning and programmatic ideas and concepts, planners would be ill-equipped to recognize and respond to new problems as they arise in the community.

### Physical Environment Planning

The physical layout of a location can affect the rate and nature of criminal activity. Conferees observed that poor lighting, weak points of entry to potential crime targets, isolated points of entry either concealed or located where no one would normally pass, the physical layout of the crime target providing concealment, and the inaccessibility of areas to patrol units are all elements that support criminal activity and increase the psychological fear of criminal victimization. It was remarked that, although a more secure environment would not totally prevent criminal activity, it should function as a deterrent and make apprehension of the offender more likely.

This point of view was also expressed by the NAC:

[A more secure physical environment] should provide physical as well as psychological barriers to crime. It should provide barriers that prolong the time required for the physical [criminal] act to be accomplished, thus increasing the probabilities of detection and apprehension. It should improve the effectiveness of preventive patrol and apprehension rates. It should improve accessibility of areas to patrol, reduce points of concealment, facilitate peace officer observation, and improve response routes to reduce law enforcement response time. (NAC, **Police**, 131 (1973).)

Traditionally, physical environment planning for the public's safety has dealt with fire safety. Building codes have long included requirements for fireproof or fire retardent materials, emergency exits, and hydrant placement. The conferees related, however, that little if any action has yet to be taken in the state in the enactment of ordinances that support a more crime free environment. The crime prevention recommendations of law enforcement agencies have, as mentioned by several of the conferees, fallen on deaf ears. Faced with potentially strong resistance from building contractors, local governing bodies have been hesitant to enact more, oftentimes costly, building codes.

The conferees did not find arguments against the enactment of security codes tangible in light of the increased public safety provided by a more secure environment. Every law enforcement chief executive is strongly urged to recommend to his/her appropriate governing body the enactment

of security ordinances. Chief executives should also seek to develop his/her agency's expertise in physical environment planning and lend the agency's assistance to members of or groups in the community who can benefit from such assistance.

### COMPARATIVE ANALYSIS REFERENCE

NAC Police 5.3., 5.4, 5.5.

## **Chapter Three**

# **Resource Allocation**

**Goal: Every law enforcement agency and governing body allocate their personnel, material, and fiscal resources through an organizational structure that best supports the cost-effective delivery of quality law enforcement to the community.**

## STANDARD 3.1

### Responsibility for Law Enforcement

Every local governing body should start planning to provide complete and competent law enforcement service through an organizational structure that most effectively and efficiently meets its responsibility.

1. Every local governing body should insure that its constituents have access to law enforcement services twenty-four hours a day. Emergency law enforcement service response times should be no more than five minutes in the urban areas and no more than fifteen minutes in the rural jurisdictions.
2. Every local governing body unable to support a law enforcement agency capable of the emergency response times noted in subsection .1 should arrange for the necessary services by mutual multi-jurisdictional agreement.
3. Every law enforcement chief executive should establish an organizational structure that will best insure effective and efficient performance of the functions necessary to fulfill the agency's role.
4. In conjunction with the annual budget, every law enforcement chief executive should review the agency's organizational structure in view of modern management practices and provide for, or recommend to the governing authority, the necessary changes.

## STANDARD 3.2

### Law Enforcement Consolidation

Every local government and law enforcement agency should provide law enforcement services by the most effective and efficient organizational means available to it. In determining this means, each should acknowledge that the organization (and any functional unit within it) should be large enough to be effective but small enough to be responsible to the people. If the most effective and efficient service can be provided through mutual agreement or joint participation with other criminal justice agencies, the governmental entity or the agency immediately should enter into the appropriate agreement for joint operation. At a minimum, agencies that cannot attain the maximum allowable response times as stated in Standard 3.1, subsection .1, should consolidate for improved efficiency and effectiveness.

1. The Iowa State Legislature should enact

legislation enabling local governments and law enforcement agencies, with the concurrence of their governing bodies, to enter into inter-agency agreements to permit total or partial consolidation of law enforcement services. This legislation:

- a. Should permit law enforcement service agreements and joint participation between agencies at all levels of government;
  - b. Should encourage inter-agency agreements for and joint participation in law enforcement services where beneficial to agencies involved;
  - c. Should permit reasonable local control or responsiveness to local needs;
  - d. Should provide for special tax districts for law enforcement;
  - e. Should provide for transferring civil service, retirement, and other benefits;
  - f. Should expand Chapter 28E, CODE OF IOWA, to allow interstate mutual agreements between law enforcement agencies; and
  9. Should be permissive rather than mandatory.
2. Every local government and every local law enforcement agency should study possibilities for combined and contract services, and where appropriate, implement such services. Combined and contract service may include:
    - a. Total consolidation of local government services: the merging of two city governments or city-county governments;
    - b. Total consolidation of law enforcement services: the merging of two or more agencies or of all agencies (i.e., county-wide consolidation) in a given geographic area;
    - c. Partial consolidation of law enforcement services: the merging of specific functional units of two or more agencies;
    - d. Regionalization of specific law enforcement services: the combination of personnel and material resources to provide specific services on a geographic rather than a jurisdictional basis;
    - e. Metropolitanization: the provision of public services (including law enforcement) through a single government to the communities within a metropolitan area;
    - f. Contracting for total services: the provision of all services by contract with another government (city with city, city with county); and
    - g. Service sharing: the sharing of support services by two or more agencies.
  3. Every law enforcement agency should annually evaluate its staff services to determine if they are adequate and cost-effective and whether these services would meet operational needs more effectively and efficiently

if they were combined with those of other criminal justice agencies, or if agency staff services were secured from another agency by mutual agreement.

4. Every agency that maintains cost-effective staff services should offer the services to other agencies if by so doing it can increase the cost-effectiveness of the staff services.
5. Every law enforcement chief executive should identify those line operations of his/her agency that might be more effective and efficient in preventing, deterring, or investigating multi-jurisdictional criminal activity if combined with like operations of other agencies. Having identified these operations, he/she should:
  - a. Confer regularly with all other chief executives within his/her area, exchange information about regional criminal activity, and jointly develop and maintain the best organizational means for regional control of this activity; and
  - b. Cooperate in planning, organizing, and implementing regional law enforcement efforts where such efforts will directly or indirectly benefit the jurisdiction he/she serves.

## COMMENTARY

### Law Enforcement Reorganization

The foremost problem experienced by Iowa law enforcement is its inability to maintain timely emergency service response to the majority of the state's rural jurisdictions. Inadequate law enforcement response to requests for emergency assistance is primarily caused by the lack of patrol personnel. This condition can be traced back to many interrelated factors such as the low priority accorded law enforcement on local budgets, legislative restrictions on jurisdictions for taxing purposes, the inability to retain qualified personnel in unattractive positions, and organizational structures that result in duplication of services.

Many of these and other related factors are addressed throughout this document; it is anticipated that the implementation of the Iowa Criminal Justice Standards and Goals will facilitate the resolution of these problems. While such action should alleviate many present deficiencies, the conference participants contended that little long-term relief would be realized without substantial reorganization within Iowa law enforcement.

Essentially, reorganization is necessary for the provision of basic and support law enforcement services and would entail multi-jurisdictional agreements for contract, combined, unified, or

consolidated law enforcement. For purposes of this commentary, all forms of multi-agency agreements detailed in the consolidation standard will be known as consolidation.

The need to reorganize is apparent in the state's largest municipal departments as well as the most rural. Particularly in departments serving Iowa's heavily populated areas, the present structure allows duplication of services that can be more efficiently and effectively performed through consolidation. The conference participants acknowledged that many functions performed by each department in a metropolitan area can be performed in a cost-effective manner through combined effort. It was noted that, not only are each agency's limited resources wasted, but separate support operations may impede the coordination and communication necessary between adjoining departments. The standards, Responsibility for Law Enforcement and Law Enforcement Consolidation, address the need for reorganization, who should reorganize, and how it should be accomplished.

### Access to Emergency Assistance

Basic law enforcement services are not a luxury that should only be provided those Iowans residing in the more populous jurisdictions of the state. Every local governing body has the responsibility to insure that their constituents have, at a minimum, access to emergency law enforcement services twenty-four hours a day. The participants agreed that, to offer any viable protection to the community, emergency response times should be five minutes in the urban areas and no more than fifteen minutes in the rural jurisdictions. This time difference reflects the great expanses of land that county law enforcement would have to cover in responding to an emergency call. If these response times cannot be attained, the participants contended that it would be incumbent upon the governing body to seek consolidation alternatives for the provision of adequate law enforcement services. The recommended alternatives are noted in Standard 3.2. (See also commentary, Standard 12.1, State Mandated Training.) While there may be resistance to the loss of local autonomy, it was evident to the participants that the safety of the general community must be the primary consideration of governing bodies.

A major obstacle to law enforcement consolidation efforts identified by the participants was current State legislation governing such multi-jurisdictional agreements. It was reported that present legislation served as an impediment in the areas of taxing districts, civil service, and retirement systems among others. The fact that incorporated jurisdictions are required to pay a disproportionate share of the costs in maintaining a unified law enforcement system was also identified as an impediment. The participants strongly urged the Iowa State Legislature to remove these obsta-

cles and to enact legislation that would support all of the consolidation options detailed in the consolidation standard. Action should also be taken to permit multi-agency agreements between law enforcement agencies in Iowa and those of bordering states.

#### **Duplication of Support Services**

Although departments may not have to consolidate for the provision of the basic law enforcement function, partial consolidation of support services may be necessary to facilitate greater efficiency and agency performance. The participants found that the consolidation of support services, such as telecommunications, arrest processing and detention systems, record systems, crime labs, and specialized enforcement operations, by neighboring agencies can result in more effective operations at reduced or cost-effective levels. For this reason, every agency should annually evaluate its support services to determine if they are adequate and cost-effective and whether these services would meet operational needs more effectively or efficiently if they were combined with those of another law enforcement agency. If the assessment indicates that consolidation would be beneficial, the participants recommended that the consolidation alternatives detailed in the standard be considered.

Unlike the consolidation efforts involving unification of the patrol function, little public resistance was expected by the participants if support services were consolidated. As noted by one participant, "All the people care about is seeing their own patrol cars on the street."

### **STANDARD 3.3**

#### **Responsibility for Fiscal Management**

The State and every local government maintaining a law enforcement agency should immediately assign responsibility of fiscal management to the law enforcement chief executive. Where he/she does not personally perform the fiscal management function, this responsibility should be delegated to a fiscal affairs officer with staff as needed.

1. The law enforcement chief executive's primary areas of fiscal management responsibility should include fiscal planning, budget preparation and presentation, and fiscal control.
2. Every law enforcement chief executive should immediately delegate the fiscal management responsibilities that he/she does not personally perform.

- a. Every law enforcement chief executive with more than 150 personnel should delegate fiscal management to a fiscal affairs officer with staff as needed.
- b. Every law enforcement chief executive with 150 or fewer personnel should appoint a fiscal affairs officer and staff when this can be justified.
- c. Every law enforcement chief executive should provide that the responsibilities of the fiscal affairs officer include annual budget development, maintenance of liaison with the jurisdictional fiscal affairs officer, supervision of internal expenditures and related controls, and familiarization with recent developments in fiscal affairs management.

### **STANDARD 3.4**

#### **Fiscal Management Procedures**

Every law enforcement chief executive should use the most effective and appropriate fiscal management techniques available. He/She should establish policy and procedures so budgeting is a fundamental part of the management planning process.

1. Every law enforcement chief executive should initiate annual budget planning with a detailed statement of budget preparation. This statement should reflect fiscal direction received from the fiscal affairs officer of the jurisdiction.
2. Every organizational element of the law enforcement agency should be involved in budget planning and should prepare a draft budget appropriate to its needs; adequate justification should be provided as part of the budget document for all major continuing expenditures, significant changes in minor continuing expenditures, and all new budget items.
3. Every law enforcement chief executive should develop the fiscal controls necessary for the agency to stay within funding restrictions, to insure that funds are being spent for authorized purposes, to account properly for monies received from the public, and to alert management to possible fiscal problems requiring remedial action. This function also should include:
  - a. Developing policy and procedures for highly flexible interaccount transfers as changing needs arise during budget years; and

- b. Preparing, on a monthly basis in large agencies and on a quarterly basis in small ones, summaries of expenditures, balances, and interaccount transfers.
- 4. Various forms of systems budgeting should be studied and experimented with: budgeting based on the consolidation of functionally unrelated tasks and corresponding resources to form a system that will achieve an identified objective. If the value of systems budgeting will offset the simplicity and conveniences of line item or other modified budgeting methods already in use, the agency should adopt such a system.
  - a. If system budgeting is adopted, it should be under the control of the agency's fiscal affairs officer.
  - b. The agency's fiscal affairs officer should be thoroughly competent in whatever system budgeting might be adopted, and the chief executive and the major organizational element commanders should be thoroughly oriented in it.
  - c. Preferably, systems budgeting should be adopted by the agency when it is adopted by all governmental agencies of the jurisdiction.

## STANDARD 3.5

### Funding

Every law enforcement chief executive and every agency's fiscal affairs officer should be thoroughly familiar with all means by which the agency can derive all the benefits possible from local funding, city-state-federal revenue sharing, grants and grantsmanship, and the use of bonds. They should understand the implications of each and use these means to provide funding for agency programs.

- 1. No law enforcement chief executive should seek referenda that would govern the size of the personnel complement, the allocation of resources to specific agency programs, or the setting of peace officer salaries except as specifically provided by the laws or the legislative body of the jurisdiction.
- 2. Every law enforcement agency should use grants under explicit conditions to fund planning and experimentation in all phases of law enforcement service.
  - a. Functional responsibility for the procurement of grants from federal and State agencies and foundations should be made the specific responsibility of an agency

employee designated by the chief executive.

- b. Any employee assigned to grant procurement should be given appropriate training.
- 3. Before any pending criminal legislation is enacted, the Iowa State Legislature's Fiscal Director should determine what it will cost local law enforcement agencies to enforce.

## COMMENTARY

Law enforcement chief executives cannot successfully meet their primary enforcement responsibilities without control over the management of agency funds. Conference participants concurred with the NAC in that, "[a] law enforcement chief executive is not simply a crime fighter or a peace officer of special and superior rank. He is also a business manager who should accept full responsibility for fiscal management of his agency. Moreover, he is a fiscal planner, responsible for developing the future expenditure requirements for personnel, equipment, facilities, and programs necessary to accomplish his agency's goals and objectives. While he has an obligation to follow all prescribed procedures, he should, where necessary, urge government officials to improve the jurisdiction's fiscal policies and practices, and he should seek to raise the level of his own fiscal management to achieve the goals and objectives he has established. His role should not be passive; it should be active and progressive." (NAC, *Police*, 132 (1973).)

It was reported at the conference that many of Iowa's law enforcement chief executives are not involved in the fiscal management process. Although many are dissuaded by the local governing body from seeking involvement, the majority of these chief executives express no interest at all in the fiscal management process. To alleviate this problem, the participants urged all chief executives to acknowledge their responsibility for fiscal management and to implement Standard 3.3.

Standard 3.4, Fiscal Management Procedures, outlined several fiscal management techniques that should be considered by every chief executive. The standard addresses the need to involve agency supervisors and command level personnel in an on-going budget preparation and fiscal expenditure process that is supportive of line operations. While many of the noted techniques are only applicable in the larger departments, the conferees believed that the state's smaller departments could benefit from adapting the fiscal management concepts detailed in the standard.

Law enforcement agencies have traditionally been funded from the general fund of their

respective jurisdiction. As reported by the participants, the money budgeted for the law enforcement organization almost always remains constant with only minimal increases to reflect increased operating costs at existing resource levels. It was decided that this funding situation is not supportive of the implementation of new programs, innovative ideas, or operational changes. To allow the chief executive the opportunity to make the necessary changes in his/her agency, the participants proposed that the use of external funds—local, city-state-federal revenue sharing, grants, and bonds—should be actively pursued.

The amount of funding made available to law enforcement agencies must reflect the tasks they are responsible for. The participants found that agencies are continually required to enforce new legislation and local ordinances without a commensurate increase in their resources. What results is that either enforcement activity for existing legislation suffers or that the new legislation is simply disregarded. The participants strongly urged every governing body, State and local, to take into account the additional resources that would be required to enforce new legislation. (See also Standard 1.1, The Law Enforcement Function.)

On a statewide basis, the participants felt that the Fiscal Director of the Iowa State Legislature should make a determination as to what the enforcement of pending legislation would cost local law enforcement organizations. If the assessment indicates that the new enforcement activities would be a burden upon law enforcement, the Legislature should either reconsider its enactment or, as noted by several of the participants, provide subsidies so that agencies can take the necessary enforcement action. As remarked by one participant, "They shouldn't assume that the same number of personnel could just do more work."

#### **COMPARATIVE ANALYSIS REFERENCE**

NAC Police 5.1, 5.2, 5.6, 5.7, 5.8



## **Chapter Four**

# **The Community**

**Goal: The citizens of every community are aware of the law enforcement role, and work with the peace officers as a team to deter and prevent criminal activity.**

## **STANDARD 4.1**

### **Communicating with the Public**

Every law enforcement agency should recognize the importance of bilateral communication with the public and should constantly seek to improve its ability to determine the needs and expectations of the public, to act upon these needs and expectations, and to inform the public of the resulting policies developed to improve delivery of law enforcement services.

1. Policies and procedures should be adopted that provide for effective communication with the public through agency employees. These policies and procedure should insure:
  - a. That every employee with duties involving public contact has sufficient information with which to respond to questions regarding agency policies; and
  - b. That information he/she receives is transmitted through the chain of command and acted upon at the appropriate level.
2. Every law enforcement agency that has racial and ethnic minority persons within its jurisdiction should recognize their law enforcement needs and develop means to insure effective communication with such persons.
3. Jurisdictions with a substantial non-English-speaking population should provide readily available bilingual persons to answer requests for law enforcement services. In addition, existing agency programs should be adapted to insure adequate communication between non-English-speaking groups and the law enforcement agency.
4. When the need exists, a specialized unit responsible for maintaining communication with the community should be established. In other agencies, this responsibility should be the law enforcement chief executive's, using whatever agency resources are necessary and appropriate to accomplish the task.
  - a. The unit should establish lines of communication with the agency and recognized community leaders and should elicit information from the citizen on the street who may feel that he/she has little voice in government or in the provision of services.
  - b. The unit should be no more than one step removed from the law enforcement chief executive in the chain of command.
  - c. The unit should identify impediments to communication with the community, research and devise methods to overcome those impediments, and develop programs which facilitate communication between the agency and the community.
  - d. The unit should conduct constant evaluations of all programs intended to improve communication and should recom-

mend discontinuance of programs when their objectives have been achieved or when another program might more beneficially achieve the identified functional objective.

## **STANDARD 4.2**

### **Public Understanding of the Law Enforcement Role**

Every law enforcement agency should establish programs to inform the public of the agency's defined law enforcement role. These programs should include, but not be limited to, the following:

1. A classroom presentation, at least annually, by a uniformed peace officer at every public and private elementary school within its jurisdiction.
  - a. The content of the presentation should be tailored to the learning needs of the students; however, each presentation should include a basic description of the law enforcement agency's role.
  - b. A basic study unit should be developed in cooperation with the school and presented to the teacher prior to the officer's arrival.
2. When possible, and dependant upon securing the cooperation of local school authorities, an officer should be assigned full-time to each junior and senior high school in its jurisdiction.
  - a. The officer's assignment should include teaching classes in the role of law enforcement and serving as a law enforcement counselor. His/Her assignment should include law enforcement duties.
  - b. Course content should be developed in cooperation with the schools and should include discussion of the law enforcement role, juvenile laws, and enforcement policies and practices.
3. Where permitted by local conditions, peace officers should be encouraged to participate in government and civic classes offered in local evening adult schools and community colleges.
4. With agency resources, when possible, or in cooperation with employee organizations, local civic groups, or other law enforcement agencies, youth programs including scouting and other athletic or camping activities should be developed or participated in.
  - a. All such programs should be designed to provide peace officers and young people

with the opportunity to become personally acquainted with each other.

- b. Every peace officer participating in youth programs should be provided with written materials describing the objective of the program and its relationship to the agency's role.
5. Invitations should be accepted for peace officers to speak to business and civic organizations. Efforts should be made to provide speakers in response to every reasonable request and to coordinate the speaker's ability and background with the intended audience. Agencies that cannot provide appropriate speakers should seek the cooperation of other law enforcement agencies for this purpose. Every opportunity should be taken to describe the agency's role and the agency's objectives and priorities.
6. A statement of the agency's law enforcement role, the agency's objectives and priorities in filling that role, and the agency's activities to implement its role should be published. In addition, periodic statistical reports on crime, arrests, and property loss due to crime should be disseminated to the public. These reports should include an evaluation of significant trends and other interpretations.
7. Inquiries should be made into the availability of public service resources from advertising and communication organizations to assist in developing support for the agency and its programs.
8. Every agency should hold an annual open house and provide tours of agency facilities and demonstrations of law enforcement equipment and tactics when appropriate to create greater public awareness of the law enforcement role.

agency training curricula, and copies of it provided to all agency personnel, media representatives, and the public. This policy should acknowledge:

- a. The right of the press to obtain information for dissemination to the public;
  - b. The agency's responsibility to respond to inquiries from the media, subject to legal restraints and the necessity to preserve evidence, to prevent interference with agency investigations and other operations, and to protect the constitutional rights of persons accused of crimes;
  - c. The agency's responsibility to seek the cooperation of the news media to delay publication when immediate reporting of certain information may be detrimental to the community, to victims of crime, or to an investigation; and
  - d. The mutual benefits to the agency and the media when relations between the two are characterized by candor, cooperation, and mutual respect.
2. The news media relations program should provide regular liaison between the agency and the media through the law enforcement chief executive, a designated officer, or a unit, depending upon the size of the agency and the nature and frequency of local news media demands.
  3. The law enforcement chief executive should establish a means of local, regional, or State accreditation of news media representatives or of recognizing accreditation by other agencies to assist media representatives in receiving law enforcement cooperation.
  4. In cooperation with the media, every chief executive responsible for unusual occurrence planning should prepare a written policy establishing the relationship between his/her agency and the news media during an unusual occurrence.

### **STANDARD 4.3**

#### **News Media Relations**

Every law enforcement chief executive should acknowledge in written policy statements the important role of the news media and the need for the agency to be open in its relations with it. The agency should promote an aggressive policy of presenting public information rather than merely responding to occasional inquiries.

1. The news media relations policy should be written in cooperation with the local news media. The policy should be included in the

### **STANDARD 4.4**

#### **Community Crime Problem Identification**

Every law enforcement chief executive should insure that patrolpersons and members of the public are brought together to identify and solve crime problems on a local basis.

1. Consistent with local law enforcement needs and its internal organization, a geographic deployment system which insures stability of assignment for patrol officers should be adopted.
2. Patrolpersons should be responsible for the control of crime in their assigned area and,

consistent with agency priorities and policies and subject to normal approval, should be granted authority to determine the immediate means to be used in fulfilling that responsibility.

3. Arrangements should be made to allow peace officers to meet with persons who live or work in their area to discuss the identification of crime problems and the cooperative development of solutions to these problems.

## **STANDARD 4.5**

### **Crime Prevention**

Every law enforcement agency should immediately establish programs that encourage members of the public to take an active role in preventing crime, that provide information leading to the arrest and conviction of criminal offenders, that facilitate the identification and recovery of stolen property, and that increase liaison with private industry in security efforts.

1. Every law enforcement agency should actively involve the public in crime prevention and reduction.
  - a. The community should be provided with information and assistance regarding means to avoid being victimized by crime and should be kept informed of developing crime trends that may affect their area.
  - b. Citizens should be instructed to telephone their law enforcement agency concerning suspicious situations.
  - c. The public should be informed not to take direct enforcement action themselves.
  - d. If an arrest results, the individual should be notified by telephone.
  - e. The agency should acknowledge through personal contact, telephone call, or letter, every person who provides information.
2. Every law enforcement agency should establish or assist programs that involve trade, business, industry, and community participation in preventing and reducing commercial crimes. If necessary, these programs should be a multi-agency effort.

## **COMMENTARY**

The people—peace officer relationship is the foundation of any law enforcement agency's efforts in attaining its goals and objectives. The necessity for a beneficial relationship is based on two assumptions:

1. When the law enforcement agency is believed to be honest, fair, and helpful, then the task of law enforcement is greatly simplified; and
2. A law enforcement agency has a definite (although limited) ability to improve its reputation in the community it serves.

Agencies have recently taken the initiative in enhancing their public image. Their efforts have been directed toward creating an atmosphere of greater trust and understanding. Others entail developing and applying community resources through formal crime prevention and law enforcement support programs. Taken as a whole, the broad objectives of most non-enforcement programs have been improved agency-community relations, reduced tension, crime prevention, and greater mutual understanding between the peace officer and the people he/she serves.

Agency resources allocated for the enhancement of community relations will depend, to a great degree, upon the magnitude of the perceived problems and the resources available to resolve them. While some efforts may only entail changes in a department's policies, procedures, and rules—such as the relationship with the media—others will require the expenditure of personnel and material. Although the programs detailed in this chapter should be considered and, where feasible, implemented, resource allocation should be placed in perspective with all other agency services.

### **Communicating with the Public**

If a law enforcement agency is to become and remain responsive to the community, its delivery of services—as determined by its goals and objectives—must reflect the needs, wants, and expectations of the people. To insure that agency goals and objectives do remain consistent with public expectations, the agency must maintain continual communication with all sectors of the community. Information flow into the agency is not enough; the law enforcement chief executive must be capable of informing the community what the agency is doing to meet their expectations.

Generally, Iowa law enforcement maintains effective communications with the people of the state. As brought forth at the conference, a key reason for this is the predominance of racially and ethnically homogeneous populations in the rural jurisdictions and small cities. In these areas, the county sheriff or the chief of police may personally be acquainted with every family in his/her juris-

diction. It was noted, however, that communication can break down in these areas as well as in the state's larger jurisdictions where the patrol officer has little direct contact with the average law-abiding citizen. To alleviate this problem, every law enforcement chief executive—whether in a rural or urban jurisdiction—must come out in full support of developing and maintaining beneficial relations and communications with the community, especially in those jurisdictions where racial and ethnic minorities reside. He/She should adopt policies and procedures that insure effective bilateral communication between the community and the agency through agency employees.

Initially, the conferees suggested that all agency employees should be encouraged to talk to the public. To this end, they should be provided with sufficient information to answer the public's questions concerning agency activities. Particular attention should be provided to minority groups; it was decided that agencies should take extra measures to assure these individuals that their needs and problems are being acted upon.

Procedures should also be established to maintain communication with non-English-speaking groups. Every chief executive with a substantial non-English-speaking group in his/her jurisdiction should possess the capability to communicate with them. It was recommended that lists of local residents who are bilingual should be established for this purpose.

In the event that effective communications with the community cannot be achieved through the agency's existing organizational structure, a specialized unit may be considered. This unit should function to open up lines of communication with recognized community leaders and to elicit information from the average citizen who may feel he/she has little voice in government.

#### Public Understanding of the Law Enforcement Role

Much antagonism and hostility toward the law enforcement agency result when the public misunderstands or misinterprets agency activities and enforcement operations. To prevent this and to facilitate public understanding, action should be taken to educate the public in the defined role of the law enforcement agency and its peace officers. Several programs recommended by the conferees are detailed in Standard 4.2. Every law enforcement chief executive is urged to consider their applicability in his/her jurisdiction and, where feasible, to implement them.

#### School Programs

Of all the techniques currently available to inform the public of the law enforcement role, programs in both public and private elementary and high schools have required the greatest expenditure of agency resources. In all cases, these programs require the cooperation and support of the local school authorities.

There was strong agreement that every elementary school in Iowa should, at a minimum, be provided with an annual presentation by their respective local law enforcement agency. Optimally, the presentations should be as individualized as possible with each grade receiving an appropriate session. Whenever possible, the presentation should not be of a lecture format; the students, particularly in the earlier grades, should be provided with materials before the officer arrives and should be actively involved in the program.

It was highly recommended that this program be conducted by peace officers from the local agency. If the personnel cannot be spared, or if it is apparent that the available officer would be unable to relate to children, arrangements should be made with neighboring agencies to make the presentation. If the local agencies cannot jointly put on the elementary school presentations, the local Iowa State Patrol headquarters should be contacted for assistance.

To maintain liaison with junior and senior high school students, an increasing number of departments throughout the state are implementing "police-school liaison" projects. In these efforts, peace officers are assigned on either a full- or a part-time basis to junior and senior high schools within their jurisdictions. Basically, officers in these assignments teach classes in law enforcement and serve as a law enforcement counselor. In the counselor role, he/she may serve a liaison function between a student and his/her probation officer and the law enforcement agency's juvenile bureau.

While differences do exist in the specific duties the police-school liaison officer performs, there was general agreement at the conference as to what the officer should and should not do.

Primarily, the liaison officer should not attempt to hide his/her identity as a sworn officer. He/she should also not be the school disciplinarian; this is the responsibility of the school administration. The Police-school liaison officer should not be subordinate to the school administrators; he/she should cooperate and coordinate activities and investigations with them, but he/she should only take commands from his/her employing agency.

Above all else, a liaison officer must be a law enforcement officer. The conferees believed that he/she should take immediate enforcement action when necessary. School administrators should be made aware that they cannot prevent a student from being arrested on school grounds. As remarked by one of the participants, "...students must be fully aware that they are not immune from arrest just because they are in school."

#### News Media Relations

The success of agency efforts to develop and maintain an honest, fair, and helpful public image is highly dependant upon the relationship it has

with the local news media. Inasmuch as the media has great influence over the formation of public opinion, it is essential to an agency that the local media trusts and has confidence in them to provide effective law enforcement services to the community.

This is not always the case. The conference participants reported that, while the media-law enforcement relationship is positive in many areas in Iowa, many media people and organizations have little confidence in the capabilities, or in the good intentions, of their local law enforcement organization. There was agreement that these situations are a severe detriment to law enforcement and should immediately be resolved. Every law enforcement chief executive is strongly urged to cooperate with their local news media people in the immediate implementation of the procedures detailed in the news media standard.

As brought out in the standard, the law enforcement agency can only attain the confidence of the news media through an aggressive policy of presenting public information rather than merely responding to occasional inquiries. Many of the current problems between agencies and the media are due to the fact that media personnel are often required to seek out information which could have been made available by the agency but wasn't. This situation has resulted in the publication of independently obtained information that should have remained confidential. Moreover, the conferees found that such independent investigations frustrate and anger law enforcement administrators and result in a lack of public confidence in their law enforcement agency's capabilities.

So that the agency-media relationship is characterized by candor, cooperation, and mutual respect, the media must also earn the confidence of the agency. Media people must respect the confidentiality of certain information supplied by the agency and should not interfere in agency investigations. It came to the attention of the participants that, on occasion, media people have not always exercised sound judgment in the dissemination of information with which they were provided.

It is the position of the conference participants that the development of the news media relations policy, written in cooperation with the local media, will facilitate a relationship which is beneficial to both parties as well as the general public. Every law enforcement chief executive, therefore, is urged to implement Standard 4.3, News Media Relations.

#### Crime Problem Identification

That peace officers become acquainted with the people in their patrol area is a significant factor in attaining the public's respect for and support of the law enforcement organization. When officers meet with citizens to discuss the community's law enforcement needs and crime

problems and to jointly develop solutions to them, there is a fundamental exchange of information. The conferees remarked that, without this direct involvement, the peace officers, in the eyes of the public, tend to become separate and apart from the community. To the peace officer, the public becomes a faceless crowd. To insure the identification of local crime problems and to prevent alienation, the conference participants advocated that, whenever possible, patrolpersons should be permanently deployed to a specific patrol area or neighborhood and be encouraged to meet with the public.

The demographic composition of Iowa is conducive to this deployment policy. Except for the state's larger municipalities and largest counties, patrolpersons are not continually reassigned to different patrol sectors. The conferees related that, in rural areas, the entire jurisdiction may be considered one large patrol sector for deployment purposes.

Efforts should be made in the larger cities and counties to minimize continual reassignment of patrolpersons to different patrol sectors. Patrolpersons should be given the time and opportunity to become familiar with the local residents. Conferees mentioned, however, that agency administrators may find it beneficial to rotate new officers throughout the entire jurisdiction to familiarize them with the locale's varied and diverse neighborhoods. Reassignment may also be desired to prevent corruption.

Every law enforcement chief executive should implement programs that will encourage patrolpersons and the public to become acquainted on a one-to-one basis. Recognizing that the officer's duties may not allow sufficient time or opportunity to meet with the public, the conferees suggested that formalized public meetings be considered. At these sessions, local crime problems can be identified and possible solutions to them can be developed jointly by the officers and the public.

It came to the attention of the conferees that the personnel and material resources required for regularly scheduled meetings may pose a problem for most departments. If officers attend meetings while on-duty, the agency's operational effectiveness may be undermined because fewer personnel would be available to respond to calls for assistance. This could be a particularly severe problem in smaller departments due to their already limited deployment flexibility and back-up capabilities. If officers attend the public meetings off-duty, reimbursement in the form of compensatory time will deleteriously effect the deployment flexibility at a future date.

The conferees concluded that the best solution would be through paying agency personnel overtime pay to attend public sessions. While overtime benefits are expensive, these public meetings, if properly organized, can prove to be

of great value to both the agency and the public in establishing peace officer-community liaison, identifying local law enforcement needs and crime problems, and seeking solutions to the crime problems. If these programs cannot be implemented, the conferees strongly urged every law enforcement chief executive to encourage his/her personnel, through the establishment of agency policy, to meet with the public and discuss their crime problems with them.

#### Crime Prevention

Standard 4.5, Community Crime Prevention, addresses the need to involve the public in crime prevention activities. Community involvement in these activities is essential because, as openly admitted by the conference participants, law enforcement organizations cannot, by themselves, prevent or deter many types of criminal offenses from occurring. The community itself must engage in activities that thwart criminal activity by making crimes more difficult to commit and offender apprehension more probable. As described by the NAC:

Crime prevention can be interpreted in several ways depending upon the type of criminal behavior to be prevented. In some cases, it refers to the resolution of social, psychological, and economic conditions that lead to the desire to commit crime. In others, it concerns the elimination of the opportunity for crime through the presence of police patrols and "hardening the site" to foil commission of crime.

While ultimate success or failure may well depend upon the elimination of the conditions that foster crime, the presently overburdened criminal justice system may be relieved by placing obstructions in the way of potential criminals. In addition, investigations can be aided by using the best methods of identifying criminal offenders and the property they steal.

(NAC, **Police**, 67 (1973).)

#### COMPARATIVE ANALYSIS REFERENCE

NAC **Police** 1.4, 1.6, 1.7, 3.1, 3.2.

## **Chapter Five**

# **The Criminal Justice System**

**Goal: All the elements of the Iowa criminal justice system work together as a team for the attainment of common goals and objectives.**



## **STANDARD 5.1**

### **Iowa Criminal Justice System Coordination**

Every law enforcement agency immediately should act to insure understanding and cooperation between the agency and all other elements of the Iowa criminal justice system, and should immediately plan and implement appropriate coordination of its efforts with those of the other elements of the system.

1. Every law enforcement agency should cooperate with other elements of the criminal justice system in processing criminal cases from arrest to trial within 60 days.
2. Every law enforcement agency should consider and, where appropriate, seek the formation of a criminal justice coordinating council with members representative of law enforcement, other criminal justice agencies, and local government. The council:
  - a. Should have as its overall objective the fair and effective disposition of all criminal cases and other more specific goals and activities related to crime prevention and reduction; and
  - b. Should develop policy and institute planning and coordination programs that serve to achieve its objective.
3. Training programs should be supported that promote understanding and cooperation through the development of unified interdisciplinary training for all elements of the Iowa criminal justice system. Those programs:
  - a. Should provide for the instruction of law enforcement personnel in the functions of all criminal justice agencies in order to place the law enforcement role in proper perspective;
  - b. Should encourage, where appropriate, the participation of other criminal justice agencies in peace officer training; and
  - c. Should encourage, where appropriate, peace officer participation in training given members of other criminal justice agencies.

## **STANDARD 5.2**

### **Law Enforcement—Iowa Criminal Justice System Cooperation**

Every law enforcement agency immediately should insure its operational effectiveness in dealing with other elements of the Iowa criminal justice system.

1. Procedures should be developed in cooperation with local courts and prosecutors to allow on-duty officers to be on call when subpoenaed to testify in criminal matters.
2. Liaison should be developed and maintained with:
  - a. Local courts and prosecutors to facilitate the timely issuance of criminal complaints, and arraignment of prisoners;
  - b. Juvenile courts to divert, in appropriate circumstances, juveniles from the juvenile justice system and to preserve confidentiality of proceedings to the greatest extent possible;
  - c. Corrections agencies, including probation and parole, in order to exchange information on the status and activities of released persons who are still under sentence; and
  - d. Other Federal, State, and local law enforcement agencies in order to arrange for the arrest and return of fugitives, to exchange information in criminal investigations, to establish joint plans for dealing with criminal conduct, and to share statistical and support services.
3. Every law enforcement agency should, when possible, cooperate in the establishment of task force efforts with other criminal justice agencies and Federal, State, and local law enforcement agencies to deal with major crime problems.

## **STANDARD 5.3**

### **Citation and Release On Own Recognizance**

Every law enforcement agency should make effective use of Iowa statutes permitting law enforcement agencies to issue written summonses and citations in lieu of physical arrest or prearrest confinement. Agencies should also cooperate in programs that permit arraigned defendants to be released on their own recognizance in lieu of money bail in appropriate cases.

1. Policies and procedures should be adopted that provide guidelines for the exercise of individual officer's discretion in the implementation of State statutes that permit issuance of citations and summonses in lieu of physical arrest or prearrest confinement.
2. All available steps should be taken to insure that at the time arraigned defendants are

considered for pretrial release, their previous criminal history or present conditional release, if any, is documented and evaluated by the court in determining whether the defendants are released or confined pending trial.

3. Special emphasis should be placed on expeditiously serving all outstanding arrest warrants obtained by the agency, particularly those issued due to defendants failure to appear at court proceedings.

4. Every law enforcement agency, in addition to making information from its files available to other criminal justice agencies for reference in making diversion, sentencing, probation, and parole determinations, should include useful information that might include the effect the crime had on the victim and the likelihood of future crime resulting from the defendant's presence in the community.

## **STANDARD 5.4**

### **Criminal Case Followup**

Every law enforcement agency immediately should develop policies and procedures to follow up on the disposition of criminal cases initiated by the agency. This should be done in cooperation with local courts and prosecuting agencies.

1. In cooperation with local courts and prosecuting agencies, every law enforcement agency should provide for the administrative followup of selected criminal cases. Policies and procedures should be developed:
  - a. To identify criminal cases which, because of extenuating circumstances or the defendants' criminal histories, require special attention by the prosecuting agency; and
  - b. To require an agency representative to attend personally all open judicial proceedings related to these cases, and to maintain close personal liaison with assigned prosecutors.
2. All major criminal cases in which prosecuting agencies decline to prosecute or later cause to be dismissed should be administratively reviewed. That review:
  - a. Should result in a referral of each such case to the concerned officer's commanding officer for administrative action to correct any agency deficiencies which may have weakened the case; or
  - b. Should result in a referral of each case to the prosecuting agency for that agency's action to correct any deficiencies for which it may have been responsible.
3. Courts and prosecuting agencies should be routinely encouraged to evaluate investigations, case preparation, and the courtroom testimony of peace officers and to inform the law enforcement agency of those evaluations.

## **COMMENTARY**

### **System Coordination**

For the Iowa criminal justice system to meet its responsibility to the people of Iowa - keeping Iowa free of crime and disorder and extending fairness to those who become involved in the criminal justice system - all of its components must work together as a team. The success of one component in meeting its objectives cannot be assessed in isolation; any component evaluation must relate to the goals of the entire system. As brought out by the NAC, "[n]o element of the criminal justice system completely discharges its responsibility simply by achieving its own immediate objective. It must cooperate effectively with the system's other components." (NAC, **Police**, 70 (1973).)

To insure that the functionaries of each component regard their task as part of the entire effort, and that their efforts are directed toward common goals and objectives, procedures should be implemented in every jurisdiction that will facilitate cooperation and coordination. Although it was noted by the conference participants that law enforcement organizations cannot, in isolation, implement this relationship, they are strongly urged to encourage and support it in their jurisdictions.

One means to realize systemwide coordination and cooperation is through the establishment of a local criminal justice coordinating council. The conferees believed that such a council, to be viable, must be jointly formed by the chief executives of each local criminal justice agency and local elected officials. The council should have as its overall objective the fair and effective disposition of all criminal cases and other more specific goals and activities related to crime prevention and reduction. Planning should also be undertaken; to this end, the participants agreed that the council should be responsible for the administration of crime control monies (I.E.A.A.) earmarked for their jurisdiction. It was remarked that the allocation of funds by this group would

support inter-component planning, programs, and a better overall coordination of activities.

It came to the attention of the participants that a formalized coordinating council may not be appropriate for many of Iowa's jurisdictions. Political rivalries or the nature of the jurisdiction itself may render such a formalized approach unworkable. For those jurisdictions that cannot implement a formalized coordinating council, it was recommended that, at the very least, coordination and cooperation be maintained on an informal basis. Conferees suggested that every law enforcement chief executive should confer regularly with the heads of the other local criminal justice agencies.

The law enforcement agency should play a major role in maintaining the coordination necessary for the effective processing of criminal cases initiated by the agency. While the participants indicated that trial delays are rarely caused by agency deficiencies, law enforcement administrators should work with the other system components to insure that criminal cases can be processed from arrest to trial in 60 days.

Interdisciplinary training is also encouraged. It was remarked that much friction between the functionaries of the various system components was caused by a basic lack of understanding of the role of the other components. What results is that functionaries usually blame the other components for faults in the system. Interdisciplinary training is encouraged to prevent misunderstandings and to help each functionary put his/her own role into a better perspective.

#### Law Enforcement - System Relationship

Standard 5.2 describes which specific inter-system relationships - and the functions the relationships should serve - a law enforcement agency should maintain in order to work effectively in the Iowa criminal justice system. There was agreement among the conference participants that every law enforcement agency should develop and maintain liaison with the local courts and prosecutors, juvenile courts, corrections agencies, and other Federal, State, and local law enforcement agencies.

It was observed by several of the conferees that the most important system relationship for an agency to maintain is with the local prosecutor's office. A poor or uncoordinated relationship with the prosecutor, more than with any of the other system components, can have a deleterious impact upon the effectiveness of the entire criminal justice system. This relationship is addressed in depth later in this chapter's commentary. One issue to be raised at this point, however, regards the subpoena of peace officers for their appearance and testimony at criminal court proceedings.

The conference participants acknowledged that, in many of Iowa's counties, there is little coordination between the county attorney's office and the local law enforcement agencies regarding court appearances by peace officers. It was related that peace officers are required to appear at court hours before they are needed; oftentimes, cases are dismissed or continued without officer notification. The participants agreed that this situation not only infuriates the involved officer but limits the already limited deployment and assignment flexibility of the agency.

It was strongly recommended that effective procedures be developed in cooperation with the local courts and prosecutors to allow on-duty officers to be on call when subpoenaed to testify in criminal matters. These procedures should insure that an officer be in court only when he/she is truly needed there. Such coordination will require continual communication and full cooperation between the two offices. As pointed out by the participants, however, continual communication between the two offices may be difficult in those jurisdictions served by part-time county attorneys.

#### Citation and Release On Own Recognizance

Law enforcement resources are poorly utilized and arrested individuals are often needlessly detained when peace officers are required by departmental rules to take certain individuals into physical custody. In many arrest situations, when there is a very good likelihood that the arrestee will appear for court proceedings, the issuance of a citation in lieu of physical arrest or prearrest confinement is a preferable alternative. Inasmuch as Iowa statutes currently allow the issuance of citations for most felony offenses, the conference participants recommended that every law enforcement chief executive consider the use of citations for non-traffic offenses and develop agency policy, procedures, and rules for its implementation. (IOWA CODE sec. 753.5 (1975).)

The conferees noted that law enforcement agencies serving the state's rural jurisdictions would be more apt to use citations. These agencies are usually understaffed and detaining persons for the preliminary arraignment compounds the problem. Additionally, law enforcement chief executives in these areas often are personally acquainted with the arrestee or his/her family. In these situations, the probability that the arrested individual will appear in court is very high.

Conditions in the more urban jurisdictions of the state may not be as conducive to the issuance of citations. Participants remarked that the population in these areas are more mobile and individuals less well known; officers serving in urban jurisdictions already have difficulty in establishing an individual's true identity in minor

traffic offenses. Whereas a county sheriff can feel confident that a citation issued to a long-time resident for a felony offense will be honored, the peace officer in a metropolitan area has no reason to believe that an arrestee will show up in court.

Recognizing the potential abuses in the use of citations, the participants still urged all law enforcement chief executives to consider their use. It was noted that, even in the urban areas, the issuance of a citation for certain misdemeanor offenses is a realistic alternative to a physical custody arrest. In either situation, citations for misdemeanors or for all offenses as authorized, comprehensive agency policy would be essential to provide guidance to the officer in the issuance of citations.

#### Criminal Case Followup

A law enforcement agency's involvement in the prosecution of criminal defendants should not end at the time of the preliminary arraignment. Conference participants contended that agency involvement is essential throughout the subsequent adjudicatory and correctional processes. Not only should the law enforcement agency provide information and insight to assist prosecutors, judges, and correctional authorities in making decisions, but more importantly, should maintain liaison with the system's components to insure that its own operations are consistent with the system's goals and objectives. More specifically, it is essential that law enforcement administrators be aware that their local prosecutor can effectively prosecute cases originated by the agency and, if not, why.

The NAC further expounds upon the value of continued law enforcement involvement in the processing of criminal defendants:

Sequential processing of defendants through the criminal justice system has contributed to the common but erroneous belief that, except for appearance as witnesses, the [law enforcement] function ends when a criminal complaint is issued. This belief thwarts efforts to improve the effectiveness of the criminal justice system. The concept of a criminal justice system requires that [law enforcement] have a greater influence on the overall processes than merely serving as the system's intake point. (NAC, *Police*, 86 (1973).)

It was stated at the conference that such a relationship between Iowa law enforcement and the other system components was virtually nonexistent in most of the state's jurisdictions. Breakdown of communication, particularly between local law enforcement and their respective prosecutors, was identified as a chronic problem regardless of the community's size or the full- or part-time status of the county attorney. Conferees remarked that law enforcement admin-

istrators are neither asked for advice nor allowed to provide meaningful input; are usually not informed of case dispositions in a timely manner; are rarely informed why criminal charges are dismissed or plea-negotiation is permitted; or, if ineffective agency operations are responsible for unsuccessful prosecution, what the agency should do to correct investigatory or case preparation deficiencies that may have weakened the case.

For these reasons, the conferees strongly urged every law enforcement chief executive to seek the implementation of Standard 5.4, Criminal Case Followup. Local courts and prosecutors should also implement complementary standards located in the **Iowa Criminal Justice Standards and Goals for Courts** document. Special attention should be paid by both the law enforcement agency and the prosecutor to cases which involve extenuating circumstances or defendants with lengthy criminal histories. Major criminal cases originating from the agency should be administratively reviewed when the county attorney fails to prosecute or later causes to be dismissed. More commonplace felony prosecutions, such as breaking and entering and larceny, should also be reviewed. It was observed that, due to the massive number of these cases, there is little coordination between the county attorney and the agency in their case preparation.

Inasmuch as law enforcement must make every effort to alleviate their deficiencies, they should not condone prosecutorial deficiencies that weaken cases originating from the agency. There was agreement that it is incumbent upon every law enforcement chief executive to contact the county attorney if he/she believes that problems exist in the prosecutor's operations.

In developing procedures to establish criminal case followup capabilities, it was suggested that a court-liaison officer be considered. This peace officer would serve as the law enforcement representative during judicial proceedings and would provide meaningful feedback to the agency. If a department cannot support such a full-time officer, the participants encouraged agencies, on a countywide basis, to employ one to serve the law enforcement-court liaison needs of the participating agencies.

#### COMPARATIVE ANALYSIS REFERENCE

NAC *Police* 4.1, 4.2, 4.4, 4.5.

## **Chapter Six**

# **Recruitment**

**Goal: Every law enforcement organization has a readily available supply of qualified applicants from which to select for employment.**

## **STANDARD 6.1**

### **Peace Officer Recruiting**

Every law enforcement agency should insure the availability of qualified applicants to fill peace officer positions by aggressively recruiting applicants when qualified candidates are not readily available.

1. Every law enforcement agency should administer its own recruitment program. The agency should assign to specialized recruitment activities employees who are thoroughly familiar with the policies and procedures of the agency and with the ideals and practices of professional law enforcement.
2. The testing agency's application and testing procedures should be designed to facilitate the applicant's access to the selection process. The initial application form should be a short, simple record of the minimum information necessary to initiate the selection process.
3. All agency personnel should be involved in the recruitment and selection process.
4. Professional assistance—such as that available in advertising, media, and public relations firms—should be sought to research and develop increasingly effective recruitment methods.
5. The effectiveness of all recruitment methods should be continually evaluated so that successful methods may be emphasized and unsuccessful ones discarded.

## **STANDARD 6.2**

### **Protected Classes/Affirmative Action**

Every law enforcement agency should insure that it presents no artificial or arbitrary barriers—cultural or institutional—to discourage qualified individuals from seeking employment or from being employed as peace officers or civilian employees.

1. Every law enforcement agency should engage in positive efforts to employ protected class members. As defined by law, protected classes consist of certain racial-ethnic minority groups; women; members of certain ages, religions, creeds, or color; and the physically or mentally handicapped.
2. The effectiveness of protected class recruitment methods should be continually evaluated so that successful methods are

emphasized and unsuccessful ones discarded.

3. Affirmative action should be taken to fill vacancies; all applicants should have an equal opportunity to compete.

## **COMMENTARY**

Only recently have peace officer positions in Iowa become attractive enough to insure most departments a surplus of potentially qualified applicants to fill agency vacancies. Conference participants attributed this situation to the "new" law enforcement image created by the media and the scarcity of positions for college graduates in their academic field. Even though the lack of qualified applicants was not viewed as a serious problem at the present time, all departments were encouraged to develop their own recruitment program. Agencies should not be complacent because they have a surplus of applicants; recruitment efforts should be directed at attracting the most qualified members of the community.

It came to the attention of the conferees that existing civil service law may impede an agency's recruitment efforts. In jurisdictions subject to statutory civil service requirements, employment eligibility lists may be valid for an indefinite period. Consequently, entrance exams may be offered infrequently at irregular intervals. Such a situation precludes continuous active recruitment in that potential applicants have little incentive to wait for the next examination.

### **Protected Classes/Affirmative Action**

To insure that the composition of a law enforcement agency's personnel complement is representative of the jurisdiction it serves, every law enforcement chief executive and governing body should take the necessary steps to insure that no artificial or arbitrary barriers—cultural or institutional—discourage qualified individuals from seeking employment or from being employed. In particular, groups of individuals, known as protected classes, should have equal opportunity to compete for agency positions. Since these classes have traditionally not been represented in law enforcement, affirmative action should be taken to encourage these individuals into the profession.

Participants observed that members of protected classes have either been excluded or dissuaded from law enforcement careers due to assumptions concerning the law enforcement role and function. Arbitrary, non-job related selection requirements, based upon unfounded beliefs of what was necessary to function effectively as a peace officer, often prevented qualified protected class members from employment. This is particularly the situation with the employment of

women. Perceived agency attitudes, such as racial discrimination, have also dissuaded many minority group members from seeking employment. Conferees advocated that every law enforcement chief executive should insure that these or other barriers are not present in his/her agency's, or the jurisdiction's testing agency's, selection, assignment, deployment, or promotional system.

Action should also be taken to employ members of protected classes who are unable to meet peace officer selection standards. As set forth in Standard 11.1, Civilian Employees, many agency positions occupied by sworn officers can be more cost-effectively staffed with civilians. Handicapped or elderly individuals should have an equal opportunity to compete for these civilian positions if their specific handicap cannot be shown to be job-related.

While the conferees contended that protected class members should be allowed to compete on an equal basis for positions they are qualified for, it was their belief that they must meet the basic position requirements. Selection standards should not be lowered to permit protected class members into an agency. There was agreement, however, that agency administrators should award special credit, in the selection process, to protected class members if they possess abilities or skills deemed necessary or preferred for the position in question.

#### **COMPARATIVE ANALYSIS REFERENCE**

NAC Police 13.1.

## **Chapter Seven**

# **Selection**

**Goal: Every law enforcement organization maintains a selection system which insures that only those applicants with the necessary skills, abilities, and personal characteristics are selected for employment. The criteria used for screening applicants is task-related and non-arbitrary in nature.**



## **STANDARD 7.1**

### **Minimum Age**

The Iowa State Legislature should raise the minimum age for peace officer positions to 21 years of age.

## **STANDARD 7.2**

### **The Selection Process**

Every peace officer testing agency should employ a formal written process for the selection of qualified applicants. This process should include a written test of job-related mental ability or aptitude, an oral interview, a physical examination, a psychological examination, and an in-depth background investigation.

1. Applicants' mental ability should be measured through the use of job-related ability or aptitude tests rather than general aptitude tests. These job-related ability tests should meet the requirements of the Federal Equal Employment Commission guidelines.
2. The results of psychological testing should not be used as a positive predictor of later performance within law enforcement until scientific research establishes the validity and reliability of such a predictor.
3. An in-depth background investigation of every applicant should be conducted by the law enforcement agency prior to employment. The policies and procedures governing these investigations at least should insure that:
  - a. To the extent practicable, investigations are based on personal interviews with all persons who have valuable knowledge of the applicant;
  - b. The polygraph examination may be used with a competent examiner where appropriate, but should not be allowed to substitute for a field investigation;
  - c. The rejection of applicants is job related; and
  - d. Peace officer applicants are not disqualified on the basis of arrest or conviction records alone, without consideration of circumstances and disposition.
4. No more than 12 weeks should pass from the time of initial application to final determination of employability; applicants should be kept notified of the results of each major step in the selection process.

## **STANDARD 7.3**

### **Educational Requirements**

Recognizing the inadequacies of existing educational selection standards, the Iowa Law Enforcement Academy should conduct a statewide task-analysis study from which standards of knowledge, skills, abilities, and personal characteristics can be developed.

1. The Iowa State Legislature should immediately provide financial support for the I.L.E.A. task-analysis study.
2. Every law enforcement agency should require as a condition of initial employment a high school diploma or its equivalent.
3. Any minimum college education requirements for initial employment, such as an associate or baccalaureate degree, be postponed until the I.L.E.A. task-analysis study is completed.

## **COMMENTARY**

To develop and retain competent and qualified peace officers uniformly throughout Iowa, both the conference participants and the National Advisory Commission agreed that a statewide commission should have the authority to establish minimum selection standards for peace officers. Iowa has already recognized this need and has delegated this responsibility to the Iowa Law Enforcement Academy Council (Code of Iowa Sec. 80.B). The conferees unanimously supported the Council's activities and asserted that, even in light of recent civil litigation pertaining to the mandated selection criteria, the Council should continue to be allowed great flexibility and autonomy in the development of minimum selection requirements for peace officers.

### **Minimum Age**

The only current minimum selection requirement which the conferees did not wholly endorse was that of minimum age. Current State law permits individuals who are eighteen years of age to be employed as peace officers; the conferees strongly urged the Iowa State Legislature to raise this minimum age to 21.

It was observed that, although an eighteen year old may be competent and qualified to perform the peace officer function, the general public would not, in many situations, recognize their sworn authority. Due to their obvious youth, conferees commented that in attempting to exercise their legislated authority, they may serve to inflame an already troublesome situation. An ex-

ample given was that of a domestic disturbance where the attitude of the husband would be, "go away kid, you're bothering me."

In that the possible benefits to be gained from the employment of 18-20 year olds was perceived as more than offset by its probable liabilities, the conference participants saw little reason to keep the minimum age at 18.

#### Selection Procedures

Whether the selection process is the responsibility of the locale's civil service commission or of the agency's administration, selection procedures should insure that only the best qualified applicants are chosen for law enforcement employment. Conference participants proposed that selection should be determined solely by the individual qualifications of the applicants and not on the number of vacancies the agency is seeking to fill. As stated by the NAC, the selection process should be approached positively:

Law enforcement agencies should seek to identify and employ the best candidates available rather than being content with disqualifying the unfit. The policy of merely eliminating the least qualified results in mediocrity because it allows marginal applicants to be employed along with the most qualified. The benefits of a positive selection policy are seen in a lower rate of personnel turnover, fewer disciplinary problems, higher morale, and better community relations. (NAC, *Police*, 320 (1973).)

In formulating selection procedures, the conferees observed that, while the selection criteria should disqualify unfit or marginal candidates, they should not be so restrictive as to disqualify individuals who possess the potential to become superior officers. It was remarked that qualified applicants have often been disqualified due to some arbitrary requirement, such as their failure on a written exam that may not be job-related. To alleviate this problem, all written examinations utilized to disqualify applicants, measuring either mental ability or aptitude, must be job-related. Similarly, all arbitrary physical standards that fail to meet the same job-related criteria should be abolished.

In addition to written examinations, all applicants should undergo an oral interview, a physical examination, a psychological examination, and an in-depth background investigation. The conference participants recommended that these steps in the selection process be conducted in the most cost-effective sequence by the most appropriate unit of government. The steps that eliminate the greatest number of applicants should occur at the beginning of the process; the most costly and time consuming, such as background investigations, should be one of the final steps before the list of qualified applicants is prepared.

Many of the participants expressed concern that their civil service commissions place applicants' names on employment lists prior to conducting the background investigation. It was remarked that, on at least one occasion, an applicant with an extensive felony conviction history was approved for peace officer employment by the local commission.

The utility of psychological testing devices to predict later performance within law enforcement was discussed in-depth by the participants. There was general agreement that some currently available psychological examinations could alert the agency to some behavior problem and could provide other useful information if conducted by a qualified psychologist. However, it was the considered opinion of the participants that such exams should not be used to arbitrarily disqualify applicants until scientific research establishes the validity and reliability of such predictors. In the event that the results of psychological exams are given greater weight than the other selection criteria, it is imperative that only a highly qualified psychologist, familiar with psychological testing procedures, be permitted to conduct and evaluate the examinations.

#### Entry-Level Educational Requirements

Of all the law enforcement issues considered during the course of the conferences, that dealing with minimum formal educational requirements for entry-level peace officer positions generated the greatest differences of opinion between the NAC and the participants and among the participants themselves. Whereas the NAC recommended a timetable that would require a minimum of a four-year baccalaureate degree in the early 1980's, the conferees questioned the need for any formal educational credentials beyond the high school diploma.

Many different arguments, both pro and con, regarding post-secondary educational standards for entry-level peace officer positions were brought forth by the conferees. Those supporting post-secondary requirements—either one year of college level study, a two-year associate of arts degree, or a baccalaureate degree—argued that: 1) peace officers should be as well educated as the average member of the community and a high-school degree is now well below the norm; 2) individuals attending or who have attended college have proven their ability to stick with something for a period of time; 3) the attainment of a post-secondary degree is proof that the individual is able to learn, understand, and comprehend; 4) the agency's prestige in the community is immeasurably enhanced when its officers are college graduates; and 5) the college environment imparts the social and communication skills needed to work effectively with people. These positions were not unlike those taken by the NAC as the rationale for the baccalaureate requirements.

The chief opponents to a post-secondary educational requirement contended that, not only is a college level education unnecessary and unrelated to the position's duties and responsibilities, but to assume a degree holder possesses certain personality traits or academic skills and abilities is erroneous. These conferees asserted that to be a good peace officer, he/she must inherently possess certain skills, abilities, and personal characteristics, such as common sense and compassion, that cannot be learned in school. As related by one participant, "...I would like to see a man entering law enforcement who has been in the service, kicked around a little and has had his teeth kicked in, and has had a little college; they know what life is about." Another expressed a similar sentiment:

Peace officers don't deal with upright honest citizens. They deal with people who have trouble, maybe the same kind they had, and can better understand and relate to them. What is important is the level of performance, whether or not it was gained through formal education or by going out into the real world for life experiences.

Clearly, an individual with a post-secondary academic degree can be a good peace officer if he/she possesses the necessary personal characteristics, abilities, and skills. Indeed, all of the conferees agreed that a good officer would be a better one after attending college. It was argued, however, that to arbitrarily demand a certain level of post-secondary education prior to employment is to disqualify individuals who may have the potential to become superior peace officers. This position was endorsed by the majority of the conferees.

One of the strongest arguments in support of college level requirements was that the contemporary peace officer must be able to comprehend, interpret, and put into action agency policies, rules, and procedures, rules of evidence, laws of search and seizure, and laws of arrest. To successfully perform these tasks, it was argued, advanced mental abilities and aptitudes are required. Supposedly, the same academic abilities are needed to complete post-secondary studies. Opponents to the educational requirement agreed that such advanced mental abilities are necessary for the effective performance of the contemporary peace officer role. It was their contention, however, that an individual who has attained a degree does not inherently possess such mental abilities.

Opponents to post-secondary educational requirements related that the actual value, or worth, of the recently acquired post-secondary degree is questionable. Many schools in Iowa, it was observed, have lowered their course requirements to attract as many persons as possible into their academic programs. Conferees acknowledged that this is particularly true with

academic programs designed for law enforcement personnel.

The devaluation of the academic degree is further compounded when the school awards academic credit for law enforcement training. (See Standard 12.8, Academic Credit for Training.) Even those conferees in support of higher educational requirement for peace officers conceded that, due to the present abuses in the system, academic degrees are unreliable indicators of an applicant's ability to comprehend, learn, and relate. As mentioned by a participant, "Reliance upon academic credentials for selection will only insure the agency administrators that their force consists of a high percentage of degree holders."

After carefully weighing all the arguments, it was the conference participant's decision that a more direct means to evaluate each applicant's potential was necessary. It was decided that the first step in this process should be a state-wide task-analysis study. This study, as envisioned by the conferees, would be used to develop standards of knowledge, skills, abilities, and personal characteristics upon which selection criteria could be more realistically based. The standards resulting from the study would reflect the proper role of the peace officer, which is not always consistent with its present function. It was mutually agreed that this study should be conducted by the Iowa Law Enforcement Academy with financial support from the Iowa State Legislature. In that this study will take a number of years to complete, and the subsequent development of selection criteria will entail an additional period of time, the conferees strongly urged the State Legislature to take immediate action.

Although the participants believed that all selection standards must be shown to be task related, it was decided that minimum educational requirement of a high school diploma, or a G.E.D., remain unchanged. It was the considered opinion of the conferees that anyone with the desire and ability to be a peace officer should be capable of acquiring a G.E.D..

#### **COMPARATIVE ANALYSIS REFERENCE**

NAC Police 13.4, 13.5, 15.1.

## **Chapter Eight**

# **Internal Discipline**

**Goal: The social environment of the law enforcement agency supports and rewards self-discipline. If misconduct is alleged, swift, certain, and fair action will be taken by the law enforcement chief executive.**

## **STANDARD 8.1**

### **Foundation for Internal Discipline**

Every law enforcement agency immediately should formalize policies, procedures, and rules in written form for the administration of internal discipline. The internal discipline system should be based on essential fairness, but not bound by formal procedures or proceedings such as are used in criminal trials.

1. Every law enforcement agency should establish written procedures for the administration of internal discipline and an appropriate summary of those procedures should be made public.
2. The law enforcement chief executive should have ultimate responsibility for the administration of internal discipline in his/her agency.
3. Every employee at the time of employment should be given written rules for conduct and appearance. They should be stated in brief, understandable language. These rules and regulations may be drafted with assistance from employees.
4. The policies, procedures, and rules governing employee misconduct and the administration of discipline should be strengthened by incorporating them in training programs and promotional examinations, and by encouraging employee participation in the disciplinary system.

## **STANDARD 8.2**

### **Commendation and Complaint Reception**

Every law enforcement agency should immediately implement procedures for receiving commendations and complaints regarding employee conduct.

1. Every law enforcement agency should, with appropriate publicity, inform the public that commendations and complaints will be received and acted upon by the agency.
2. Every person who commends the performance of an individual peace officer in writing should receive a personal letter of acknowledgment.
3. The making of a complaint should not be accompanied by fear of reprisal or harassment. Every person making a complaint should receive verification that his/her complaint is being processed by the agency.

This receipt should contain a general description of the investigative process and appeal provisions.

4. The results of the investigation should be made known to the complainant or the alleged victim of peace officer misconduct.
5. Procedures should be developed that will insure that all complaints and commendations, whether from an external or internal source, are permanently and chronologically recorded in a central record. The procedure should insure that the agency's chief executive or his/her assistant is made aware of every complaint without delay.

## **STANDARD 8.3**

### **Investigative Responsibility**

Every law enforcement chief executive immediately should insure that the investigation of all complaints from the public, and all allegations of criminal conduct and serious internal misconduct, are either personally conducted or conducted by a specialized individual or unit of the involved agency. This person or unit should be directly responsible to the agency's chief executive or the assistant chief executive. Minor internal misconduct may be investigated by first line supervisors, and these investigations should be subject to internal review.

1. The existence or size of this specialized unit should be consistent with the demands of the workload.
2. The assistance of prosecuting agencies should be obtained during investigations of criminal allegations and other cases where the chief executive concludes that the public interest would best be served by such participation.
3. Specialized units for complaint investigation should employ a strict rotation policy limiting assignments to 18 months.

## **STANDARD 8.4**

### **Investigation Procedures**

Every law enforcement agency immediately should insure that internal discipline complaint

investigations are performed with the greatest possible skill.

1. Formal procedures should be established for investigating minor internal misconduct allegations. These procedures should be designed to insure swift, fair, and efficient correction of minor disciplinary problems.
2. Every investigator of internal discipline complaints should conduct investigations in a manner that best reveals the facts while preserving the dignity of all persons and maintaining the confidential nature of the investigation.
3. Every law enforcement agency should provide—at the time of employment, and again, prior to the specific investigation—all employees with a written statement of their duties and rights when they are the subject of an internal discipline investigation.
4. Every law enforcement chief executive should have the legal authority during an internal discipline investigation to relieve agency employees from their duties when it is in the best interests of the public and the agency. An agency employee normally should be relieved from duty whenever he/she is under investigation for a crime, corruption, or serious misconduct when the proof is evident and the presumption is great, or when he/she is physically or mentally unable to perform his/her duties satisfactorily.
5. Investigators should use all available investigative tools that can reasonably be used to determine the facts and secure necessary evidence during an internal discipline investigation. The polygraph should be administered to employees by a qualified polygrapher only at the express approval of the law enforcement chief executive.
6. All internal discipline investigations should be concluded 30 days from the date the complaint is made unless an extension is granted by the chief executive of the agency. The complainant and the accused employee should be notified of any delay.

## **STANDARD 8.5**

### **Adjudication**

Every law enforcement agency should insure that provisions are established to allow the law enforcement chief executive ultimate authority in the adjudication of internal discipline complaints, subject only to appeal through the courts or established civil service bodies, and review by

responsible legal and governmental entities.

1. A complaint disposition should be classified as sustained, not sustained, exonerated, unfounded, or misconduct not based on the original complaint.
2. Adjudication and—if warranted—disciplinary action should be based partially on recommendations of the involved employee's immediate supervisor.
3. Employees should be allowed to appeal a law enforcement chief executive's decision. The agency should not provide the resources or funds for appeal.
4. Written policy should be established on the retention of internal discipline complaint investigation reports. Only the reports of sustained and—if appealed—upheld investigations should become a part of the accused employee's personnel folder. All disciplinary investigations should be kept confidential.
5. Administration adjudication of internal discipline complaints involving a violation of law should neither depend on nor curtail criminal prosecution. Regardless of the administrative adjudication, every agency should refer all complaints that involve violations of law to the prosecuting agency for the decision to prosecute criminally. Peace officers should not be treated differently from other members of the community in cases involving violations of law.

## **STANDARD 8.6**

### **Positive Prevention of Misconduct**

Every law enforcement chief executive should insure that there is a general atmosphere that rewards self-discipline within the agency. He/She immediately should seek and develop programs and techniques that will minimize the potential for employee misconduct. These may include:

1. Analysis of the causes of employee misconduct through special interviews with employees involved in misconduct incidents and study of the performance records of selected employees;
2. General training in the avoidance of misconduct incidents for all employees and special training for employees experiencing special problems;
3. Referral to psychiatrists, clergy, and other professionals whose expertise may be valuable; and
4. Application of peer group influence.

## COMMENTARY

Due, in part, to the authority, duties, and responsibilities afforded the law enforcement component of the criminal justice system, Iowa's peace officers have traditionally been expected to adhere to stringent standards of discipline. The misbehavior, or misconduct, of one or several officers within an agency can severely affect the public's image, and the public's trust, of the entire law enforcement organization. Personal integrity is not only demanded by the public but is a prerequisite for the effective delivery of services and the attainment of the agency's goals and objectives. To maintain the personal integrity of every agency employee, conference participants recommended that all law enforcement agencies in Iowa implement an internal discipline system which is swift, certain, and fair. As explained by the National Advisory Commission:

Public support will be strengthened by protecting them from peace officer misconduct and corruption through the changing of inadequate agency policies and procedures, and the correction or removal of employees guilty of misconduct. Law enforcement chief executives agree that discipline—positive or negative—is good for an organization; it assists in establishing the prestige of the organization in the specific occupational field and the general community, in maintaining effective agency performance and preserving employee morale. An inadequate discipline system many times will produce the opposite effect on an organization. (NAC, **Police**, 469 (1973).)

It came to the attention of the conferees that, all too often, Iowa's law enforcement chief executives have not exercised strong leadership in their department's internal discipline system. Rather than take a strong posture in insuring that internal discipline is maintained, many rely upon the local governing officials to accept, investigate, and adjudicate complaints alleging employee misconduct. It was remarked that others purposely overlook problems in the hope that they will correct themselves. The conferees found this situation to be unacceptable. Every law enforcement chief executive should immediately take control over his/her agency's internal discipline system, exercise strong leadership in its administration, and be ultimately responsible for the discipline of his/her employees. "It is clearly in the interest of the chief executive to initiate effective change in their administration of internal discipline. Otherwise, public or employee organization groups, or court decisions in civil litigation, may force executives to follow a course other than the one they would have chosen, and thus diminish their control over the agency." (NAC, **Police**, 470 (1973).)

## Foundation for Internal Discipline

To maintain the public's and the agency employee's confidence in the internal discipline system, its administration must be based upon a formal, written foundation. The conferees believed that not only must the public have confidence in the chief executive's ability to insure internal order and peace officer accountability, but also the officers themselves must be aware that misbehavior will not be condoned. Yet, when innocent of wrongdoing, they will be protected against false accusations. So that all parties know what is expected of them—the public, the agency administration, and the employees—they must be made familiar with the system's policies, procedures, and rules.

All employees at the time of employment should be given written rules for conduct and appearance as well as their rights and duties when the subject of an internal discipline investigation. The rules and procedures of the system should also be incorporated into inservice training programs and into promotional exams.

The law enforcement chief executive should insure that the public is kept informed through the dissemination of an appropriate summary of the department's internal discipline system.

In their discussion, the conferees related that employee organizations are seeking and receiving greater involvement in the internal discipline process. In particular, the traditional policies and rules governing employee conduct are being challenged. It was the considered opinion of the participants that this input could be very beneficial if the chief executive did not lose his/her authority over the direction and control of the system. For this reason, law enforcement chief executives are strongly urged to immediately initiate any necessary changes in their agency's existing internal discipline system. Furthermore, they should be directly involved in any negotiations with employee organizations that may result in the loss of executive control over the system.

## Complaint Reception

No matter how well established an agency's internal discipline system is, it cannot be responsive to the community unless a formal complaint reception procedure is developed and maintained. The conferees commented that the public will only have confidence in their law enforcement organization if they believe that appropriate action will be taken when a complaint is received, and that placing a complaint will not be accompanied by reprisal or harassment. As described by the NAC, "Unless the public is convinced that an agency is truly receptive to complaints, it will not participate in the system." (NAC, **Police**, 447 (1973).) For these reasons, the conferees proposed that every agency establish procedures and policies for receiving complaints alleging employee misconduct.

In discussing the current situation in Iowa, the participants observed that the people of the state are, for the most part, not afraid of complaining about peace officers. What was identified as a problem, however, was that complainants often dealt directly with the jurisdiction's governing officials or the local civil rights or human rights commission. This was considered to be undesirable. It was believed that circumventing the preferred complaint reception process undermined the credibility of the agency and its chief executive as well as politicizing a single employee's misbehavior. The conferees recommended the implementation of the procedures outlined in Standard 8.2 to resolve this problem.

The conference participants proposed that an agency's complaint reception system should have high visibility. All persons filing a complaint should receive a written receipt and description of the department's internal discipline system. Only in departments where the chief executive personally handles the entire internal discipline system—usually in rural areas—may complaint reception be acknowledged orally. All complainants should be notified of the final disposition of the investigation, appeal procedures, and any disciplinary action taken. Participants found that discussing the complaint and the disposition with the complainant would be a very worthwhile policy in that many complaints stem directly from the public's lack of knowledge of the peace officer's role. Contrary to an opinion expressed by a few conferees, the majority of participants believed that discussing a disposition which entailed disciplinary action does not lower the prestige of the agency or humiliate the penalized officer in the public's eye. It was predicted that the integrity of a law enforcement agency could only be heightened by openly disclosing which employees were disciplined and for what reason.

Complete records of all complaints, investigations, and dispositions should be kept by the chief executive in a central file. Only sustained complaints should be kept in the employee's personnel file. Procedures should be established to insure that the chief executive or his/her assistant be informed immediately of all serious allegations and, periodically, of those of non-serious misbehavior. It was called to the attention of the group that while many non-serious complaints are of a ridiculous nature—"The officer did not wave to me as I drove by this morning"—they may also be indicative of deep-rooted disciplinary problems. Particularly in those departments where non-serious complaints have traditionally been handled in an informal manner by the supervisory line staff, the chief executive may not be able to recognize a potentially serious disciplinary problem until it adversely affects agency operations.

### Investigative Responsibility

Whether a single individual or a unit is responsible for investigating allegations of employee misconduct depends upon the resources of the agency and the nature or seriousness of the alleged offense. In that only a few of Iowa's law enforcement agencies have the workload to support full-time specialized units to perform this function, virtually all agencies in the State either rely upon the chief executive, command level personnel, the supervisory staff, or, in the smallest jurisdictions, the mayor or another appropriate elected official. There was strong agreement that, while such investigations must be kept in-house (civilian review boards are highly discouraged), law enforcement administrators and governing bodies should be made aware of potential abuses which may arise.

The greatest fault in the present system is that, due to the limited personnel resources in most law enforcement agencies in Iowa, the peace officer responsible for the investigation may be personally involved in the alleged misconduct. Conference participants mentioned that officers have been responsible for conducting investigations concerning their own misconduct. This situation can occur with the agency's chief executive as well as with command and supervisory personnel.

It was highly recommended that either the law enforcement chief executive or the local governing body take the appropriate action to insure that this situation cannot occur. When it appears apparent that an impartial investigation cannot be conducted by the department, the conferees proposed that an external law enforcement entity, such as the Bureau of Criminal Investigation, be asked to intervene.

A similar problem resulting from a limited personnel pool concerns the length of time an officer is assigned to internal discipline investigation activities. It was related that the potential for coverup exists whenever one officer is responsible for conducting investigations over a period of time. While a periodic rotation of investigative responsibility may not be a feasible solution for most medium size and smaller agencies, all jurisdictions are urged to develop some form of fail-safe procedures to prevent an individual's prolonged assignment to the internal discipline investigation function. At the very least, the conferees suggested a periodic review of all investigations stemming from allegations of employee misconduct.

To insure that investigations are professionally conducted and that all relevant facts are made known prior to adjudication, all officers responsible for conducting internal discipline investigations should be provided with the necessary training.



### Adjudication of Complaints

The final phase in an agency's internal discipline system is the adjudicatory process. At this time, the agency's chief executive takes into consideration the available facts of the allegation and determines whether the accused employee did, in fact, act improperly and—if warranted—what disciplinary action should be taken. Both the conferees and the NAC recognized the crucial nature of this phase:

*The adjudication or final disposition of complaints gives the law enforcement chief executive the opportunity to make plain, through sanctions, that he/she will not tolerate employee misconduct. Equally important, in cases where complaints are not sustained, the adjudication allows the agency to defend the conduct of its employees.*

*It is essential that all parties involved in the incident feel they have had an opportunity to be heard, and that the adjudication process weighs all available data. The complainant, the witnesses and the accused employee should be encouraged to participate in the process that leads to a final decision, even though that decision is the responsibility of the law enforcement chief executive. (NAC, Police, 488 (1973).)*

To realize an effective and equitable adjudicatory component, the participants recommended that all agencies implement the procedures detailed in the adjudication standard. While the standard's procedures were generally endorsed, there was discussion about how the adjudicatory phase would be affected by negotiations between the jurisdiction's administration and the employee organization. The participants did decide, however, that the procedures outlined in the standard should serve as a basis upon which to develop the adjudicatory component of the internal discipline system.

### Positive Prevention of Misconduct

At best, a law enforcement agency's internal discipline system only serves to discipline the guilty or to deter against similar actions by other agency personnel. Participants found that negative disciplinary action taken against individual employees, such as suspensions or transfers to the night shift, does not alleviate the underlying factors which results in misbehavior. Only through positive measures, such as those detailed in the positive prevention of misconduct standard, could a permanent solution to employee misconduct be found.

As illustrated by the NAC, the causes for misconduct are many, including: "...unnecessary field procedures; an environmental condition, such as public encouragement or acceptance of law enforcement corruption; personal traits, including language accents and inadequate lan-

guage skills; or ineffective training." (NAC, Police, 492 (1973).)

A general atmosphere that rewards self-discipline should be maintained through the use of peer group influence and general training in the avoidance of misconduct. Officers involved in misconduct incidents should undergo special training or be referred to specialists, such as psychiatrists or members of the clergy, if such help would be most beneficial. It was the position of the participants that every chief executive is responsible for the implementation of these and other techniques that would serve the prevention of misconduct function.

### COMPARATIVE ANALYSIS REFERENCE

NAC Police 19.1, 19.2, 19.3, 19.4, 19.5, 19.6

## **Chapter Nine**

# **Employee Compensation**

**Goal:** The salary and benefits provided to peace officers encourages them to improve their ability to function as a law enforcement officer, seek greater responsibility, and perform their task to the greatest of their ability.

## **STANDARD 9.1**

### **Peace Officer Salaries**

The State and every local government should establish and maintain salaries that attract and retain qualified sworn personnel capable of performing the increasingly complex and demanding functions of law enforcement.

1. Entry-level salaries for sworn personnel should immediately be established that enable the agency to compete successfully with other employers, particularly other law enforcement agencies, seeking individuals of the same age, intelligence, abilities, integrity, training, and education. In setting an entry-level salary, the following should be considered:
  - a. The employment standards of the agency;
  - b. The specific functions performed by the agency;
  - c. The economy of the area served; and
  - d. The availability of qualified applicants in the local labor market.
2. A wide salary range within the basic occupational classification should immediately be established with the maximum salary sufficient to retain qualified personnel by providing them with the opportunity for significant salary advancement without promotion to supervisory or management positions.
3. A salary review procedure should immediately be established to insure the automatic annual adjustment of salaries to reflect the prevailing wages in the local economy and to meet the competition from other employers. The criteria applied in this annual salary review procedure should not be limited to cost of living increases, average earnings in other occupations, or other economic considerations which, applied in isolation, can inhibit effective salary administration.
4. A sufficient salary separation between job classifications should immediately be established to provide promotional incentives and to retain competent supervisors and managers.
5. A peace officer salary structure separate and distinct from that of any other government agency should immediately be established and maintained.

## **STANDARD 9.2**

### **Position Classification Plan**

The State and every local government should establish immediately a broad peace officer classification plan based upon the principle of merit. The plan should include few position classifications but multiple pay-grade levels within each classification to enable the agency's chief executive to exercise flexibility in the assignment of personnel. The plan should also provide, within the basic position classification, sufficient career incentives and opportunities to retain qualified generalists and specialists in nonmanagement positions.

1. The Iowa State Legislature should take the appropriate legislative action to insure that existing statutes do not prohibit or hinder the implementation of the position classification plan described in this standard.
2. Every law enforcement agency with more than three levels of classification below the chief executive should consider the adoption of three broad occupational classifications for sworn personnel, to permit mobility within each classification and salary advancement without promotion. The three fundamental classifications should include:
  - a. A patrol person-investigator classification for the generalist and specialist at the basic rank level;
  - b. A supervisor-manager classification for supervisory and midmanagement personnel; and
  - c. A command-staff classification for executives and administrators.
3. The classification plan should include, within each position classification, several pay grade levels, each of which requires a certain degree of experience, skill, ability, and performance, or which entails the performance of a specialized function. The plan should provide compensation commensurate with the duties and responsibilities of the job performed, and should permit flexibility in the assignment of personnel.
4. Career paths should be provided that allow sworn personnel to progress not only as managers but as generalists and specialists as well. Nonmanagerial career paths should provide the incentive necessary to encourage personnel with the proven professional and technical expertise to remain with the functions they chose.
  - a. Nonmanagerial career paths should incorporate progressive career steps for the generalist and specialists; these steps should be predicated on the completion of appropriate levels of education and

training, and the achievement of experience and expertise within a professional-technical area. Progression to the end of a nonmanagerial career path should bring a salary greater than that for the first level of supervision.

- b. Managerial career paths should also incorporate progressive career steps, predicated on the completion of appropriate levels of education and training and the achievement of management skills necessary to function satisfactorily at the next level of management.
5. The merit principle should dominate promotions and assignments. Any existing civil service procedure should apply only to retention in, or promotion to, broad position classifications. Movement between pay-grade levels within such position classifications should remain free from restrictive civil service procedures, but subject to internal controls, to insure placement and corresponding pay on the basis of merit.
- a. The civil service system should not impose any restriction on the agency's classification plan that would unnecessarily inhibit flexibility in the assignment of personnel or encourage mediocrity in job performance.

## COMMENTARY

### Salaries

When fair and competitive salaries are paid to peace officers, the local governing body will not be guaranteed a competent and professional law enforcement organization; however, low salaries most probably will preclude such an entity. Although all working persons deserve the opportunity to earn a good livelihood, the maintenance of an equitable salary structure for sworn personnel is a primary factor in the provision of high quality law enforcement.

Peace officer salaries not only serve to attract qualified individuals to the agency, but also provide the necessary incentives to retain competent line personnel, supervisors, and managers. This is of paramount importance in the "closed" entry structure of a law enforcement agency. Unlike private and other public organizations that can tap external sources for its administrators and managers, law enforcement can only look to its own personnel when management positions are to be filled. If the agency's salary structure does not retain the qualified, then only the mediocre, who were content with substandard compensation, would be available for management positions.

Conference participants acknowledged that many deficiencies in the salary structure normally found in Iowa law enforcement relate directly to the existing position classification plan. These are addressed in Standard 9.2. The conferees anticipated that, with the implementation of the position classification plan described in Standard 9.2, many salary structure problems would be alleviated.

Another major fault in the existing salary structure was, according to the conferees, low wages. It was noted that this problem should be resolved through collective negotiation.

With the advent of collective negotiation for peace officers the determination as to what Iowa's peace officers will be paid will take place at the bargaining table rather than in the chambers of the governing body. One conferee stated that salary determination will no longer be a function of "the city councilmen sitting around a table deciding what the officers will make." It was expected that, over a period of the next few years, the salaries for all peace officers in the state—be it a 5 member organization or a 400 member force—will be arrived at through this process.

While the conferees recognized the adversary nature of the negotiation process and were, therefore, hesitant to develop a standard that would restrict the process or support either of the involved parties, it was agreed that guidance should be offered for the salary-setting procedure. Standard 9.1, Peace Officer Salaries, was formulated to serve this function. Essentially, the standard addresses the need to maintain attractive entry level salaries and salaries for the retention of competent supervisory and management personnel. In setting entry-level salaries, the employment standards of the agency, the specific functions performed by the organization, the economy of the area served, and the availability of qualified applicants should be taken into consideration. Wide salary ranges within the basic occupational classification must be established. Moreover, sufficient salary separation between classifications must be maintained to provide for promotional incentives and supervisory and management personnel retention.

It came to the attention of the conferees that additional personnel often are employed at the expense of equitable salaries for the existing force. It was related that governing bodies would rather, or have a tendency to, employ additional employees rather than raise the salaries of those currently employed. The conferees observed that, in many departments, it would be more beneficial to motivate the existing force to function at higher levels of performance through equitable salaries than to maintain a larger force in which many personnel are dissatisfied and perform poorly.

## Position Classification

Although law enforcement organizations have traditionally had difficulty attracting qualified applicants, several recent events have put Iowa's law enforcement employers in a more competitive position. With a scarcity of jobs in their field of study, many individuals with post-secondary education are considering a law enforcement career. The new law enforcement image created in the media has also fostered an increased interest in law enforcement. Conference participants related that an excess of these persons, as well as other potentially qualified individuals, are seeking employment with law enforcement organizations. It was expected that this situation would continue for at least the immediate future.

The conferees acknowledged that the major personnel problem experienced by administrators was not attracting applicants but retaining those who were competent. Turnover rates were reported to be so critical in some jurisdictions that departments find it a difficult task to maintain a full complement of peace officers. Aside from the long-term impact upon the agency, rapid turnover also disrupts deployment and assignment systems.

It was believed by the conference participants that high turnover rates are a direct result of the lack of career opportunities offered by the employing agency. Currently, career advancement, both in grade and pay, is usually synonymous with a formal promotion to the next higher position or grade. Notwithstanding longevity pay, which may not offset even minimal inflationary increases, personnel cannot expect to upgrade their financial condition without a formal promotion. In that the probability of a promotion is usually slight, taking into consideration the relatively few supervisory positions found in the vast majority of Iowa's law enforcement organizations, this current system rewards mediocrity because the best and the worst receive the same salary.

In addition to high turnover rates, other problems have resulted from the position classification structure most commonly found in Iowa law enforcement. Conferees related that administrators are often unable to reassign supervisory personnel when they are no longer effective in their positions. This results when the initial assignment to the position entailed a formal civil service promotion. In these situations, reassignment may necessitate a formal civil service demotion from rank, a procedure that administrators are hesitant to initiate.

It was the decided opinion of the conferees that, in light of the deficiencies identified in the existing system, a highly flexible classification plan based solely on merit was needed. To this end, they formulated the plan described in Standard 9.2 and urged its adoption by Iowa's law enforcement chief executives and governing bodies.

Essentially, this classification plan provides for greater internal control by agency administrators while existing civil service protections against external political influences are maintained. More specifically, the standard recommends the establishment of three broad occupational classifications: a patrolperson-investigator class; a supervisor-manager class; and a command-staff classification. Within each broad classification, officers would be able to move horizontally throughout the agency's various functional units and vertically to receive salary increases based upon personal merit and the specific duties and responsibilities of the position. Civil service protections would still exist to the degree that officers would not be subject to demotion in classification without a formal civil service hearing.

It came to the attention of the conferees that existing legislation governing civil service may prohibit the implementation of the proposed classification plan. To eliminate this impediment, the conferees urged the Iowa State Legislature to take the appropriate action that would support the plan's implementation.

## STANDARD 9.3 Employee Services

**Every law enforcement agency should provide for employee services to assist all employees in obtaining the various employment benefits to which they and their dependents are entitled.**

- 1. All personnel policies, procedures, and employee benefits should be reduced to writing, communicated to all employees, and uniformly applied.**

## COMMENTARY

So that agency employees and their dependents can make the best use of their employment benefits, every agency should maintain an employee services capability. Depending upon the size of the department, this function should be served through the jurisdiction's personnel office, the agency's personnel unit, a designated officer, or by the chief executive himself/herself. The individual or unit responsible for these activities should be fully aware of the entitled benefits and should be able to offer complete assistance to

the officer and his/her dependents. As brought out by the NAC:

The effects of a sound personnel benefits program are dissipated unless the program is administered in a fashion which insures that employees understand the benefits available to them; can take advantage of benefits with a minimum of effort; and, in case of illness, injury, or death, have their needs or those of their families attended by persons skilled in dealing with such matters. (NAC, Police, 504 (1973).)

## **STANDARD 9.4**

### **Peace Officer Retirement System**

Existing retirement plans exclusively for law enforcement personnel should be extended in their present form to all peace officers by the Iowa State Legislature.

## **COMMENTARY**

The existing network of retirement systems for Iowa's peace officers was found to be inadequate and inequitable by the conference participants. Essentially, existing systems prescribed in the CODE exclude sworn personnel in county sheriffs' departments and officers in cities without civil service from membership in a retirement system which reflects the needs of law enforcement personnel. Jurisdictions with fewer than 8,000 residents are not required to provide any form of retirement system. I.P.E.R.S. (Iowa State Employees Retirement System), the deputy sheriff's plan, was not believed to be conducive to professional law enforcement.

To rectify this situation, the existing plans exclusively for peace officers should be extended in their present form to all sworn officers. The participants urged the Iowa State Legislature to take immediate action in this area. Unlike the NAC's position, the participants contended that the administration of the system and the investment of funds should remain under local control. Whereas the NAC recommended a centralized administration, the participants believed that such a system would result in a needless bureaucracy with subsequent higher costs and no additional benefits.

## **STANDARD 9.5**

### **Continuing Physical Fitness**

Every law enforcement agency should establish job-related physical fitness standards that will insure every officer's physical fitness and satisfactory job performance throughout his/her career.

1. Realistic weight standards should be established that take into account each officer's height, body build, and age.
2. Every peace officer should be required to undergo a physical examination administered biannually, annually, or semiannually to determine the officer's level of physical fitness. The frequency of the examinations should increase with the officer's age. If the officer fails to meet predetermined standards, a program should be prescribed to improve his/her physical condition.
3. Facilities and programs should either be provided or made available that enable every officer to maintain good physical condition, to monitor his/her condition, and to meet predetermined physical standards through program enforcement measures. Consideration should be given to intramural athletics, exercise, weight reduction, and other physical fitness programs.

## **COMMENTARY**

The role of the peace officer in our society requires that he/she be capable of performing physically demanding tasks. Subduing intoxicated persons, chasing fleeing suspects, and pulling injured from wrecked vehicles are only several illustrations of the activities Iowa's peace officers may be called upon to perform. Clearly, to effectively perform these tasks, officers need to possess certain physical abilities. This has traditionally been recognized in the establishment of physical fitness standards for entry-level selection.

Although law enforcement organizations and selection agencies have strict physical selection criteria, little action has been taken to maintain the fitness of peace officers after employment and throughout their careers. The conference participants reported that many of Iowa's peace officers are corpulent, in poor health, and are unable to perform many physically demanding tasks they may be called upon to perform. The conferees contended that these officers are a liability to themselves, their departments, and to their community. To resolve this problem, the conferees suggested that every law enforcement chief

executive take the appropriate action to implement a physical fitness program in his/her organization.

Participants observed that those departments in Iowa that have attempted to implement physical programs and fitness standards have not met with much success. The single greatest impediment to such efforts was the lack of money available for agency-provided physical exams and gym facilities. Conferees assumed that such programs are considered needless luxury items by local governing bodies.

- Difficulties also have arisen in the formulation and enforcement of physical fitness standards. Conferees remarked that many personnel would be opposed to the enactment of physical fitness requirements which may impose hardships upon many of the officers. The conferees noted that, even if physical fitness standards were implemented, departments would experience major difficulties in attempting to penalize officers who did not meet the established criteria.

Even in light of these factors, the conferees were in strong support of the physical fitness programs and fitness standards. It was their position that it is incumbent upon every law enforcement chief executive and governing body to maintain a physically fit personnel complement. Physically fit peace officers, they noted, are more confident of their authority and ability and are less likely to resort to firearms or other defensive weapons. In addition, the lack of physical fitness standards for peace officers may result in a prohibition against the establishment of physical standards for entry-level selection. The conferees stated that, since physically unfit personnel are retained by law enforcement agencies, it may be argued that physical fitness is not job-related and, therefore, unable to be used in the screening of potential candidates.

#### **COMPARATIVE ANALYSIS REFERENCE**

NAC Police 14.1, 14.2, 20.3, 20.5, 20.2

## **Chapter Ten**

# **Employee Relations**

**Goal: Every law enforcement chief executive involves his/her personnel in the decision-making process so as to insure that the efforts of all agency personnel are directed toward the attainment of common goals.**



## **STANDARD 10.1**

### **Employee Relations**

Every law enforcement chief executive should acknowledge his/her responsibility to maintain effective employee relations and should develop policies and procedures to fulfill this responsibility.

1. Every law enforcement chief executive should provide an internal two-way communication network to facilitate the effective exchange of information within the agency and to provide himself/herself with an information feedback device.
2. Every law enforcement chief executive should develop methods to obtain advisory information from agency employees—who have daily contact with operational problems—to assist him/her in reaching decisions on personnel and operational matters.
3. A grievance procedure for all employees should be established.
4. Specific training in management and employee relations should be conducted on an ongoing basis.
5. Recognizing that agency employees have a right, subject to certain limitations of law, to engage in political and other activities protected by the first amendment, every law enforcement agency should promulgate written policy that acknowledges this right and specifies proper and improper employee conduct in these activities.

## **STANDARD 10.2**

### **Work Stoppages**

Every law enforcement agency should develop a plan to maintain emergency service in the event of a concerted employee work stoppage.

## **COMMENTARY**

The primary resource available to the law enforcement chief executive to deliver services to the community is his/her personnel. Not only are employees the costliest budgetary expenditure, but the quality of services delivered to the community depends on how efficiently and effec-

tively they implement the chief executive's policies and procedures. To insure that the department operates at its optimal level, the conference participants asserted that it is the chief executive's responsibility to maximize each officer's performance. In doing so, it is of paramount importance that he/she develop policies and procedures to motivate employees so that each performs at his/her highest level of performance. This can only be achieved through promoting and maintaining good employee relations. As brought out by the National Advisory Commission, "[t]he law enforcement chief executive should create an atmosphere that encourages an employee to do a good job. The employee should feel he is contributing to the agency's success. Consideration should be given to applying the principles of participatory management to law enforcement work." (NAC, Police, 443 (1973).)

To promote and maintain good employee relations, the participants recommended that every law enforcement chief executive in Iowa implement the management techniques outlined in Standard 10.1. Essentially, they are just good management practices that could be applied to any organization. Channels for communication flow should be established that allow line personnel input as well as responsive administrative feedback. The rank and file should have access to the decision making process; however, the chief executive should retain ultimate responsibility for personnel and operational decisions. Grievance procedures that are timely, effective, and sure, should also be maintained. Policy regarding employees' rights to engage in political and other activities should be written as clearly as possible and kept consistent with the most recent court decisions.

Subsequent to the enactment of the Collective Bargaining Act, (CODE OF IOWA, Ch. 20), an increasing number of peace officers are forming their own associations or affiliating themselves with state or nationwide professional organizations or organized labor. The participants were of the opinion that it would be only a matter of time before all of Iowa's law enforcement agencies established employee bargaining units. The existence of an employee bargaining unit does not obviate the chief executive's responsibility to maintain good management practices and employee relations. The participants agreed that, whether or not his/her employees have organized, the chief executive should show concern for his/her subordinate's welfare. This is particularly important if the personnel have not yet organized.

### **Work Stoppages**

Although the Act prohibits concerted job actions by public employees, the participants acknowledged that no law prevents all strikes. In the event of a peace officer job action, it is imperative that the community continue to be provided

with emergency law enforcement services. Participants believed that reactive measures are not effective; every chief executive should have a contingency plan that could be implemented immediately in the event of a work stoppage.

#### **COMPARATIVE ANALYSIS REFERENCE**

NAC Police 18.1, 18.4

## **Chapter Eleven**

# **Civilian Personnel**

**Goal: Civilians are utilized by the law enforcement organization as: 1) employees to allow the assignment of sworn personnel to those positions demanding of their skills and authority; and 2) reservists to assist peace officers in the performance of their duties.**

## **STANDARD 11.1**

### **Civilian Employees**

Every law enforcement agency should assign civilian personnel to positions that do not require the exercise of sworn authority or the application of the special knowledge, skills, and aptitudes of the professional peace officer. To determine the proper deployment of civilian and sworn personnel, every agency immediately:

1. Should identify those sworn positions which:
  - a. Do not require that the incumbent have peace officer status under local, State, or Federal statute;
  - b. Do not require that the incumbent exercise the full sworn power and authority normally exercised by a peace officer;
  - c. Do not require that the incumbent possess expertise which can be acquired only through actual field experience as a peace officer; and
  - d. Do not contribute significantly to the professional development of sworn personnel.
2. Should designate as civilian those positions that can be filled by a civilian employee according to the foregoing criteria;
3. Should staff with qualified civilian personnel all positions designated for civilians;
4. Should provide a continuing audit of all existing and future positions to determine the feasibility of staffing with civilian personnel;
5. Should develop a salary and benefit structure for civilian personnel commensurate with their position classifications;
6. Should insure that an opportunity for career development exists within each civilian position classification where the nature of the position does not limit or bar such opportunity;
7. Should conduct in-depth personal background investigations of civilian applicants for confidential or sensitive positions. These background investigations should be as thorough as those of sworn applicants;
8. Should provide civilian training programs that insure the level of proficiency necessary to perform the duties of each assignment;
9. Should inform all civilian employees of the requirements for sworn status and interview them to determine their interest or desire to seek such status subsequently, and should record all information obtained during such interviews;
10. Should assign those civilian employees who express a desire to seek sworn status later to positions that will contribute to their professional development as peace officers.

## **STANDARD 11.2**

### **Reserve Peace Officers**

The State and every local law enforcement agency should consider the utilization of reserve peace officers to augment the regular force of sworn personnel and to increase community involvement in local law enforcement services.

1. The Iowa State Legislature immediately should establish minimum standards for reserve peace officer selection and training according to the following criteria:
  - a. Reserve officer selection and training standards should be commensurate with the duties they will be performing.
  - b. These standards should be developed and regulated by the Iowa Law Enforcement Academy Council.
  - c. Reserve personnel should not be awarded full sworn peace officer status.
2. Every law enforcement agency that has identified a specific need to augment its regular force of sworn personnel should immediately establish a reserve program. To realize the maximum benefit from such a program, these agencies:
  - a. Should establish recruitment and selection criteria which meet or exceed I.L.E.A. requirements for reserve personnel.
  - b. Should provide reserve generalist training which meet or exceed I.L.E.A. reserve officer requirements.
  - c. Should establish a reserve inservice training program appropriate for the function reserve personnel will be serving.
  - d. Should furnish the reserve officer with a uniform that clearly identifies the wearer as a reservist.
  - e. Reservists should only perform duties under the supervision of a regular sworn officer.
  - f. Reservists should be permitted to carry firearms only after the successful completion of a firearms training program established by the Iowa Law Enforcement Academy.

## **COMMENTARY**

### **Civilian Employees**

Many tasks in contemporary law enforcement do not require that the incumbent possess the authority, background, training, skills, or abilities of a sworn officer. In such positions, the conference participants observed, civilians can usually

perform with at least the same degree of expertise at lower cost. It was noted that the assignment of peace officers to these positions would result in a poor utilization of highly-paid professionals and may cause a critical shortage of sworn personnel in field-related assignments. Moreover, assignment of peace officers to these positions may also cause officer frustration and dissatisfaction due to the non-enforcement nature of the duties.

To insure that peace officers are utilized to their fullest potential, it was recommended that every law enforcement chief executive identify those positions in his/her agency which could effectively be filled by a civilian. This assessment, as well as the role and function of civilians in law enforcement, are addressed in Standard 11.1, Civilian Employees.

Many conferees were concerned that governing bodies may wish to employ civilians at the expense of the agency's sworn complement. Recognizing that civilians are almost always less expensive to maintain (while salaries may only be slightly lower than those of peace officers, the benefits provided to peace officers, particularly retirement plans, are much more costly than those afforded civilians) governing bodies may employ civilians in lieu of sworn personnel. This is in direct opposition to the primary rationale for the employment of civilians. The conferees agreed that governing bodies must realize that the employment of civilians would cost the jurisdiction more money; however, the employment of additional civilian employees will result in better law enforcement which is cost-effective.

To encourage civilian employees to develop their own potential, and to maintain highly-qualified civilians, career paths for civilians must be made available. At the very least, meritorious salary increases should be provided.

#### Reserve Peace Officers

To augment their regular sworn personnel complement, many jurisdictions throughout Iowa have sanctioned, or condoned, the use of reserve officer units. Depending upon the type of jurisdiction, they may be known as the "sheriff's posse," reserve or auxiliary police. Whatever title they are known by, they are characterized by several similar elements: members of these groups serve on a part-time basis; except in singular instances, they are not statutorily afforded sworn status; and the role and function of these groups are not set forth in the CODE OF IOWA.

Conference participants observed that the role of reservists in Iowa has never been clearly defined. It was related that some reserve organizations consider themselves to be independent entities with little accountability to the local governing body or the local law enforcement

organization. Often, these units have considered themselves to possess sworn authority and, consequently, have performed peace officer functions. Generally, these groups are characterized by an absence of training and selection standards, and the lack of formalized policy, procedures, and rules. The conferees found such organizations to be wholly undesirable in that the absence of community control permits them to function in a "vigilante" manner. Moreover, since they are neither qualified nor accountable, they are likely to operate in an extra-legal manner which may result in the violation of the civil rights of the members of the jurisdiction.

Recognizing the potential abuses inherent in reserve organizations, an increasing number of jurisdictions have begun exercising strong control over the composition and role of their reserve units. Basically, these jurisdictions, either through the local governing body or the law enforcement chief executive, have officially recognized the reservists and have taken measures to control them. In these locales, selection and training standards, operational policies, procedures, and rules, and administrative control procedures have been established. Unlike the "vigilante" model previously described, the role of these reserve units is to directly assist the law enforcement agency in its delivery of services to the community. This model was endorsed by the conference participants.

Since communities will continue to rely upon reserve units to augment their regular force, the conference participants decided that there is a definite need for a statewide standard in this area. Standard 11.2, Reserve Officers, sets forth the guidelines necessary to realize a well trained, professional reserve force uniformly throughout the state. The standard addresses minimum selection and training requirements, operational function, enforcement limitations, and other relevant factors. While most jurisdictions would be able, at the present time, to implement this standard, the conferees believed that legislative action is called for. The Iowa State Legislature is strongly urged to take the appropriate action that would prohibit the existence of "vigilante" reserve units. As noted in the standard, this can best be achieved by authorizing the Iowa Law Enforcement Academy Council to mandate reserve officer selection and training standards.

Although reserve officers should be required to meet selection requirements and undergo law enforcement training, the conferees did not believe that the selection or training standards should be as stringent or comprehensive as those required of regular sworn peace officers. Ideally, reserve officer standards should be commensurate with the duties they will be performing. The conferees suggested that the I.L.E.A. take this factor into consideration in the development of statewide reserve officer standards.

In the development of reserve units, every jurisdiction should insure that the reserve organization is accountable to the governing body and under the direct control of the law enforcement chief executive. The governing body and the law enforcement chief executive should determine the role of the reservists and should establish policy concerning functional duties, responsibilities, and enforcement limitations. This control does not preclude the creation of a reserve officer organization. While the specific function of the reserve officer will vary between jurisdictions, the conferees agreed that he/she should always serve under the direct supervision of sworn personnel. In that occasions may arise where the reservist would have to back-up the sworn officer in a shooting situation, reservists should be provided with agency-approved firearms while on-duty after they have successfully completed a firearms training program developed by the ILEA.

The single most important factor in the development of a professional reserve unit is the integrity of its members. Conferees urged that jurisdictions seeking to develop a reserve unit take great care in the selection of applicants. It was noted that many persons seeking membership are motivated because they have an "axe to grind" or they desire power. Such individuals should not be accepted just to build the reserve force up to the desired manpower level.

Caution should be taken by governing bodies to insure that reservists do not impede the maintenance of an adequate full-time peace officer force. Reservists should only serve to assist peace officers; they should not displace them. Conferees were concerned that some jurisdictions may wish to add additional reservists instead of employing needed peace officers.

#### **COMPARATIVE ANALYSIS REFERENCE**

NAC Police 10.1, 10.2

## **Chapter Twelve**

# **Training**

**Goal: Every law enforcement agency employee is sufficiently trained to successfully perform the task he/she is responsible for.**

## **STANDARD 12.1**

### **State Mandated Training**

1. The Iowa State Legislature should insure that, by 1978, every newly employed peace officer is certified by the Iowa Law Enforcement Academy prior to the exercise of his/her sworn authority.
2. When mandated I.L.E.A. minimum basic training is available, any non-certified peace officer who refuses to undergo such training should not be permitted to exercise sworn authority.

## **STANDARD 12.2**

### **Preparatory Training**

Every law enforcement agency should take steps to provide training for every employee prior to his/her first assignment within the agency, prior to his/her assignment to any specialized function requiring additional training, and prior to his/her promotion.

1. During the first year of employment, and in addition to the mandated I.L.E.A. minimum basic training, peace officers should be provided with additional formal preparatory training, coached field exercises, and supervised field experience.
2. Civilian employees should be provided with sufficient training to enable them to satisfactorily perform their specific assignments and to provide them with a general knowledge of the agency's role and its organization.

## **STANDARD 12.3**

### **Inservice Training**

Every law enforcement agency should provide, or make available, inservice training to peace officers up to and including captain or its equivalent pursuant to I.L.E.A. inservice training requirements. This training should be designed to maintain, update, and improve necessary knowledge and skills. Where practicable and beneficial,

employees should receive training with persons employed in other parts of the Iowa criminal justice system, local government, and private business when there is a common interest and need.

## **STANDARD 12.4**

### **Training Facilities**

1. Where appropriate, law enforcement agencies should establish cooperative training academies or otherwise combine their resources to satisfy I.L.E.A. training standards or other training needs.
2. Peace officers should be encouraged to participate in specialized training offered through academic institutions, government agencies, and business and professional organizations.
3. Every I.L.E.A. accredited academy should insure that its training programs satisfy I.L.E.A. standards, meet the needs of participating agencies, and are timely and effective. These measures should include at least:
  - a. Regular review and evaluation of all training programs by an advisory body composed of law enforcement practitioners from participating agencies; and
  - b. Continual critique of training programs through feedback from peace officers who have completed the training programs and have subsequently utilized that training in field operations and from their field supervisors.
4. Every training academy should define specific courses according to the performance objective of the course and should specify what the trainee must do to demonstrate achievement of the performance objective. The length, content, and presentation of the program should vary according to specific subject matter, participating peace officers, and agency and community needs.



## **STANDARD 12.5**

### **Instruction Quality Control**

Every training academy should develop quality control measures to insure that training performance objectives are met. Every training program should insure that the instructors, presentation methods, and training materials are the best available.

1. All training programs should be presented with the greatest emphasis on student-oriented instruction methods to increase trainee receptivity and participation. Training sessions should include at least one of the following:
  - a. Active student involvement in training through instructional techniques such as role playing, situation simulation, group discussions, reading and research projects, and utilization of individual trainee response systems;
  - b. Where appropriate, team teaching by a law enforcement instructor and a peace officer assigned to field duty;
  - c. The use of audio-visual aids to add realism and impact to training presentations; and
  - d. Preconditioning materials, such as correspondence courses and assigned readings, made available prior to the training sessions.
2. Instructional assignments should be distributed efficiently and training materials should be updated continually. These measures should include:
  - a. Periodic monitoring of the presentations of every training instructor to assist him/her in evaluating the effectiveness of his/her methods and the value of his/her materials;
  - b. Use of outside instructors whenever their expertise and presentation methods would be beneficial to the training objective;
  - c. Continual assessment of the workload of every training instructor; and
  - d. Administrative flexibility to insure efficient use of the training academy staff during periods of fluctuation in trainee enrollment.
3. All training materials should be reviewed at least annually to determine their current value and to alter or replace them where necessary.

## **STANDARD 12.6**

### **Interpersonal Communications Training**

Every law enforcement agency should develop and improve the interpersonal communication skills of all its peace officers. These skills are essential to the productive exchange of information and opinion between the officer, other elements of the Iowa criminal justice system, and the public; their use helps officers to perform their tasks more effectively.

1. Where appropriate, an outside consultant should be used to advise on program methodology, to develop material, to train peace officers as instructors and discussion leaders, and to participate to the greatest extent possible in both the presentation of the program and its evaluation.
2. Every preparatory basic training program should include instruction in interpersonal communications, and should make appropriate use of programmed instruction as a supplement to other training.
3. Where feasible, programs, such as workshops and seminars, should be developed to bring together officers, personnel from other elements of the Iowa criminal justice system, and the public to discuss the role of law enforcement and participant's attitudes toward that role.

## **STANDARD 12.7**

### **Unusual Occurrence Training**

Every law enforcement chief executive should immediately establish formal training programs in unusual occurrence control administration, strategy, tactics, resources, and standard operating procedures. This training should be given to selected personnel at all levels within the agency, personnel from other agencies in the criminal justice system, and to other related public and private agencies. It should be given frequently enough to maintain proficiency between training sessions, and should be routinely scheduled during periods of peak personnel strength. Otherwise, it should be scheduled in advance of anticipated events.

An unusual occurrence control training program should include both formal instruction and practical exercise.

1. Formal instruction should be implemented through:

- a. Frequent inservice training, such as roll-call training, to serve as a refresher course, to practice techniques, or to introduce new procedures;
  - b. Periodic agency-conducted schools to familiarize personnel with agency unusual occurrence control procedures and organizational structure;
  - c. Regional, State, or Federal courses, particularly when agency size does not permit development of local schools; and
  - d. A regional training institute to train instructors for local agencies.
2. Practical exercises should be conducted periodically to develop proficiency and teamwork among personnel through:
    - a. Field exercises for operational personnel to practice tactics and procedures;
    - b. Command post exercises for formulating strategy and evaluating existing and new procedures;
    - c. Regional exercises for familiarizing command personnel with mutual aid procedures and developing coordination between other local control agencies and nonlaw enforcement agencies; and
    - d. Criminal justice system exercises to develop coordinated participation of all interrelated criminal justice and noncriminal justice agencies.
  3. The training curriculum and the subjects for practice should be directed to:
    - a. Administrative level personnel to familiarize them with agency and criminal justice system emergency organizational structure and procedures for requesting additional personnel and equipment from the military or through mutual aid; and
    - b. Operational personnel to familiarize them with strategy, tactics, and standard operating procedures. The emphasis should be placed on a coordinated effort rather than individual action; use of chemical agents, communications equipment, and other specialized equipment; applicable laws; human relations training; and procedures for procuring logistical support.

stitutions to upgrade its level of training and to provide incentives for further education.

1. All peace officer training courses for college credit should be academically equivalent to courses that are part of the regular college curriculum.
2. Every member of the faculty who teaches any course for credit in the training curriculum should be specifically qualified to teach that course.
  - a. The instructor in a peace officer training course, for which an affiliated college is granting credit, should be academically qualified to teach that course.
  - b. Peace officers not academically qualified to teach a course in the regular college curriculum may, if otherwise qualified, serve as teaching assistants or special lecturers under the supervision of an academically qualified instructor.

## COMMENTARY

The eight standards contained in this chapter address the formal professional training needs of Iowa's peace officers. Training not only raises the performance level of the law enforcement agency employee, but also insures agency administrators and the community that he/she will function in accordance with the agency's policies, procedures, and rules and in a manner consistent with his/her defined role and the organization's goals and objectives.

There is little doubt that professional training is the foundation of good basic law enforcement. The role of the peace officer has become highly specialized with every officer requiring a working knowledge of complex subjects such as criminal law and in-field application of court decisions, specialized investigation techniques, sophisticated telecommunication systems, psychology and interpersonal communications. As remarked by one conference participant, "No longer can a newly hired recruit be given a badge, told to purchase a gun and uniform, and be instructed to arrest anyone who breaks any of the ten commandments." Not only does an untrained officer waste the already limited fiscal resources of the jurisdiction, but also he/she is a liability to the department and a danger to the community.

### Mandated Training and the One-Officer Agency

A major impediment to uniformly well-trained peace officers throughout Iowa is the existence of numerous one member police departments and town marshals. These sworn individuals are employed by many towns and smaller cities to augment the law enforcement services provided by the county sheriff. Although these officers are

## STANDARD 12.8

### Academic Credit for Training

Every law enforcement agency should pursue the affiliation of its peace officer training programs with regionally accredited academic in-

subject to I.L.E.A. training and selection requirements, many governing bodies have not allowed or encouraged their officer to attend the mandated sessions. Generally, these governing bodies have not sought to obtain training for their officer because: 1) the governing body cannot afford to lose the services of the individual for the duration of the training period; 2) the turnover rate in these positions is so high that if an officer attains I.L.E.A. certification he/she would probably leave for a better position; and 3) the duties and responsibilities of the job are not seen as demanding training. The opinion was expressed that it was unlikely that these factors would change because they are inherent in the size and economy of the community. Participants contended that, since untrained officers are detrimental to Iowa law enforcement, all town marshalls and chiefs that do not undergo required I.L.E.A. training should lose their sworn status.

It was remarked at the conference that, in actuality, the governing bodies of these jurisdictions only need a night watchman—someone who can rattle doors at night and cross school children in the morning. All essential law enforcement services, such as criminal investigations, are provided by the county sheriff. The conferees observed that little, if any, professionalism is needed to perform the duties that they are responsible for. To illustrate their position, the participants related that many of these individuals are in semi-retirement and also serve as water meter readers and street commissioners.

Although the conferees did not support the maintenance of one-member law enforcement entities, and urged multi-jurisdictional agreements with other political sub-divisions for increased coverage (see Chapter 3), the town marshal concept was acceptable as a temporary measure only if the mandated training requirement was met. The employment of individuals to watch the smaller communities was not opposed as long as they function as "watchmen." There was agreement that maintaining one individual to look after the everyday needs of the smaller communities would be the only economically feasible alternative for their governing bodies. However, they should neither be identified as sworn law enforcement officers nor possess sworn authority. Although the Iowa Law Enforcement Academy Council already has the legislated authority to remove sworn powers from those officers who fail to undergo training, the standard is a strong reaffirmation to the Legislature that the Council be permitted to do so.

#### Preparatory Basic Training

One of the immediate objectives of the Iowa Law Enforcement Academy Council is to make available basic recruit training to every newly employed peace officer prior to the exercise of his/her authority. It is anticipated that this condition will exist by 1978. The fact that an

officer has had to serve prior to his/her basic training has caused problems for the employing agency, the training academy, the community, and the officer himself/herself. One training officer observed that, "Once we had them in the streets, it was impossible to teach them anything. They had already picked up bad habits and thought they knew it all." Particularly in smaller departments, sending an officer for training after serving for a period of time totally disrupts assignment schedules. Moreover, the conferees noted that deploying an untrained officer on the streets may result in civil suits stemming from the officer's extra-legal enforcement activities.

The 240-hour session mandated and developed by the Council for preparatory training is designed to teach the basics of law enforcement. Individual departments may, at their own prerogative, provide additional training beyond this minimum as needed to meet the needs of their communities. Several of the larger departments have already done so. These departments recognized that their officers needed training beyond the essentials. In particular, additional training is needed to acclimate the officer to the community—its crime problems, community attitudes, physical environment, and local ordinances. The nature of the community and community problems may also necessitate preparatory training with emphasis on certain subjects. For example, an officer serving in a community with a substantial minority population should undergo enhanced interpersonal communications training with members of the minority group before dealing with them in the street. Those serving in rural departments with limited specialized capabilities should undergo training that would increase their skills to conduct minor criminal investigations and crime scene searches.

It was the belief of the conference participants that all peace officers could benefit greatly from this more individualized training and that action be taken by every agency to provide it. Such formal preparatory basic training should be made available during the officer's first year of employment.

The greatest impediment to locally conducted preparatory basic training is the lack of available resources. The participants indicated that few agencies were capable of providing the necessary classroom space, materials, instructors, and the funds to pay for additional personnel or overtime pay. Conferees did suggest, however, that agencies could implement supervised instruction and in-field coaching. The chief executive should designate an officer to be responsible for such training if he/she did not conduct it himself/herself. While supervised coaching is beneficial, it does not preclude the need for formalized classroom study. Recognizing the limited resources of most agencies, the conferees proposed that this training can best be conducted on a multi-agency or regional basis.

### Inservice Training

Preparatory basic training alone is not sufficient to insure an officer's continuing competency in his/her position. Particularly in a profession that is sensitive to its environment—changing community attitudes, statutory and decisional law, the rate and nature of criminal activity, and innovative operational techniques—the knowledge, skills and abilities needed to be an effective peace officer are continually increasing.

In addition, as was pointed out by one conference participant, what is learned in preparatory basic training is often forgotten or, after a period of strong peer group influence, is cast aside. Only a program of formalized inservice training will maintain the officer's skills while imparting to him/her the modifications in the peace officer role necessary to meet the demands of the contemporary community.

The Iowa State Legislature has recognized the need for inservice training and has empowered the I.L.E.A. Council to mandate such for all of Iowa's peace officers. (CODE OF IOWA sec. 80B.11(4) (1975).) Presently, inservice training requirements have not been addressed due to the need to allocate all available resources for basic training. It was anticipated that, even when the I.L.E.A. minimum inservice training program is mandated, there will still be a need for additional in-house inservice training.

Conferees concurred that every agency should use the I.L.E.A. course as a foundation upon which to develop an ongoing inservice training program. Each local program should meet the specific needs of the personnel and the community. The development of local programs, however, should not be contingent upon the implementation of the I.L.E.A.'s mandated inservice training requirements. The necessity for comprehensive inservice training currently exists in Iowa and every law enforcement chief executive and governing body should immediately seek out the most effective and efficient means to provide it.

Law enforcement organizations can provide inservice training to its employees through various means. Ideally, it should be an ongoing process which is designed to directly improve the officer's abilities to perform his/her duties and meet the agency's goals and objectives. To this end, employees should be encouraged to enroll in law enforcement courses at local schools and to do independent reading of relevant materials. Greater use should also be made of special seminars or schools. If the agency utilizes this method for inservice training, the officers who attend the seminars should be required to impart his/her acquired knowledge to the other officers in the agency. Conferees related that liaison should also be sought with local hospitals or doctors to provide employees with emergency medical training.

If the resources are available, formal inservice training for all personnel should be conducted in-house. If they are not available or can be conducted cost-effectively on a larger scale, departments should consider consolidating their resources and implement a program which is truly responsive to the inservice training needs of the participating agencies. Standards 12.3 and 12.4 address the development of such training facilities.

As noted above, the major impediment to local inservice training is the lack of funding. In addition to any funds required for purchasing supplies, such as books or audio-visual equipment, training is usually conducted during an officer's on-duty hours. Agency chief executives who desire training must either employ more personnel to fill in for those officers in training or pay his/her officers overtime. It was remarked by the participants that these are not usually feasible alternatives. Clearly, additional funding sources are needed. Conferees recommended that every agency chief executive and governing body should take immediate action to explore and tap new sources for funds. While the participants did not wholly endorse the concept of establishing a revenue category specifically for law enforcement training, such as additional fees for speeding violators, some similar funding source may be necessary.

### Academic Credit For Training

Over the past five years there has been an increasing number of post-secondary schools in Iowa offering associate degrees in law enforcement and police science. The availability of Federal monies to subsidize the education of criminal justice practitioners (the Law Enforcement Education Program of L.E.A.A.) was mentioned as the prime cause for this growth. Conferees noted that many of Iowa's community colleges and accredited technical schools have sought to capture their share of this funding and, consequently, have taken action to encourage peace officers to enroll in their programs.

The main incentive utilized to induce peace officers to become students is the awarding of academic credit for the officer's training experience. All types of training, particularly preparatory basic, has been honored. In most instances, the institution will grant a flat number of credits toward the attainment of their associate degree. In at least one school, officers automatically acquire nineteen elective credits just for the successful completion of the mandated I.L.E.A. basic training course. Other schools are more discriminating in granting academic credit. One community college demands that the officers take the actual college course, taught at the training academy, in order to receive academic credit. It was acknowledged that there is little, if any, uniformity in the awarding of academic credit.

For the most part, the participants endorsed the concept of awarding academic credit for law enforcement training. There was agreement that officers would be more inclined to continue their education if their training was recognized by an academic institution. Additionally, the quality of the training itself would improve if educators were permitted input into the course content or presentation.

While the concept was supported, many participants expressed concern about the abuses inherent in the current system. Major problems have resulted when schools have awarded credit for training that has not been equivalent to the school's regular courses. Granting credit for firearms training is highly questionable. Conferees felt that the very fact that an officer can earn up to one third of the credits needed for a two-year degree in only six weeks is indicative of a school administration's willingness to sacrifice educational standards. The conferees contended that such "good business" practices have tended to cheapen the worth of the degree and have added credence to those arguing against the need for higher educational credentials for peace officers.

Standard 12.8, Academic Credit for Training, recommends the proper steps that should be taken to prevent these abuses. First, law enforcement agencies should only seek affiliation with academic institutions accredited by the North Central Regional Accreditation Association. It was believed that post-secondary schools wishing to maintain their accreditation would be more likely to maintain their educational standards. Second, only those training courses which are academically equivalent in depth, duration and difficulty to the institution's regular courses should be honored. While the law enforcement chief executive cannot prevent a school from honoring training, he/she should, if warranted, take action to dissuade the school from doing so.

#### **COMPARATIVE ANALYSIS REFERENCE**

NAC Police 16.2, 16.3, 16.4, 16.5, 16.6, 15.3, 7.6

## **Chapter Thirteen**

# **Promotion and Advancement**

**Goal: Only those peace officers who have the potential to function at higher levels of responsibility are promoted and advanced to these positions.**

## **STANDARD 13.1**

### **Administration of Promotion**

Every law enforcement chief executive should seek to insure that only the best qualified personnel are promoted or advanced to positions of greater authority and responsibility in higher pay grades and ranks.

1. The law enforcement chief executive should be involved in all phases of his/her agency's promotion and advancement system including the testing of personnel and the appointing of personnel to positions of greater responsibility.
2. Personnel should be required to demonstrate their ability to assume greater responsibility prior to promotion or advancement.
3. The Iowa State Legislature should require all law enforcement officers to be on probationary status for one year from the date of promotion or advancement.

achieving their full potential. Every employee should be developed to his/her full potential as an effective patrol officer, a competent investigator, a supervisor or manager, or as a specialist capable of handling any of the other tasks within the agency. This screening should consist of one or more of the following:

- a. Assessment conducted by the I.L.E.A. management assessment service;
  - b. Assessment of past job performance and demonstrated initiative in the pursuit of self-development;
  - c. Oral interviews; and
  - d. Job-related ability tests.
4. Comprehensive and individualized programs of education, training, and experience designed to develop the potential of every employee who wishes to participate should be offered. These individualized development programs should be based on the potential identified by the I.L.E.A. management assessment service or the department's screening process.

## **STANDARD 13.2**

### **Personnel Assessment**

Every law enforcement agency should adopt a policy of promoting to higher ranks and advancing to higher paygrades only those personnel who successfully demonstrate their ability to assume the responsibilities and perform the duties of the position to which they will be promoted or advanced. Personnel who have the potential to assume the increased responsibility should be identified and placed in a program that will lead to full development of that potential.

1. The Iowa Law Enforcement Academy should establish and make available to all law enforcement agencies a comprehensive management assessment service. This service should be capable of:
  - a. Assessing the potential of personnel to function at the next higher level of responsibility; and
  - b. Training management and supervisory personnel.
2. The Iowa State Legislature should provide the Iowa Law Enforcement Academy with adequate funding to support the management assessment service.
3. Every law enforcement agency should screen all personnel in order to identify their individual potential and to guide them toward

## **STANDARD 13.3**

### **Development Activities**

Every law enforcement agency should implement formal programs for personnel development. Such programs should be designed to further the employee's professional growth and increase his/her capacity for his/her present or future role within the agency.

1. Law enforcement agencies with specialized units for general criminal investigation, vice, traffic, staff, and other functions should immediately develop a formal system for personnel rotation. This system should be designed to develop generalist, specialist, and managerial resources.
  - a. Newly hired personnel should be rotated through geographic areas of varying crime incidence and major functional assignments in order to give them the valuable perspective and professional understanding that only experience in a wide range of agency functions and areas can provide.
  - b. Selective and individualized rotation of incumbent personnel should be implemented to develop generalist and specialist expertise or specifically to prepare personnel for promotion and advancement. The movement of incumbent per-

sonnel should take into account individual needs for specific work experiences, individual potential and willingness to participate, and agency needs for the development of personnel as well as the potential for a cost-effective return on the investment of time and manpower.

- c. Personnel rotation should be regulated so that the agency is continually able to meet its primary service objectives. The rotation of highly specialized personnel should be restricted to avoid serious interference with the delivery of specialized services.
2. Every agency should fulfill its responsibility to develop personnel development activities. In doing so, the availability of financial assistance outside the normal budgetary process should be considered.

## **STANDARD 13.4**

### **Personnel Evaluation**

Every law enforcement agency should immediately begin a periodic evaluation of all personnel.

## **STANDARD 13.5**

### **Continuing Education**

Every law enforcement agency should encourage its officers to achieve a college-level education. Colleges and universities, particularly those providing educational programs expressly for peace officers, should schedule classes at a time when officers can attend.

1. When it does not interfere with the efficient administration of personnel, duty and shift assignments should be made to accommodate attendance at school; any shift or duty rotation system should also be designed to facilitate college attendance.
2. Colleges and universities should schedule classes at hours and locations that will facilitate the attendance of peace officers.
  - a. Classes should be scheduled for presentation during the daytime and evening

hours within the same academic period, semester, or quarter.

- b. When appropriate, colleges and universities should present classes at locations other than the main campus so officers can attend more conveniently.
- c. An "open-campus" program should be considered and, if possible, implemented for peace officers.
3. The Iowa State Legislature should recommend to the Law Enforcement Assistance Administration that L.E.E.P. and other educational support funds be available to law enforcement agencies to conduct academic programs at the law enforcement facility.

## **COMMENTARY**

The absence of valid and reliable procedures for selecting peace officers for promotion and advancement is a critical problem experienced by Iowa law enforcement. Current personnel administrative practices do not insure that the best qualified candidate for a promotion will be chosen. It was observed by the conference participants that selection procedures may be so inadequate that a higher degree of success can be achieved by "...picking names out of a hat." The consequences of inadequate selection procedures are readily apparent; since an agency is only as good as the individuals serving in and managing it, many deficiencies in contemporary Iowa law enforcement can be traced directly to unqualified or untrained supervisors and managers.

Whether the administration of promotion and advancement is the function of the local civil service commission or is within the sole control of the agency's chief executive or the jurisdiction's elected officials, the major cause for the current dysfunctional system is the lack of valid selection criteria. It was commented by the conferees that, traditionally, great reliance had been placed upon outdated and irrelevant written exams. These exams are not predictive in nature in that they do not measure the examinee's potential to function at higher levels of responsibility. Conferees remarked that a high score on such exams may result solely from rote memorization of the agency's procedures handbook and the CODE OF IOWA. It was also related that, on occasion, local civil service commissions have purchased promotion exams from locales in other states where the criminal justice system was governed by different statutory and decisional law.

Another major fault with promotional exams is that the test results impart little useful information to the examiner about the comparative



potential of each candidate. Conferees observed that exam scores often fall into a bi-modal distribution—large numbers of examinees scoring either very high or very low. While such a distribution would indicate which officers would be obviously unqualified for promotion, there is little numerical distinction between those scoring well on the exam.

Selections based upon personnel evaluation criteria suffer from many of the same problems as exam scores. The distribution of personnel evaluations conducted by the candidate's immediate supervisors are, as indicated by the conferees, skewed to the right (everyone receiving a very good or excellent review). It was remarked that, "If you don't receive an excellent evaluation, you should begin looking for another job." Moreover, the conference participants related that a favorable evaluation depends, to a great extent, upon the interpersonal relationship between the employee and the evaluator.

It came to the attention of the participants that, in the promotional system, too much emphasis is placed upon the candidate's seniority in his/her present grade. Whereas seniority could be the deciding factor when all other variables are equal, it should only be one of the many factors considered in the selection process. As described by one participant, "It is desirable to promote an officer who has five years experience, not one who has one year of experience five times over." There are indications that the seniority issue will be awarded more weight in the promotion process as a result of collective bargaining with employee organizations. The conferees recognized this new element but stressed that agency administrators and other governmental entities, such as elected officials and civil service commissions, should maintain total control over this phase of personnel administration.

#### Management Assessment Service

Observing that deficiencies in the current administration of promotion systems exist, the conference participants believed that an entirely new, more realistic approach should be taken. Rather than base promotion decisions solely upon irrelevant written and oral exams, promotions should primarily be determined by the candidate's potential ability to function at his/her next higher level of responsibility. The conferees proposed that an assessment of each candidate's potential can best be conducted at a management assessment center.

The management assessment concept has been implemented with great success by several states and individual law enforcement agencies, most notably the Federal Bureau of Investigation. Candidates for promotion are sent to these centers for a thorough and sophisticated evaluation of their ability to function at higher levels of responsibility. In that a management assessment

service is an expensive undertaking, the conferees predicted that one can be established only on a statewide basis. To this end, the standard directs the Iowa State Legislature to provide the Iowa Law Enforcement Academy with the necessary resources to establish and maintain an assessment center.

Once established, the services of I.L.E.A.'s management assessment center should be made available to all law enforcement agencies in the state. Conferees proposed that chief executives would be able to send select personnel to the center on a rotating basis for an assessment period of approximately one week. Generally, the assessment would entail role playing, situation simulations, and supervisory decision-making problems.

The conference participants envisioned that the management assessment center would serve two major functions. First, the center would assess on officer's ability to function at higher levels of responsibility, and identify areas of weakness which the officer should seek to overcome. Second, the center could provide management and supervisory training and assist in the creation of personnel development programs in local departments.

The most direct benefit derived from professional assessment would be that, for the first time, civil service commissions and law enforcement chief executives would be able to base their promotion decisions on valid criteria. While there would be no legislative mandate to select those officers who fared well in the assessment, the conferees predicted that most chief executives and civil service commissions would follow the center's recommendations. Moreover, the assessments would provide the agency with the feedback necessary to develop inservice training programs designed to develop supervisory ability. Standard 13.3 addresses the need to develop programs that would facilitate each employee's career development.

#### Administration of Promotion

A chief concern of most of the conferees was that local civil service commissions prevent the agency from selecting the most qualified employees for promotion. As noted previously, commissions have traditionally utilized non-job related selection criteria which has resulted in the promotion of the mediocre or unqualified. While the conferees did not advocate a complete change in the promotional system, several changes were noted. In addition to the use of job-related selection criteria and the I.L.E.A.'s management assessment, the conferees recommended that the commissioners themselves should become more attuned to the needs of contemporary law enforcement.

The effectiveness of the promotion system depends, to a great degree, upon the abilities of

the civil service commissioners. The conferees related that, all too often, appointment to a jurisdiction's civil service commission is purely honorary with little regard to the abilities of the commissioners. Conferees noted that civil service commissioners should be knowledgeable in the areas of personnel administration, testing procedures and other relevant variables. It was suggested that governing bodies should acknowledge the importance of these positions and actively seek out members of the community who would be most qualified to occupy them.

Even when valid and reliable selection criteria are incorporated into the promotional process, unqualified officers will still be selected and appointed to higher ranks. Existing State statutes only provide for a probationary period for new employees. The conferees recommended that legislative action should be taken to expand this coverage to newly-promoted employees as well. Law enforcement administrators must be provided with the ability to demote supervisory personnel if it appears evident that they are unable to function in their new position. It was remarked, however, that the agency is obligated to provide special supervisory training to the officer prior to initiating demotion procedures.

#### Lateral Entry

One area considered and supported by the National Advisory Commission was that of lateral entry. This subject was comprehensively discussed and, after a thorough evaluation of the pros and cons, the conferees decided against establishing a standard supporting it. It was recognized that, in certain instances, lateral entry is a desirable alternative to selecting an officer from within the ranks. This is particularly true when the position to be filled requires highly specialized skills such as that of a forensic scientist or specialized lab technician. Selection of an officer from outside the department may also be necessary for filling a regular management slot, such as patrol lieutenant or captain. However, lateral entry for these positions may prove to be a severe long term-detriment to the agency's ability to function effectively.

Conferees argued that a lateral entry system may lower the morale and motivation of agency employees. Officers would be offered little encouragement to better themselves in hopes of promotion and advancement if the opportunity exists that an outsider may be selected to fill the desired position. The officer must have a stake in remaining in the department.

If there are a lack of qualified personnel for promotion, the participants believed that poor personnel administration practices are to blame. The conferees concurred that it is the responsibility of every chief executive to insure that the supervisory and management potential of his/her employees is fully developed. As noted by one participant, "I don't believe that a department that

has failed to develop its personnel should be allowed alternative means to cover up their errors." It is expected that with the implementation of the management assessment center, and the creation of personnel development programs, every chief executive should have sufficient numbers of qualified officers from whom to choose.

#### Personnel Evaluation

The annual or semi-annual personnel evaluation, a primary method to monitor and document the on-the-job performance of individual officers by agency administrators, is experiencing diminished importance in contemporary Iowa law enforcement. Departments either do not require that an evaluation be conducted or condone the careless manner in which supervisors routinely complete them. Two factors identified by conference participants as causing this situation are: 1) inadequate evaluation criteria and rating forms; and 2) a widespread attitude among supervisors that expending effort on personnel evaluations is a waste of time.

The conferees decided that current administrative procedures for personnel evaluation are conducive to superficial and uniform evaluations. The most commonly used forms, those requiring short descriptive statements (poor-fair-good-excellent) or numerical ratings (rating on a one to five scale with five indicating outstanding performance) convey little about the actual performance of the employee. Such checklists do not require that the supervisor be highly familiar with his/her subordinates and encourage uniform responses, usually in the "very good" or "excellent" categories. High ratings are particularly expected if a salary increment is dependent upon the rating. It is also quite possible that supervisors are apprehensive that a fair or mediocre report on subordinates will reflect unfavorably upon their own abilities.

It was the opinion of the participants that totally objective evaluations are unlikely in agencies of any size. Due to the varied duties and responsibilities of each officer, even those within the same division and assigned to the same shift, external uncontrolled variables will affect each officer's performance. For example, those patrolling high crime areas would be required to demonstrate professional skills and abilities not demanded by assignment to a middle-class "bedroom" neighborhood.

Uniformly objective evaluations are also difficult to obtain due to each supervisor's subjective judgement, personal beliefs, prejudices, and work experience. It was remarked that no two supervisors will rate a single individual equally. An officer who receives a "five" from one evaluator could easily earn a "four" or "three" rating from another. Another subjective factor that may taint an objective evaluation would be the interpersonal relationship between the supervisor and his/her

subordinate at the time of the evaluation. This concern was expressed by a number of participants.

Corrective action by agency administrators often is not taken because there is a widespread attitude that personnel evaluations do not serve any meaningful purpose. Conferees indicated that personnel evaluations are utilized primarily for making promotional decisions. Many supervisors feel that, since there are a limited number of promotions in Iowa's law enforcement agencies, there is little need for comprehensive and objective evaluations. As reported by one participant, supervisors feel that, "...if no one is going to be promoted this year, why bother with an evaluation."

Even though there are difficulties inherent in any form of personnel evaluation system, the conference participants agreed that every agency should require that each officer be evaluated semi-annually. Two primary reasons were identified for the need of the reports: 1) to document each officer's performance for promotion and to assist the officer in overcoming his/her deficiencies; and 2) to insure that each supervisor is meeting the responsibilities of his/her position.

Without an honest evaluation of job performance, an officer may never know if he/she is performing in accordance with the agency's defined role. Conferees acknowledged that officers may work for twenty years without any constructive criticism as to why he/she continually is passed over for promotions. This situation, the absence of constructive feedback concerning individual inadequacies and the means to overcome them, breeds frustration and an attitude that, "I am a good cop but they (the administration) has it in for me." It is not only the agency's responsibility to point out the weaknesses of its officers, but to also develop programs that will assist them in overcoming their weaknesses.

The semi-annual personnel evaluation also serves to insure that supervisors are, in fact, supervising their subordinates. Without comprehensive semi-annual evaluations, the agency's chief executive may have little hard evidence that his/her supervisors are meeting their management responsibilities by being fully aware of their subordinate's activities.

Comprehensive personnel evaluations are necessary in departments of all sizes. Chief executives must maintain a fully documented record of every employee's behavior, performance, and potential. Conferees pointed to the need for documentation to support disciplinary actions taken against officers. The records are also useful to newly appointed or elected chief executives. All too often, the new chief executive has little information, other than hearsay, about the abilities of individual officers.

For these reasons, the conferees proposed that it was incumbent upon every law enforcement chief executive to implement a valid and reliable personnel evaluation system. Suggested alternatives to present dysfunctional methods may include requiring comprehensive written statements to justify a numerical grade or having a team of supervisors conduct evaluations.

#### Continuing Education

In the past decade, the role of the peace officer has grown from being primarily one of a "law enforcement" officer to one responsible for the maintenance of the social order. Basic to this transition is the ability of agency personnel to relate to and communicate with the people in the community they serve. Formal post-secondary education has shown to be a viable means to achieve this. The question that should be asked by law enforcement administrators is not, "Should my officers continue their education beyond that required for initial employment?" but, "How can my agency best encourage each officer to continue his/her education?"

Conference participants did not contend that an individual without the needed personal abilities and characteristics would be transformed into a competent officer upon his/her possession of a post-secondary degree. They did strongly agree, however, that a good officer would become a better one as a result of study in a well designed course of post-secondary education. (See Standard 7.3, Educational Selection Standards, for additional commentary.)

#### COMPARATIVE ANALYSIS REFERENCE

NAC Police 17.1, 17.2, 17.3, 17.4, 17.5

## **Chapter Fourteen**

# **The Patrol Function**

**Goal: The patrol unit is recognized as the law enforcement agency's most important tool in delivering services to the community and that the necessary action is taken to insure its competency and effectiveness.**

**CONTINUED**

**1 OF 4**

## **STANDARD 14.1**

### **Deployment**

Every law enforcement agency should develop a patrol deployment system that is responsive to the demands for services and consistent with the effective use of the agency's patrol personnel. The deployment system should include collecting and analyzing data, conducting a workload study, and allocating personnel to patrol assignments within the agency.

1. A system for the collection and analysis of patrol deployment data according to area and time should be established.
  - a. A census tract, reporting area, or permanent grid system should be developed to determine geographical distribution of data; and
  - b. Seasonal, daily, and hourly variations should be considered in determining chronological distribution of data.
2. A comprehensive workload study should be conducted to determine the nature and volume of the demands for service and the time expended on all activities performed by patrol personnel. The workload study should be the first step in developing a deployment data base and should be conducted at least annually thereafter. Information obtained from the workload study should be used:
  - a. To develop operational objectives for patrol personnel;
  - b. To establish priorities on the types of activities to be performed by the patrol personnel; and
  - c. To measure the efficiency and effectiveness of the patrol operation in achieving agency goals.
3. An allocation system should be implemented for the geographical and chronological proportionate need distribution of patrol personnel. The allocation system should emphasize agency efforts to prevent crime, increase criminal apprehensions, minimize response times to calls for services, and equalize patrol personnel workload. This system should provide for the allocation of personnel to:
  - a. Divisions or precincts in those agencies which are geographically decentralized;
  - b. Shifts;
  - c. Days of the week;
  - d. Beats; and
  - e. Fixed-post and relief assignments.
4. Procedures should be established for the implementation, operation, and periodic evaluation and revision of the agency's deployment system. These procedures should in-

clude provisions to insure the active participation and willing cooperation of all agency personnel.

## **STANDARD 14.2**

### **The Patrol Officer Role**

Every law enforcement chief executive immediately should develop written policy that defines the role of the patrol officer, and should establish operational objectives and priorities that reflect the most effective use of the patrol officer in reducing crime.

1. The role of the patrol officer should be enhanced by providing status and recognition from the agency and the community.
2. The patrol officer should be acknowledged as the agency's primary element for the deliverance of law enforcement services and prevention of criminal activity.
3. Every law enforcement chief executive should insure maximum efficiency in the deliverance of patrol services by setting out in written policy the objectives and priorities governing these services. This policy:
  - a. Should insure that resources are concentrated on fundamental duties;
  - b. Should insure that patrol officers are engaged in tasks that are related to the agency's function;
  - c. Should require immediate response to incidents where there is an immediate threat to the safety of an individual, a crime is in progress, or a crime committed and the apprehension of the suspected offender is likely.
  - d. Should emphasize the need for preventive patrol to reduce the opportunity for criminal activity; and
  - e. Should provide a procedure for accepting reports of criminal incidents not requiring a field investigation.

## **COMMENTARY**

### **Deployment**

Every law enforcement organization in the state, from the smallest five-member agency to the Iowa State Patrol, has a need to deploy patrol

personnel according to some formalized system. At the very least, an agency should be capable of placing its patrol units "where the trouble is." Particularly for smaller departments with limited back-up capabilities, an effective deployment system is needed to insure that timely emergency response times are maintained. Even in the larger jurisdictions, a formalized deployment system is necessary if the patrol force is to function as a viable crime deterrent through preventive patrol.

Conference participants related that, generally, patrol deployment systems in Iowa law enforcement are inadequate. In some agencies, data necessary for proper patrol deployment is not utilized for deployment purposes. In those agencies that have formalized systems, patrol deployment is often not responsive to current criminal activity.

To insure that patrol deployment is not a random function haphazardly applied, the conference participants recommended that every agency implement the system described in Standard 14.1. While the methodology will differ according to local needs, resources, and crime problems, all systems should be based upon the criteria outlined in the standard. For example, the participants noted that smaller agencies could be well served with a "pin map" while larger jurisdictions may require more sophisticated systems with "real-time" capabilities.

#### The Patrol Officer Role

A law enforcement agency's primary tool for delivering services to the community is its patrol component. It is the patrol officer who provides the day-to-day services essential for deterring criminal activity and serving the public. "The specific duties and responsibilities of the patrol officer are innumerable, as varied and complex as the society in which he/she works. In his/her multipurpose role the patrol officer serves as a protector of public safety, enforcer of law, controller of traffic, and investigator and interpreter of the law." (NAC, **Police**, 197 (1973).)

For the patrol function to attain its goals and objectives, it is essential that they function efficiently and cost-effectively. To this end, the participants recommended that every law enforcement chief executive establish policy which sets forth objectives and priorities to guide patrol operations. The recommended policies are detailed in Standard 14.2, The Patrol Officer Role.

It came to the attention of the conferees that, no matter how comprehensive agency policy is, an effective patrol component cannot be maintained unless the patrol officers themselves perform at optimal levels. As reported at the conference, however, patrol officers in many of Iowa's law enforcement agencies are not motivated and do not perform to their fullest potential. Conferees assumed that this situation results from the patrol officer's duties, status, and compensation.

Traditionally, the patrol position has been considered an entry-level position from which a peace officer develops his/her abilities and then advances to specialized or supervisory positions. Patrol officers have been awarded the lowest salaries, the least recognition, and the lowest status. Law enforcement administrators have fostered this condition by stressing the greater competence and worth of specialists. Additionally, the conferees related that administrators stifle any creativity and innovation within the patrol ranks. The National Advisory Commission further expounds upon this problem.

The success of a law enforcement agency depends upon (the patrol officer) and every effort should be made to attract and retain highly qualified patrolpersons. But the policies of many agencies encourage the best patrol officers to seek other assignments. These agencies make no provisions for officers who desire to advance and earn more money while remaining in the patrol function. As a result, qualified patrol officers often seek promotion to supervisory positions or transfer to other positions in order to obtain greater status and pay.

[In addition] patrol divisions experience continual manpower turnover as more and more recruits join patrol and more talented patrol officers depart for other positions. This often results in a patrol force which is composed of the inexperienced and the mediocre. (NAC, **Police**, 196 (1973).)

The conference participants acknowledged that making the patrol more attractive and more challenging is a long-term, complex process. Patrol officers must be given more responsibility and be permitted greater involvement in the agency's policy development process. Patrol personnel should also be allowed to undertake preliminary investigations and should be awarded recognition for their participation in criminal investigations. (See Standard 16.5.) Moreover, an equitable salary structure, which would permit competent patrol officers to remain in the patrol function if they desire, should be implemented. A position classification plan entailing such a salary structure (See Standard 9.2), as well as more specific measures to upgrade the patrol position, are described in standards located throughout this document.

#### COMPARATIVE ANALYSIS REFERENCE

NAC Police 8.3, 8.2

## **Chapter Fifteen**

# **Team Policing**

**Goal:** The team policing system, if implemented by the law enforcement organization after comprehensive planning, promotes community involvement and furthers the agency in attaining its goals and objectives.



## **STANDARD 15.1**

### **Team Policing**

Every municipal police agency with more than 75 sworn personnel should examine the team policing concept to determine its value in increasing coordination of patrol and specialized functions within the agency. A team policing system should be adopted when research and testing indicate that such a system would enable the agency to use its resources more efficiently.

1. Research into the team policing concept should be conducted to determine its value to the agency. This research should include:
  - a. Evaluation of the structure and effectiveness of various forms of team policing applied by other agencies of comparable size and resources; and
  - b. Assessment of the resources necessary to implement various team policing systems.
2. Agency personnel and the community should be involved in the team policing planning and implementation process. Personnel participation should be consistent with the degree of ultimate involvement in the team policing system.
3. Those departments desiring team policing after research should test and evaluate applicable forms prior to formal implementation. Testing should be conducted:
  - a. To minimize disruption of ongoing agency operations; and
  - b. To measure effectiveness in achieving predetermined goals and objectives.
4. Preparatory and inservice training for all personnel involved in the team policing system should be provided. The objectives of the training program should be to acquaint all agency personnel with team policing policy, procedures, objectives, and goals, and to provide specific training according to the extent and nature of personnel involvement in the team policing effort.
5. Programs to encourage community involvement in the agency's team policing system should be developed.

## **COMMENTARY**

In an attempt to utilize resources more efficiently and effectively, many law enforcement administrators across the nation are experimenting with new operational techniques. One of the most popular of these is the team policing

concept. As described by the National Advisory Commission, team policing is essentially "...assigning police responsibility for a certain area to a team of police officers. The more responsibility this team has, the greater the degree of team policing. The basic idea is that the team learns its neighborhood, its people, and its problems." (NAC, *Police*, 154 (1973).)

Departments that have implemented team policing have usually incorporated those aspects of the team policing concept that have been compatible to their jurisdictions. There is no right or wrong team policing system. The conference participants observed that most plans will involve at least some of the aspects of total team policing: 1) combination of all line operations of patrol, traffic, and investigation into a single group under common supervision; 2) formation of teams with a mixture of generalists and specialists; 3) permanent assignment of teams to geographic areas; and 4) charging the teams with the responsibility for all law enforcement services within their respective areas.

Due to the personnel requirements of team policing systems, the conferees predicted that only a few of the largest municipal departments in Iowa could feasibly implement such plans. It was recommended that a sworn force of at least 75 sworn officers be maintained before the team policing concept be investigated.

Team policing concepts, however, are not alien to Iowa; small and many medium size departments operationally deploy their patrol personnel in a manner similar to that found in a team policing system. Both patrol and investigatory functions for the entire jurisdiction are the responsibility of every on-duty officer; there is little specialization or decentralization. Agencies in this category should consider implementing the deployment techniques and strategies described in Standard 14.1

While the conferees supported the team policing concept, it was reported that those Iowa departments that have implemented such systems have experienced many unforeseen difficulties. Conference participants remarked that many problems arose due to the lack of adequate funding to meet the added expense of team policing techniques. Even with the implementation of a limited team policing plan, additional personnel are required. The conferees mentioned that personnel may be assigned to the team at the expense of other basic law enforcement services. In addition, a more comprehensive data collection system is needed to hold the team accountable for the crime rate and for deployment purposes. Assuming that the additional funding would be available, the participants doubted that a team policing system would be more effective than the regular deployment system with the additional resources. So that these problems would be

identified prior to full-scale implementation, it was highly recommended that in-depth planning and experimentation first be conducted.

Conferees found that team policing may be resisted by agency personnel. Several participants noted that officers assigned to teams were often of the opinion that dealing with the public on a one-to-one basis was not part of the peace officer role. Other employee hostility resulted from the fact that they, the officers, were being held responsible for the rate of criminal activity in their team policing sector.

To alleviate this resistance, the conferees strongly urged that agency personnel be involved in the team policing planning phase; their participation should be consistent with their degree of ultimate involvement in the system. Additionally, every agency employee should be indoctrinated to the team philosophy through preparatory and inservice training.

To insure that the primary goal of team policing is attained—the enhancement of the people-police relationship—it is essential that the community also be involved in the planning and implementation phases. It was observed that it would be unrealistic to expect a community to get involved and support such an effort if they had not initially been encouraged to provide input. For example, it was noted that one agency which attempted a team policing plan was unsuccessful due to the lack of community involvement. Consequently, the conferees strongly recommended that any team policing planning effort include the active involvement and support of the targeted community.

#### **COMPARATIVE ANALYSIS REFERENCE**

NAC Police 6.1, 6.2

## **Chapter Sixteen**

# **Specialization**

**Goal: Every law enforcement organization has timely and cost-effective access to specialized personnel to cope with crime problems that cannot be adequately resolved by the patrol function.**

## **STANDARD 16.1**

### **Specialized Assignment**

Every law enforcement agency should use generalists (patrol officers) wherever possible and, before establishing any specialization necessary to improve the delivery of service, specifically define the problem that may require specialization, determine precisely what forms of specialization are required to cope with this problem, and implement only those forms in a manner consistent with available resources and agency priorities.

1. Every law enforcement chief executive should define the specific problem in concise written terms and in so doing should consider at least:
  - a. Whether the problem requires the action of another public or private organization;
  - b. The severity of the problem;
  - c. The period of time the problem is expected to exist; and
  - d. The community's geographic, physical, and population conditions that contribute to the problem or which may affect or be affected by the specialization.
2. An assessment of all resources and tactical alternatives available to the agency should be conducted. The assessment should determine at least:
  - a. Whether the problem requires specialization;
  - b. The degree of specialization required;
  - c. The manpower and equipment resources required by specialization;
  - d. Which of the needed resources are available within the agency and which are available outside it;
  - e. The availability of necessary specialized training;
  - f. The expected duration of the need for specialization; and
  - g. The organizational changes needed as a result of specialization.
3. Special consideration should be given to the impact of specialization on:
  - a. The identified problem;
  - b. Personnel and fiscal resources;
  - c. Community attitudes toward the agency; and
  - d. The agency's delivery of general law enforcement services.
4. An operations effectiveness review for each specialization should be developed. This review process should be carried out:
  - a. As a goal-oriented activity analysis; and
  - b. On a specific schedule for the expected duration of the need.
5. The specialized activity should be terminated whenever the problem for which it was

needed no longer exists, or can be controlled as well or better through other agency operations.

## **STANDARD 16.2**

### **Selection for Specialized Assignment**

Every law enforcement agency with specialized positions should establish written policy defining criteria for the selection and placement of specialist personnel so that they are effectively matched to the requirements of each specialty.

1. A comprehensive personnel records system from which information is readily retrievable should be maintained. This system should:
  - a. Include all pertinent data on every agency employee;
  - b. Employ a consistent format on all personnel records; and
  - c. Include procedures for continual updating.
2. Agencywide written announcements describing anticipated specialist position openings should be disseminated. These announcements should include:
  - a. The minimum personnel requirements for each position;
  - b. The specialized skills or other attributes required or deemed desirable; and
  - c. What will be expected of the officer who is assigned to the position.
3. Written minimum requirements and desirable attributes for every specialist position should be established. The following requirements should be considered:
  - a. Length and diversity of experience;
  - b. Formal education; and
  - c. Specialized skills, knowledge, and experience.
4. Command personnel within the specialty should interview every candidate for a specialist position. Interviewers should:
  - a. Review the pertinent personnel records of every candidate;
  - b. Consider the candidate's attitude toward the position as well as his/her objective qualifications for it; and
  - c. Conduct a special personnel investigation where the specific position or candidate requires it.
5. Training requirements should be written for each specialty. These requirements may include:
  - a. Formal preassignment training; and
  - b. Formal on-the-job training.

6. Every law enforcement agency should recognize that there are positions where potential for officer compromise is high. Procedures should be developed to insure the integrity of personnel in these positions.

## **STANDARD 16.3**

### **Annual Review of Specialization**

Every law enforcement agency which has established specialties should immediately, and thereafter, at least annually conduct a formal review of each specialty to determine its effectiveness in helping to achieve agency goals and objectives. In conducting this formal review, the department's chief executive should:

1. Examine the problem for which the specialty was created and identify any modifications that the problem may have undergone in the past year;
2. Assess the cost-effectiveness of the specialty over the past year and from that assessment determine whether the current level of resource commitment to the specialty is adequate or warranted; and
3. Take the action indicated by the results of the formal review of each specialty. This action may include:
  - a. Continuation of the specialization in its present form;
  - b. Adjustment of manpower and equipment allocations based on modifications in the problem or the cost-effectiveness of the specialization; or
  - c. Termination of the specialized position or unit.

## **COMMENTARY**

In addition to a basic patrol capability, many of Iowa's municipal and county law enforcement agencies maintain specialized capabilities to cope with specific operational problems. It is believed that certain operational areas, such as criminal investigations, cannot be handled by the regular patrol complement in an efficient and effective manner. Depending upon the perceived magnitude and recurrence of the problem, agencies have either assigned officers to function as part-time

specialists or have established full-time positions, units, or divisions in the problem area.

As the inability of the existing functional units to deal with the jurisdiction's crime problems reaches the stage where the agency can no longer meet its goals and objectives, the exigency of specialized assistance becomes evident. Every law enforcement chief executive has three alternatives in responding to these problems. Most simply, non-recurring problems can be resolved through assistance from external sources. Expert help is often available from the law enforcement agency of the next higher or larger political sub-division. For example, a town marshal could request the assistance of the county sheriff's office in the investigation of a burglary. More professional and technical help is also available from the various units of the Iowa Department of Public Safety. The Bureau of Criminal Investigation often is called in to assist local departments in the investigation of crimes when such investigations demand specialization beyond that maintained by the local agency.

If the problem is of a more recurring nature, an officer or unit may be designated to deal with it as part of his/her regular job responsibilities. Personnel in these positions are either assigned to serve in their special capacity when the need exists or are required to devote a specified number of hours each week to the problem. Examples of such part-time specialization are polygraphers in the larger departments or the members of a S.W.A.T. team (special weapons and tactics team). The advantages of part-time specialization are that: 1) officers designated as part-time specialists are encouraged to develop their potential through specialized training; 2) part-time specialists experience a sense of greater worth to the agency; and 3) the personnel complement of the department's existing organizational units is not depleted.

When the problem is viewed as requiring constant attention, full-time positions, units, or divisions are usually established. Officers assigned to these positions devote all of their time to the problem area. Full-time specialization commonly occurs in the areas of general criminal investigation, narcotics and vice enforcement, juvenile matters, and accident investigation.

### **Full-Time Specialization**

Although full-time specialization may be the only workable solution to resolve an operational problem, many potential abuses inherent in the creation of distinct operational entities were identified by the conference participants. At the very least, the establishment of new specialized positions delete the manpower resources of the agency's existing functional units. It was noted that personnel selected for specialized assignment are drawn from the agency ranks; more specifically, the patrol force. Except when

external funds are available to implement the specialty, usually with Federal L.E.A.A. monies, local governing bodies may not appropriate the additional funds necessary to restore the patrol unit to its previous manpower level. Even when the specialist positions are initially supported with external funds, the knowledge that they will eventually require local support may preclude the possibly needed expansion of the patrol unit. Recognizing that an insufficient patrol force directly affects emergency response times and deployment flexibility, the establishment of specialized positions, whether through traditional or external revenue sources, can diminish the agency's ability to deliver basic law enforcement services to the community. Moreover, specialization may deplete the patrol force of its most competent personnel.

Conference participants reported that separate operational units also are a primary cause of patrol officer discontent, low morale, and subsequent poor job performance. Conferees related that patrol officers may resent the specialists' attitudes of superiority and greater worth to the department. Agency administrators have done little to discourage this and, in fact, are usually the cause of it. Agency policy has traditionally required that all matters of complexity or significance be handled exclusively by the specialist. Patrol officers, upon arriving at the scene of a major crime, are instructed to keep their "hands off" so that they do not contaminate the evidence. This official agency attitude has had an extremely damaging impact on the patrol officer's motivation and job satisfaction. Conferees acknowledged that patrol officers have reacted to this situation through mediocre job performance and dereliction of duties. Participants related that a number of patrol officers have little concern for maintaining good relations with the people in their jurisdiction because the department has a "community relations" specialist.

Full-time specialization may also encumber the chief executive's ability to allot his/her personnel as he/she believes necessary to attain the department's goals and objectives. In those jurisdictions requiring a formal civil service promotion to occupy a specialist position, such as detective sergeant, the selected patrol officer permanently attains supervisory status. Since civil service regulations prohibit the demotion of officers under normal circumstances, the specialist cannot be transferred back to his/her previous patrol position and grade. When this situation exists the chief executive may have difficulty in terminating the specialty or in reassigning those officers who do not function effectively in their specialist position. In light of this, participants recommended that selection for specialized assignment should not entail a civil service promotion.

Even though an operational problem may not necessitate full-time specialization, law enforce-

ment administrators often chose that alternative. Conferees identified the position classification system normally found in Iowa law enforcement as the chief culprit for this situation. This system, described in greater detail in Standard 9.2, results in a chronic lack of career paths for Iowa's peace officers. When only a patrol capability is maintained, there is little opportunity for the patrol officer to move up the ranks. Since the current system does not allow any other paths for career development, the officer is frozen at the entry-level position. By opening up specialist positions, patrol officers can transfer, or be promoted, out of the patrol division into slots that provide higher status, salary, and personal initiative.

While these are all worthy objectives, the conferees believed that it should not be the function of specialized assignment to make them available. Personnel development should be the function of the department's position classification system, not the rationale for specialized assignment. It was recommended that a position classification plan, as outlined in Standard 9.2, and a personnel development program, as described in Chapter 13, be immediately implemented.

Standard 16.1, Specialized Assignment, addresses many of the abuses mentioned above. Patrol officers should be used wherever possible; specialized positions should only be established when certain criteria are met. These criteria and guidelines are clearly outlined in the standard. Conference participants strongly urged that all of the standard's criteria be considered prior to the implementation, or continuation, of any operational specialty.

#### Specialist Selection

After the need for specialized capabilities has been identified, the next step in providing them is in the selection of personnel for specialized assignment. Noting that a formal civil service promotion for specialized assignment was not endorsed by the conference participants, Standard 16.2, Selection for Specialized Assignment, deals primarily with in-house transfer. Those jurisdictions currently requiring formal civil service promotions should consider the criteria set out in this standard and incorporate all applicable sections.

In discussing specialist selection, participants noted that semi-formal selection procedures are usually followed. Generally, these procedures afford the specialized unit's supervisor the discretion to select whomever he/she wants in the position. As explained by the National Advisory Commission:

In areas of specialized assignment, where close working relationships exist and team efforts are deemed of paramount concern, personnel are often recommended solely on the basis of their friendship with someone

already in the assigned activity, or because someone says that the person is a "good guy" or "can keep his mouth shut." Although compatibility with coworkers is important, it should not be the primary basis for the selection of personnel. NAC, **Police**, 213 (1973).)

Recognizing the potential abuses inherent in such a semi-formal process, the participants decided that the selection process must be fair and objective. To this end, formalized written policy should be established which would allow supervisors relatively free reign in the actual selection of the agency's qualified officers seeking specialized assignment. The following procedures would facilitate such a selection system: 1) written minimum qualifications and personal characteristics deemed desirable for the position; 2) formal agencywide dissemination of announcements pertaining to the specialist position; 3) command interviews with all candidates; and 4) training requirements for the newly appointed specialist.

Except for a few of the largest local law enforcement organizations in Iowa, administrators are limited in the number of qualified officers they can select from for a specialist position. So that the already limited personnel pool is not further restricted, participants recommended that only minimal requirements be established. Minimum requirements should only serve to disqualify those officers who are clearly unqualified to serve in the specialist position. For example, a typical minimum requirement may demand at least two years of satisfactory service on the force.

For an agency's specialist selection system to be viable, all officers who are qualified for the position must be made aware of the opening. Participants stated that, for the most part, when a specialist position is open, or even if one is only being considered at the executive level, officers are aware of the opening through word of mouth. One participant stated that when his agency was only thinking of creating a K-9 Corps, he was already deluged with requests from officers for assignment to the unit. Even though administrators might rightly assume that agency personnel are informed about specialist openings, the conferees agreed that a formal announcement is necessary. The notice, describing the position's minimum requirements and characteristics deemed desirable, should be disseminated throughout the agency. Many participants believed that a formal announcement would encourage many to apply who would have done so if the opening was not formally announced. Additionally, such a procedure gives the appearance that the selection process is more equitable and open. It was remarked that, without a formal announcement, many officers may believe that the position was earmarked for the lieutenant's buddy and that the entire selection process was conducted in a covert manner.

## Annual Review

The continued existence of full-time specialization at existing resource levels should depend solely upon the problem which demanded the creation of the specialized capabilities. To insure that agency resources are applied to best achieve the agency's goals and objectives, an annual reexamination of the problem should be conducted. Conference participants agreed with the NAC in that, "[t]he problems that exist in law enforcement are not static; they are constantly being modified by various societal influences." (N.A.C., **Police**, 217 (1973).) If the original problem changed either in nature or severity over a period of a year, the specialty created to cope with it should be appropriately modified. Depending upon the changes in the problem, participants decided that specialized capabilities may have to be maintained at current levels, expanded, changed in scope or direction, decreased, or terminated if other organizational entities could deal with it in a more efficient and cost-effective manner. To facilitate the administration's reallocation of resources, this annual review should coincide with the preparation of the annual budget.

Conference participants indicated that annual review is particularly important in preventing specialized functions from becoming self-perpetuating. It was noted that as the original problem diminished, officers assigned to specialized assignments often broaden their scope of responsibility in order to keep active. Chief executives should guard against this situation through the annual review process. As noted earlier in this commentary, civil service provisions may impede the termination of a specialized unit. Action should be taken by the chief executive or the governing body to insure that the chief executive has full control over the establishment or termination of all specialized positions.

## STANDARD 16.4

### D.P.S. Specialization

The Iowa Department of Public Safety should continue to maintain the capability to provide, upon the request of any local law enforcement agency in Iowa, specialists to assist in the investigation of crimes or other incidents that may require extensive or highly specialized investigative resources not otherwise available to the local agency.

## **STANDARD 16.5**

### **Criminal Investigation**

Every local law enforcement agency immediately should direct patrol officers to conduct thorough preliminary investigations and should establish in writing priorities to insure that investigative efforts are spent in a manner that will best achieve organizational goals.

1. Patrol officers should be recognized as preliminary investigators and should conduct thorough investigations. However, investigative specialists should be assigned to very serious or complex preliminary investigations when delay will not hamper the investigation.
2. Specialized criminal investigative units should only be established as needed and staffed only with the number of personnel necessary to conduct timely investigations that lead to organizational objectives. The thoroughness of investigations by patrol officers should be insured to reduce followup investigative efforts.
3. Investigative priorities should be established according to the seriousness of the crime, how recently it was reported, the amount of readily available information about suspects, the availability of agency resources, and community attitudes.
4. Quality control procedures should be established to insure that every reported crime receives the investigation it warrants. These procedures should include:
  - a. A followup report of each open investigation every ten days and command approval of every continuance of an investigation past thirty days;
  - b. Constant inspection and review of individual, team, and unit criminal investigation reports and investigator activity summaries; and
  - c. Individual, team, and unit performance measures based at least on arrests and dispositions, crimes cleared, property recovered, and caseload.
5. Every law enforcement chief executive should insure that his/her agency's case preparation is efficient and effective so that all evidence that may lead to the conviction or acquittal of defendants is systematically prepared and presented for review by the prosecuting authority.
6. Criminal investigations should be coordinated with all other agency operations. This coordination should be supported by:
  - a. Clearly defined procedures for the exchange of information between investigative specialists and between those specialists and uniformed patrol officers;

- b. Systematic rotation, where possible, of generalists into investigative specialist positions as an in-service training experience; and
- c. Equitable publicity of the efforts of all agency elements.

## **STANDARD 16.6**

### **Special Crime Tactical Forces and Multi-Jurisdictional Task Forces**

Every law enforcement agency employing more than 75 peace officers should have available, consistent with an analysis of its need, a flexible and highly mobile tactical force for rapid deployment against special crime problems. Agencies with fewer personnel should consider a multi-jurisdictional task force.

1. Written policies and procedures that govern deployment of the tactical or task force against any problem should be established. These policies and procedures should be written by the agency's chief executive or the board of directors where a multi-jurisdictional force exists. Policies and procedures for a tactical force should stipulate at least:
  - a. That the tactical force will be deployed on the basis of current crime pattern analyses or validated current information on expected crime activity;
  - b. That the tactical force will be deployed against a problem only when the regularly assigned patrol force is not adequate to be effective against that problem; and
  - c. That tactical force deployment strategy will be based on an objective analysis of the problem; overt saturation as a highly visible preventive strategy, and covert saturation as a low visibility detection and apprehension operation.
2. The numerical strength of the tactical or multi-jurisdictional task force should depend on agency needs and local and regionwide problems.
  - a. A full-time tactical force should have access to an analytical staff element.
  - b. A part-time tactical or task force should use qualified personnel from anywhere within the agency or participating agencies.
  - c. Every tactical and task force should have a central headquarters and should operate from that headquarters when deployed against a problem.



- d. Field commanders should be informed of tactical or task force activities within their area of responsibility. Tactical and task force activities should be consistent with the policies of the field commander of the area in which they are working.
- e. Every tactical and task force should be equipped with necessary specialized equipment, vehicles, radios, vision devices, and weapons.

- b. Should be transferred, wherever possible, from the law enforcement agency to another local government agency, or be undertaken by the law enforcement agency but assigned to nonsworn employees;
- c. Should not be performed by employees if the need can be anticipated in advance, and electronic traffic control devices can be installed, unless employees are cost-effective.

## STANDARD 16.7

### Traffic Operations

Every local law enforcement agency and every local government responsible for highway traffic safety should perform the basic functions of traffic law enforcement, traffic accident management and traffic direction and control.

1. Every local law enforcement agency should perform the basic function of traffic law enforcement—the agency activity specifically directed toward controlling traffic violations—through prevention patrol and enforcement, case preparation, and court testimony. This function:
  - a. Should include line patrol, area patrol, selective location patrol, and records and logistics; and
  - b. Should be the fundamental responsibility of all uniformed officers.
2. Every local law enforcement agency should perform the basic functions of traffic accident management. This function relates to agency activities connected with traffic collisions, and includes providing assistance to the injured, protecting the scene, preparing reports, taking necessary enforcement action, and conducting followup investigations. This function should include:
  - a. Initial traffic accident investigation, follow-up investigation, traffic control at the scene, injury control, enforcement action, records, reports, and notifications; and
  - b. On-scene investigations of all accidents involving a fatality, personal injury, or those required by Iowa law.
3. Every local government with responsibility for traffic direction and control should perform the basic function of traffic control and direction which has a direct and immediate effect on traffic flow. These activities:
  - a. May include intersection control, parking control, pedestrian control, escorts, special event control, and hazard control;

## STANDARD 16.8

### Vice Operations

Every law enforcement agency should immediately insure its capability to conduct effective vice operations against illegal gambling, traffic in liquor, prostitution, pandering, pornography, and obscene conduct. These operations should be capable of having impact upon the incidence of vice crimes and related criminal activity.

1. Every law enforcement agency employing more than 75 peace officers should have a full-time vice investigation capability. Every agency employing fewer than 75 peace officers may assign vice operations specialists on a full- or part-time basis, depending on the local problem.
2. Close coordination and continual exchange of information should be insured between vice, narcotic and drug, patrol, and intelligence operations, and close liaison with other agencies conducting similar operations.
3. Vice operations should be provided with special funds, specialized equipment, vehicles, vision devices, and any other physical support necessary to conduct effective vice operations.
4. Every law enforcement chief executive should insure that every field commander reports, as required, to the chief executive, or his designee, the form and extent of the current vice problem in his/her area and the effect of vice operations on that problem. This report should contain:
  - a. The number of vice arrests by type of offense and location;
  - b. Information received on vice problems; and
  - c. Current vice operations directed against area vice problems.
5. Every law enforcement chief executive should insure, through written policies and procedures, that every vice complaint received by his/her agency will be reduced to writing and investigated as thoroughly as possible. Vice complaint policies and procedures should provide that:

- a. All vice complaints be distributed to the chief executive or his/her designee, and to the vice unit;
- b. A written followup report on each vice complaint be made to indicate the progress of the investigation at specified intervals; and
- c. Every vice complaint investigation not completed within a specified period be reviewed, and that all necessary steps be taken to expedite the investigation.

summaries be inspected and reviewed continually; and

- d. Individual, team, and unit performance measures continually be applied to drug and narcotic operations. These measures should include arrests and dispositions; number of purchases by type of drug or narcotic, quantity and quality of seized narcotics and drugs, other crimes cleared, and working caseload.
- 5. Every agency, with the capabilities noted under subsection .2, should provide their narcotic operations with special funds and specialized equipment such as vehicles, electronic equipment, and vision devices necessary to conduct effective narcotic and drug operations.

## STANDARD 16.9

### Narcotic and Drug Operations

Every law enforcement agency should acknowledge the direct relationship between narcotic and drug offenses and other criminal activity, and should have available a narcotic and drug investigation capability based on that acknowledgement.

- 1. Where feasible, law enforcement agencies should cooperate in narcotic and drug abuse public awareness programs such as school system educational programs, civic group programs, and multi-agency community programs.
- 2. Agencies employing more than 75 peace officers should have a full-time narcotic and drug investigation capability. Personnel in smaller agencies may be assigned where justified by the local problem.
  - a. The number of personnel assigned to the narcotic and drug operations should be determined by the local problem.
  - b. Where appropriate in agencies with 75 or less personnel, drug and narcotic operations may be consolidated with vice operations.
- 3. Coordination and the continual exchange of information should be insured between officers assigned to narcotic and drug enforcement, vice enforcement, intelligence, and uniformed patrol.
- 4. Every chief executive should establish written policies and procedures requiring that every narcotic and drug complaint will be reported in writing and investigated. These policies and procedures should provide that:
  - a. All narcotic and drug complaints be distributed to the chief executive or his/her delegate, and to the central narcotic and drug unit;
  - b. A detailed final report of each investigation be prepared upon adjudication;
  - c. Individual, team, and unit narcotic and drug investigation reports and activity

## STANDARD 16.10

### Intelligence Operations

The Iowa Department of Public Safety and every local law enforcement agency should immediately establish and maintain the capability to gather and evaluate information and to disseminate intelligence in a manner which protects every individual's right to privacy while it curtails organized crime and public disorder.

- 1. The Iowa Department of Public Safety should establish a central intelligence gathering, analysis, storage, and dissemination capability.
  - a. Local law enforcement should actively participate in providing information and receiving intelligence.
  - b. At least one person from each local agency should be designated as being responsible for intelligence liaison.
- 2. Local law enforcement agencies with more than 75 peace officers should have full-time intelligence capability.
  - a. When the size of the intelligence operation permits, organized crime intelligence should be separate from civil disorder intelligence.
  - b. The intelligence operation should include an independent and well secured reporting and record system.
- 3. Every law enforcement chief executive should insure exchange of information and coordination between the intelligence operation and all other operational entities of the agency and with other criminal justice agencies as defined in the CODE OF IOWA, Section 749.B.
- 4. Every law enforcement agency with full-time intelligence capabilities should supply its operation with the funds, vehicles, vision

devices, and other specialized equipment necessary to implement an effective intelligence operation.

## COMMENTARY

### State Specialists

Standard 16.4, D.P.S. Specialization was formulated by the conference participants to show support for the role that the Iowa Department of Public Safety's specialized units currently occupy in Iowa law enforcement. Complete cooperation, except in those instances when the effectiveness of the operation would be jeopardized, should continue to be maintained between local law enforcement organizations and the Iowa Department of Public Safety.

### Criminal Investigation

So that a law enforcement agency's criminal investigatory resources are applied in a manner that best supports the attainment of its goals and objectives, peace officers should not merely be report takers. To this end, conference participants recommended that every county and municipal chief executive immediately implement the procedures described in Standard 16.5, Criminal Investigation. The standard details the proper procedures to be followed to insure that every crime receives the appropriate level of investigatory effort and that all investigative efforts are warranted. Not only does a misdirected application of investigative capabilities waste a department's already limited resources, but "[f]ailure to insure that each crime receives the appropriate level of investigation permits some crimes to go unchallenged, creates a negative attitude among the public, and severely reduces the motivation among police officers regarding many types of crimes." (N.A.C., **Police**, 233 (1973).) Suggested measures to prevent misdirected investigative effort include: 1) establishing investigative priorities to determine the extent of the investigative effort; 2) recognizing patrol officers as preliminary investigators; and 3) insuring the quality of the investigation and subsequent case preparation.

To insure that investigative effort is expended to best achieve the agency's goals and objectives, priorities should be established by the chief executive. These priorities would serve to determine the extent of the investigative effort expended for a certain crime. In establishing priorities, the chief executive should consider variables such as the seriousness of the offense, how recently it was reported, probability of offender apprehension, and community attitudes or outrage. The priority awarded a type of offense or a specific crime should be the prime consideration in the operational approach that

should be taken. The level of priority may determine whether a patrol officer's preliminary investigation could suffice, at what point should other local or D.P.S. specialists be contacted, how many officers should be assigned to the case, and how long a fruitless investigation should be continued. The use of priorities to direct investigative effort will insure that every offense receives the appropriate level of investigation.

The conferees observed that agency resources are wastefully expended when patrol officers complete reports regarding crime incidents rather than conduct comprehensive preliminary investigations. In situations where the incident warrants a followup investigation, criminal investigators often must do the groundwork that could have been done more effectively and efficiently by the patrol officer. Participants agreed with the National Advisory Commission in that, "[t]he patrol officer is usually the first to arrive at the scene and can start the investigation without delay. The patrol officer should pursue the initial investigation at the scene until the time he/she spends seems unlikely to produce additional benefits." (NAC, **Police**, 254 (1973).) Participants urged all chief executives to establish written procedure and policy governing when the patrol officer should conduct the preliminary investigation and how it should be conducted. The agency should also provide the patrol officer with the necessary training. Not only would investigative specialists be able to utilize their time more efficiently, but the motivation and morale of the patrol complement would also increase dramatically.

Executive action should also be taken in the quality of the investigatory process and the subsequent case presentation to the prosecuting authority. To insure continuing adherence to the investigative priorities established by the chief executive, participants suggested that there be a continual administrative review of all investigatory activities. Followup reports of all open investigations should be required at periodic intervals (participants recommended every ten days) and a formal administrative approval should be required of all investigations lasting more than one month. The actual performance of the investigators should also be evaluated according to number of arrests and dispositions, crimes cleared, property recovered, and caseload. This review should serve to justify the continued existence of the specialty at existing resource levels, changes in procedures or staffing patterns, or even specialty termination. In light of recent studies which questioned the value of traditional investigative methods, all chief executives should review recent literature regarding criminal investigative procedures and should make the necessary changes in the agency's criminal investigation function. (L.E.A.A., **Prescriptive Package: Managing Criminal Investigations**, (June, 1975) Washington

D.C.; Rand Corporation, **The Criminal Investigation Process**, (October, 1975) Santa Monica)

No matter how complete or thorough the investigation is, it will ultimately prove useless unless the appropriate prosecutorial action can be taken. Participants identified the lack of coordination between law enforcement and prosecutors as the primary cause for poor case preparation. (See Chapter 5.) To resolve this problem, the utility of a case preparation technician was considered. Participants concluded, however, that this function was the responsibility of the supervisory staff and should remain so. Chief executives should take immediate remedial action whenever there are indications that the supervisors are not maintaining an adequate case preparation system.

To prevent the abuses inherent in the existence of separate operational units, clearly defined procedures should be established regarding the maintenance of close coordination between investigative specialists and all other agency units. Procedures should be developed to allow the systematic rotation of patrol personnel into investigative specialist positions to acquaint them with investigatory techniques. The conferees predicted that patrol officers would become superior preliminary investigators after a brief assignment to the investigation unit. Additionally, friction between the operational units could be lessened by requiring that equitable publicity be awarded to all agency elements for their investigatory efforts. It is imperative that agency administrators recognize the contribution made by the patrol function as well as the investigative specialists.

#### Special Crime Tactical Forces and Multi-Jurisdictional Task Forces

Many operational problems that would normally fall within the realm of regular patrol operations often cannot be handled in the usual manner due to the agency's limited patrol deployment flexibility. The National Advisory Commission notes that, "Limited personnel and the many problems of regular police service frequently preclude the attaining of proper selective enforcement, or selective pressure, against special crime problems. To achieve proper emphasis and pressure against particular crime situations, crime tactical forces are often deployed to serve as compact, flexible operational task forces in given locations at times when a concentrated effort is needed." (N.A.C., **Police**, 239 (1973).) Conferees endorsed this operational technique and encouraged all departments, where such a tactical force would be beneficial, to consider implementing one based upon local problems and needs.

Due to the personnel requirements and deployment factors inherent in a crime tactical force, only one or two of Iowa's largest municipal departments could feasibly implement one on a

full-time basis. Currently, only Des Moines maintains a full-time unit. Other large departments could benefit from specially trained part-time tactical units to cope with a specific crime, such as a S.W.A.T. (special weapons and tactics) team. Prior to the establishment of any in-house full—or part-time unit, a thorough evaluation of its potential impact upon overall agency operation should be conducted. As observed by one participant, "It would be counter-productive to establish a tactical force if there were insufficient numbers (of patrol officers) to provide basic law enforcement services."

The tactical, or task force, approach can be incorporated to deal with specific crimes as well as crime problems. Participants agreed that certain criminal offenses can best be investigated by a multi-jurisdictional task force. Particularly in metropolitan areas, the timely identification and apprehension of an offender may require a joint multi-agency investigatory effort. Participants acknowledged that multi-jurisdictional task forces have shown to be highly successful in Iowa and that they show great potential. These part-time forces, consisting of qualified personnel from the participating agencies, normally are called up to investigate a specific crime that involves or affects the member departments. For example, a multi-jurisdictional task force has been established to handle certain homicide investigations in the Polk County area. Unlike the in-house tactical forces, the multi-jurisdictional task forces should only serve investigatory, coordination, and communication functions. Participants did not believe that sending uniformed officers from one jurisdiction to patrol in another to deal with a crime problem would be practical or worthwhile.

As in the formulation and utilization of any specialty, tactical units and task forces should only be deployed when the crime problem or crime cannot be dealt with by the agency's regular operational units in an efficient and cost-effective manner. When the forces are deployed, they should perform in accordance with policies and procedures written by the chief executive or, in the case of a multi-jurisdictional task force, a board consisting of the member agencies' chief executives. In addition, the composition of the task force, as well as the function it will serve, should be jointly determined by the board prior to its initial deployment. Issues pertaining to chain of command or liaison with the media should be comprehensively spelled out in the board's written procedures. Any delays in the immediate activation of the task force, or internal conflicts during the course of an investigation, will hamper its ability to function as a single, well coordinated entity.

#### Traffic Operations

Standard 9.7, Traffic Operations, details which governmental unit should be responsible for the varied functions of highway traffic safety. Basically, three different activities were identified

as being the responsibility of every jurisdiction. These consist of traffic law enforcement, traffic accident management, and traffic direction and control.

Traffic law enforcement, the activity directed toward controlling traffic violations, should remain a primary responsibility of every law enforcement agency. Conference participants believed that traffic enforcement was an invaluable tool in arresting non-traffic criminal offenders. It was stated that numerous wanted suspects were located as a result of a moving violation such as speeding or passing a red stop light.

It was also decided that peace officers should provide traffic accident management. These activities are concerned with traffic collisions and include providing assistance at accident scenes, investigations, and appropriate reports. Conference participants expressed concern, however, that much time is wasted in completing accident reports for minor property damage accidents. The attitude expressed was that the agency was doing the insurance company's footwork. Action should be taken to insure that any required effort expended is warranted.

The third function of traffic highway safety is traffic direction and control activities. These may include intersection and parking control, and escort service. Participants strongly urged that all efforts should be made to relieve the agency from being responsible for them. In addition to being clearly outside the realm of professional law enforcement, they can be performed in a more cost-effective manner by civilian employees or mechanical devices.

#### Vice

Vice enforcement poses special problems. First, these offenses involve a consensual act between the person who desires the service and the person who provides the service. Second, community attitudes often reflect a high level of tolerance toward certain vice activities. (N.A.C., **Police**, 243 (1973).) Third, the conferees observed that the "...chief can get deeply involved in making morale judgements, implanting his own values on the community; he may find himself in a position where he gets no community support."

Conference participants agreed that, in addition to being a difficult area to enforce, current Iowa vice statutes are perplexing and confusing. It was anticipated that the new criminal code revision would initially add to the confusion.

Although specific enforcement action was not suggested, the conferees agreed that all agencies should maintain vice enforcement capabilities. Departments with more than 75 peace officers should have a specialist assigned full time to the problem. Depending upon the local problem, however, this specialist may also be responsible for related enforcement problems such as narcotics, organized crime, and intelligence.

In that effective vice enforcement depends upon close coordination between the agency's functional units, and that the potential for officer compromise is relatively high, the chief executive should develop extensive policies and procedures in this area. Participants recommended that the agency's chief executive be kept continually aware of the current vice problem, complaints, arrests, and investigations. Review and follow-up reports of all open investigations should also be required at specified periodic intervals.

Smaller agencies may designate an officer to serve this function on a part-time basis depending upon the local problem. It was suggested that in smaller agencies, peace officers could be "loaned" to other agencies to conduct undercover operations due to their anonymity.

#### Narcotics and Drug Enforcement

The use of narcotics and dangerous drugs may not, as noted by one conference participant, be a crime but a social problem. Every law enforcement agency in Iowa should acknowledge that, in either case, narcotics and drug abuse may be a prime causative factor in criminal behavior. As brought out by the National Advisory Commission:

The precise relationship between...criminal acts and narcotics and drug abuse violations is not known, but it has been established that the relationship is a factor in the total crime problem, from traffic violations to homicide.

Whether the violation involves narcotics or drugs, whether they are addictive or non-addictive, money is involved. Narcotics and drugs must be purchased; the purchaser must have funds to obtain the contraband. Most illicit narcotic and drug abusers are not affluent, nor have they adequate funds to supply their needs or desires. The source of funds, particularly the addict's, must come from criminal activity. (NAC, **Police**, 247 (1973).)

Narcotics and drug abuse is not a problem experienced only by Iowa's more populated jurisdictions; even the least populated rural communities have been affected. To meet this problem, every department should maintain a narcotics and drug enforcement capability.

The resources allocated to these enforcement activities should depend upon the extent and type of problem identified. Conference participants recommended that departments employing 75 or more peace officers should possess full-time specialized capabilities. Departments with fewer personnel should maintain full—or part-time specialists, if warranted by their particular problem.

Due to the nature of the enforcement activities necessitated by narcotics and drug offenses, medium size and smaller departments may be unable to conduct effective in-house operations.

Enforcement often requires undercover assignments; officers in these jurisdictions are usually too recognizable as peace officers. The conferees remarked that the identity of undercover officers may even be known in their respective geographic region of the state. The participants found that action should be taken to allow chief executives throughout the state to exchange officers for the purpose of undercover assignments. There was general agreement that the State Division of Narcotics and Dangerous Drugs (D.N.D.E.) could best facilitate this exchange by functioning as a broker. All departments, whether metropolitan or rural, should actively seek involvement in regional and State programs to improve their own enforcement capabilities.

Assistance should also be offered to local schools, civic groups, and community organizations conducting narcotics and drug abuse awareness programs. The participants noted in their discussion that the development of such education programs in the schools was solely dependent upon the interest taken by the school administrators. It was reported that, in some instances, school administrators have not sought law enforcement involvement. In any case, agencies are encouraged to support these efforts if requested.

Written agency policy should be developed regarding narcotics investigations. Investigative priorities should be established to insure that agency resources are directed toward those activities which will have the greatest impact on the identified problem. Investigative caseload, number of narcotics complaints, and other relevant variables should be continually reviewed to insure that sufficient agency resources are allocated to this problem. In addition, departments with full-time narcotics enforcement capabilities should provide their specialists with the equipment necessary to effectively investigate complaints and to successfully apprehend and prosecute offenders.

#### Intelligence Operations

Law enforcement intelligence data serves the function of keeping the agency informed of potential criminal activity in their jurisdiction. As described by the NAC:

Awareness of community conditions, potential problems, and criminal activity—past, present and proposed—is vital to the effective operation of law enforcement agencies and continued community safety and security. (N.A.C., **Police**, 251 (1973).)

The conference participants concurred with the NAC in that timely access to relevant and accurate intelligence data can be crucial to the maintenance of effective law enforcement. It was recommended that every department in Iowa possess the capability to obtain such data when needed in a manner which does not infringe upon a citizen's right to privacy.

As envisioned by the conference participants, the most beneficial intelligence system for Iowa would consist of a central location for the gathering, analysis, storage, and dissemination of data provided by every local agency. It was agreed that the Criminal Conspiracy Unit of the Iowa Department of Public Safety could best serve this function. Every local chief executive would designate one individual, if not directly responsible himself/herself, to be responsible for maintaining liaison with the C.C.U. Intelligence data would be forwarded to C.C.U. for analysis and then disseminated throughout the State. Local departments would both receive general information and more specific data if the particular situation warrants it. In that Chapter 749.B, CODE OF IOWA, prohibits the storage of intelligence data on a computerized system, an alternative technique for the rapid and accurate transmittal of information would have to be developed.

The participants also proposed that intelligence gathering and analysis should take place on the local level. Departments with more than 75 peace officers should maintain full-time intelligence capabilities. Multi-agency and regional intelligence efforts were also found to have great potential.

Whether or not an independent full-time intelligence capability exists, the participants strongly urged every department to actively participate in the statewide effort. Without this local involvement, major information gaps will occur that will prevent an accurate analysis of Iowa's present and potential crime problems.

It is of particular importance in any intelligence network that the highest standards of security be maintained. Only those agencies or individuals legally authorized to have access to this information should be permitted to obtain it. As brought out by the participants, the most important element in any intelligence network is that every individual's right to privacy is protected.

#### COMPARATIVE ANALYSIS REFERENCE

NAC Police 9.1, 9.2, 9.3, 9.4, 9.6, 9.7, 9.8, 9.9, 9.10, 9.11.

## **Chapter Seventeen**

# **Support Services**

**Goal: The in-field operations of every law enforcement organization are supported with the specialized services necessary to attain the agency's goals and objectives.**

## STANDARD 17.1

### Evidence Collection

Every law enforcement agency should acknowledge the importance of efficient identification, collection, and preservation of physical evidence; its accurate and speedy analysis; and its proper presentation in criminal court proceedings. These are essential to professional criminal investigation, increased clearance of criminal cases, and ultimately, the reduction of crime. Every agency should insure the deployment of specially trained personnel to gather physical evidence 24 hours a day.

1. Every local law enforcement agency immediately should consider the use of specially trained regular patrol officers to devote a maximum of 25 percent of their regular duty time to the location, collection, and preservation of physical evidence.
2. Every local law enforcement agency with 75 or more personnel should consider the use of specially trained evidence technicians to locate, collect, and preserve physical evidence at crime scenes and to deliver such evidence to the appropriate laboratory facility. These technicians may partially or entirely eliminate the need for deployment of specially trained regular patrol officers in gathering physical evidence.
3. All incoming sworn personnel should be provided with a formalized basic training course in evidence-gathering techniques to develop the agency's capacity to retrieve and use any physical evidence present at the scene of a criminal investigation. Every sworn officer should then be held responsible for evidence collection in cases where an evidence technician or a specially trained patrol officer is not available.
4. The Iowa State Department of Public Safety should maintain a mobile evidence collection van containing equipment for securing and illuminating large crime scene areas and for storing and preserving physical evidence. The van should be staffed by qualified evidence technicians and should be used for major occurrences.
5. Every law enforcement agency should be responsible for its own crime scene searches and should immediately insure that all crime scenes are thoroughly examined for physical evidence, and all evidence collected is submitted to the appropriate laboratory facility for analysis, and that the necessary equipment and supplies be provided.
6. Specialized training for local evidence technicians should be provided on a centralized or regional basis in order to achieve a statewide level of proficiency in the collection of physical evidence.

## STANDARD 17.2

### The Crime Laboratory

Iowa law enforcement should have a consolidated criminal laboratory system providing the most advanced forensic science services.

1. Every law enforcement agency should immediately insure that it has access to at least one laboratory facility capable of timely and efficient processing of physical evidence and should consider use of each of the following:
  - a. A local laboratory that provides analysis for high volume, routine cases involving substances such as narcotics, alcohol, and urine; routine analysis and processing of most evidence within 24 hours of its delivery; immediate analysis of certain types of evidence, such as narcotics, where the detention or release of a subject depends upon the analysis; and qualitative field tests of narcotics or dangerous drugs.
  - b. A centralized State laboratory that provides highly technical analyses that are beyond the capabilities of local or regional facilities.
2. The Iowa Department of Public Safety should conduct an evaluation to assess the need for regional laboratories. If shown to be cost-effective, such labs should be established.
3. Every crime laboratory within a local law enforcement agency should be part of the organizational entity that includes other support services, and should be directed by an individual who reports only to the agency's chief executive or to a staff authority who reports directly to the chief executive.
4. In maintaining a staff of formally qualified personnel who can provide efficient and reliable assistance in criminal investigations, every crime laboratory should provide that:
  - a. Every employee responsible for the completion of scientific analyses or testing hold at least an earned baccalaureate degree in chemistry, criminalistics, or a closely related field from an accredited institution, and have a thorough working knowledge of laboratory procedures;
  - b. Every employee performing supervised basic scientific tests or duties of a nonscientific nature meet the agency's requirements for the employment of regular sworn or civilian personnel;
  - c. The laboratory director be familiar with management techniques necessary to perform his/her administrative functions satisfactorily;



- d. All laboratory personnel be adequately trained and experienced;
  - e. Civilian personnel be used regularly so sworn personnel may be more appropriately deployed in other assignments, but provide that qualified sworn personnel be used when their abilities or expertise cannot be found elsewhere;
  - f. The working staff be sufficient to meet the demands of the laboratory caseload;
  - g. Salaries be commensurate with the specialized duties and qualifications of each position so that well-qualified personnel are attracted to and retained in these positions;
  - h. Promotional and career paths for laboratory personnel that result in salaries at least equal to those employed in other equivalent laboratories; and
  - i. A clerical pool capable of handling all the clerical needs of the laboratory be maintained.
5. Every laboratory that employs more than 10 nonclerical personnel also should establish at least one research position for solving specific laboratory problems and developing new laboratory techniques.
  6. Every law enforcement chief executive should insure that the crime laboratory function receives appropriate fiscal support and that the adequacy of its facilities is considered in structuring the agency's annual budget; every laboratory director should be able to assess and control the amount, type, and quality of evidence received by the laboratory.
  7. Every local law enforcement agency and every non-State regional laboratory should receive from all agencies using its services partial annual support based on the number of sworn personnel employed by each agency, rather than on case costs.
  8. Every crime laboratory director should design and implement a reporting system that provides data relative to its involvement in investigating crime.
  9. Every crime laboratory should establish close liaison with:
    - a. All other elements of the criminal justice system to insure that laboratory findings are consistent with law enforcement needs and are being effectively used as investigative tools; and
    - b. The scientific and academic establishments, to insure use of the latest techniques and devices available to the criminalist and the investigator.

## STANDARD 17.3

### The Property System

Every law enforcement agency should establish a system for the secure and efficient storage, classification, retrieval, and disposition of items of evidentiary or other value that come into the custody of the agency.

1. A filing system should be established that includes, but is not limited to:
  - a. A chronological record of each occasion when property is taken into custody;
  - b. A separate itemized list of all items of property that are taken into custody; and
  - c. A record that indicates the continuity of the property from its entry into the system to its final disposition. This record should include the name of each person accountable for each item of property at any given time.
2. Regular property inventories and property record audits should be conducted to insure the integrity of the system. Such measures should be performed by personnel who are not charged with the care and custody of the property, and the results should be reported to the law enforcement chief executive.
3. Written procedures should be published governing the function of the property system. All components of a multicomponent property system should be governed by the same procedures.
4. Every agency that uses full-time employees in its property function should assign civilian personnel to all elements of the property system in order to release sworn officers for assignment to those agency functions requiring them.
5. The property function should only be assigned to those employees who are trained in the operation of the system.
6. Personnel assigned to the property function should also not be involved in authorizing the booking, release, or disposition of property. Such authorization should be provided by the booking officer, the investigating officer, or another designated authorized employee.
7. Every law enforcement agency should clearly designate the employees responsible for around-the-clock security of the property area and restrict entry of all other personnel into this area.
8. Close security and control measures should be instituted to safeguard all money that comes into agency custody.
9. Procedures should be instituted that facilitate the removal of property from the system as soon as possible.

- a. All identifiable property should be returned as soon as practical after the rightful owner is located. Prior to disposition, all such property should be checked against stolen property records and all firearms should be compared with gun records to make certain that no "wants" or "holds" exist for such items.
  - b. Personnel assigned to locate the owners of identifiable property should not be involved in the arrest or prosecution of the persons accused of crimes involving that property.
  - c. When property is no longer needed for presentation in court, and the owner cannot be determined, it should be disposed of promptly.
10. The property room should include:
- a. A sufficient amount of space and facilities for efficient storage of property and records;
  - b. Easy access by agency personnel and by the public without lessening security or subjecting property to contamination;
  - c. A temporary storage area for perishable property; and
  - d. An area that provides an extra measure of security for the storage of narcotics and firearms.

## COMMENTARY

### Evidence Collection

A law enforcement agency's ability to successfully investigate and prepare cases for criminal prosecution often depends upon the use of evidence collected at the crime scene. Conference participants agreed that without an adequate evidence identification, collection, and preservation capability its overall effectiveness would be severely curtailed.

Evidence collection is no simple task. Not only may evidence be difficult to identify or locate, but it may be easily contaminated and become useless for investigatory or prosecutorial purposes. Clearly, the identification, collection, and preservation of evidence demands specialized and highly technical abilities. However, as related by the conferees and the National Advisory Commission, this may not always be the case.

At some crime scenes one may observe patrolmen, investigators, supervisors, watch commanders, and even citizens handling items that may later prove vital to the investigation. Items of evidentiary value may leave the crime scene in any number of ways, the worst of which is a "sterile" journey to

the crime laboratory in the pocket or waistband of a police officer. Sometimes, due to the difficulty of crowd control or the inexperience of responding officers, a crime scene is altered substantially within minutes of the commission of the crime. These conditions document the need to use evidence technicians in gathering physical evidence. (NAC, Police, 296 (1973).)

To prevent problems similar to those noted above, every law enforcement chief executive should insure that his/her agency maintains the capability to conduct effective crime scene searches and to gather evidence. The conference participants believed that Standard 17.1, Evidence Collection, sufficiently addresses this need and recommended that it be implemented in every department.

At the very least, every department should be capable of maintaining an evidence gathering function 24 hours a day. The conferees proposed that this function should be served, in both small and large departments, by patrol-technician officers who have undergone special evidence gathering training. This training would be above that basic training in evidence gathering offered during I.L.E.A. mandated basic training.

Patrol-technician officers should prove to be highly valuable in departments of all sizes. In the smaller departments, they will upgrade the evidence gathering capabilities of the agency. In the larger departments, which may already maintain evidence collection specialists, they can devote their time to the more routine criminal offenses and allow the specialists to concentrate on crimes of a more serious nature. In either case, the use of patrol-technicians would not delete the patrol force complement. Moreover, additional paths for career development would be provided.

While patrol-technicians would be qualified for routine evidence gathering, more serious or sophisticated offenses demand the expertise of an evidence technician specialist. This function is already provided to all of Iowa's law enforcement agencies by the Iowa Department of Public Safety. The conferees predicted, however, that the evidence collection workload in the larger departments would necessitate a full-time specialist. Every department with more than 75 personnel is encouraged to employ such an individual. The conferees noted that this specialist should be on-call 24 hours a day and his/her services should be made available to neighboring departments.

### The Crime Laboratory

Evidence collected at crime scenes may be of little value to criminal investigators unless it can yield relevant information about the offense. Often, this information can only be obtained through a laboratory analysis of the evidentiary items. The conference participants recognized

that time can be a crucial factor in the evidence analyses process. The success of many investigative efforts are dependant upon the speedy processing of collected evidence. The time factor also comes into play where the detention or release of a suspect depends upon the results of the analysis. As brought out by the NAC:

The gathering of physical evidence at a crime scene will not improve the investigative process unless such evidence is translated into pertinent data related to the crime. No matter how sophisticated an agency's evidence collection methods, they are of limited value without a comparable system of analysis. There should be a laboratory facility capable of providing qualitative, quantitative, and interpretive analyses of all physical evidence taken into custody by the agency.

Time is often critical in a criminal investigation; the solution of a case may hinge on the rapid return of information to the investigator. Therefore, the laboratory facility should be capable of immediate analysis of evidence, even though some evidence may not demand immediate handling and may be returned to the agency on a routine or scheduled basis. The important thing is that the laboratory realize the difference and set up priorities to insure the speedy analysis and return of evidence when indicated. As a general rule, the return of evidence should be timely and should depend upon the needs of the investigators. (NAC, **Police**, 300 (1973).)

The evidence analysis needs of Iowa's enforcement agencies are, currently, a function of local laboratories and the State's BCI Crime Lab. The conferees related that the more routine analyses - blood alcohol, urine, and narcotics - are conducted by private laboratories located in the vicinity of the department. Complex and sophisticated analyses are normally reserved for the BCI Crime Lab located in Des Moines.

It was brought to the attention of the conference participants that not all local law enforcement departments have access to, or can afford, private laboratories. As a result, routine analyses are being conducted by the B.C.I. Crime Lab that can be more efficiently conducted at local locations in a less sophisticated laboratory. To alleviate this problem, the conferees recommended that the feasibility of regional State labs, dedicated to routine substances, be assessed.

The conferees proposed that regional State labs would provide the following benefits: 1) a more timely and efficient processing of routine substances; 2) greater expertise in the analyses of criminal evidence than that available at non-criminalistic private labs at no cost to local depart-

ments; and 3) expanded capability at the B.C.I. Crime Lab to handle analyses truly requiring their sophisticated equipment and expertise.

#### The Property System

Standard 17.3, The Property System, addresses the property storage function every law enforcement agency should maintain. Not only must an agency be capable of safekeeping items of evidentiary value, personal property, and other articles that come into the agency, but it must also provide adequate security, prevent contamination of evidence, and facilitate the removal of property from the system as rapidly as possible. To this end, the conference participants recommended that every agency assess its own existing system, compare it to the procedures detailed in this standard, and implement the appropriate procedures to alleviate any identified deficiencies.

#### COMPARATIVE ANALYSIS REFERENCE NAC Police 12.1, 12.2, 12.3.

## **Chapter Eighteen**

# **Unusual Occurrences**

**Goal: Every jurisdiction in Iowa is covered by an unusual occurrence contingency plan that can be immediately implemented by law enforcement to restore conditions as rapidly as possible.**

## **STANDARD 18.1**

### **Planning for Unusual Occurrences**

Every municipal governing body should insure that plans for the coordination of all government and private agencies involved in unusual occurrence control activities are developed. Every law enforcement chief executive should develop plans immediately for the effective command and control of agency resources during mass disorders and natural disasters. These plans should be developed and applied in cooperation with allied local, State, and Federal agencies and should be directed toward restoring normal conditions as rapidly as possible.

1. Intra-agency command and control plans should be developed to activate the resources of the agency rapidly to control any unusual occurrence that may occur within its jurisdiction. These plans should provide for:
  - a. Liaison with other emergency service organizations to include the participation of those agencies in quickly restoring order;
  - b. Formalized mutual aid agreements with other local and county law enforcement agencies, where effective control resources may be limited by agency size; and
  - c. The participation of other government and private agencies.
2. Every law enforcement employee should be familiar with his/her agency's plans that relate to any function the employee might be called upon to perform, or any function that might relate to his/her performance.
3. Law enforcement chief executives participating in mutual aid agreements should inform their personnel that they will be required to assist in the event of an unusual occurrence in a member agency's jurisdiction.

## **STANDARD 18.2**

### **Executive Authority**

Every law enforcement chief executive should be given responsibility immediately to command all law enforcement resources involved in controlling unusual occurrences within his/her jurisdiction. This authority should only be preempted when a state of emergency is declared by the

Governor, local authority breaks down, or command authority is transferred by prior agreement. In carrying out this responsibility, the law enforcement chief executive should direct all law enforcement activities within the affected area, and he/she should insure that at least minimum services are provided to the remainder of the jurisdiction.

1. Every law enforcement chief executive should establish a system for designating executive command authority in his/her absence.
  - a. A system of succession of command should be established; and
  - b. A senior officer should be designated the acting chief executive in the absence of the law enforcement chief executive.
2. The law enforcement chief executive or his/her delegate should be available to assume command without delay at all times. This individual should:
  - a. Assess the agency's needs in the involved area and the remainder of the jurisdiction;
  - b. Make decisions based on available information and issue appropriate instructions to the agency to insure coordinated and effective deployment of personnel and equipment for control of the occurrence and for effective minimum services in the remainder of the jurisdiction;
  - c. Insure that all actions taken by law enforcement personnel deployed in the affected area are supervised and directed; and
  - d. Apply control measures according to established command and control plans and predetermined strategies.

## **STANDARD 18.3**

### **Control Activities**

Every unusual occurrence contingency plan should include an interim unusual occurrence control organization. This organization should be capable of rapid and orderly activation, assembly, and deployment of all available law enforcement resources and should be flexible enough to permit incremental activation. It should provide the following functions under the command of the law enforcement chief executive in command:

1. An intelligence function to collect, evaluate, and disseminate information;
2. A personnel function to activate and

maintain sufficient numbers of personnel to meet the needs of the situation;

3. A logistics function to procure the needed equipment and feed the officers; and
4. A casualty information function to gather, record, and disseminate information concerning dead, injured, missing, and lost persons.
5. A command center should be established to:
  - a. Coordinate all unusual occurrence control activities;
  - b. Obtain all resources and assistance required for the field forces from agency and outside sources;
  - c. Maintain chronological logs and prepare periodic reports; and
  - d. Collect and disseminate information from field forces, agency forces, participating agencies, and outside sources.
6. A field command post should be established and staffed with personnel to support the field commander. The field command post should be staffed and organized to enable the field commander to:
  - a. Direct the operations necessary to control the unusual occurrence;
  - b. Assemble and assign law enforcement resources;
  - c. Collect, evaluate, and disseminate intelligence concerning the incident;
  - d. Communicate with concerned task forces and units;
  - e. Apply the strategy and tactics necessary to accomplish the law enforcement mission;
  - f. Gather, record, and preserve evidence; and
  - g. Maintain appropriate records of field operations

## **STANDARD 18.4**

### **Mass Arrests**

Recognizing that situations may arise which may necessitate the arrest, processing, transportation, and detention of large numbers of persons, every jurisdiction should assess their potential need for such capabilities. If the assessment indicates that these capabilities may be required in the event of an unusual occurrence, all or part of this standard should be considered for implementation.

Alternatives to mass arrest should be sought, but if it is determined that mass arrests may be necessary in their jurisdiction, a system should be available to provide adequate security for prisoners and officers and to insure that the arresting officer is returned to his/her field assignment as quickly as possible. The system should facilitate the restoration of order by means of lawful arrest, and the preservation of all available evidence.

1. The mass arrest system should insure that arrestees are processed as rapidly as possible. The system should provide:
  - a. A procedure for gathering and preserving available evidence to connect the arrestee to the crime he/she is to be charged with. The evidence may include photographs, recordings, videotapes, statements of witnesses, or other evidence;
  - b. A procedure for receiving each prisoner from the arresting officer and facilitating the officer's return to his/her field assignment as soon as possible;
  - c. Positive identification of the arrestee and the arresting officer;
  - d. A procedure for receiving and maintaining continuity of evidence;
  - e. Rapid removal of arrestees from the affected area. Security should be provided en route to prevent attempts to free prisoners;
  - f. A secure detention area to prevent escape or attempts to free prisoners. The facility should be adequate to maintain custody of a number of prisoners in safety;
  - g. Prearranged interagency agreements to facilitate the assimilation of the arrestees into the jail system when the arresting agency is not the custodial agency;
  - h. Defense counsel visitations after processing. These visitations should not be permitted under field conditions or at temporary detention facilities unless adequate security is provided. Prisoners should be transported to a secure detention facility without delay; and
  - i. Liaison with local courts and prosecutors to determine procedure and temporary court sites for speedy arraignment of arrestees.
2. The mass arrest system should make the name and charge of persons arrested available to public inquiry as soon as possible after the arrestee has been processed. A current list of arrestees should be communicated to the agency command center as the information becomes available. Inquiries should be directed to one central location.

## **STANDARD 18.5**

### **Legal Considerations**

The Iowa State Legislature and every governing body should immediately review existing law and consider new legislation to permit necessary action by all control agencies and that afford each individual all his/her constitutional guarantees during an unusual occurrence.

1. The Iowa State Legislature should reimburse local law enforcement agencies required to react to Federal and State events, such as conventions, campaigns, or VIP visits, and extraordinary costs incurred in responding to mutual aid requests.
2. Full-time protection should be afforded every community by permanent legislation to provide for:
  - a. Prohibition of impeding pedestrian or vehicular traffic; and
  - b. Permits for parades, assemblies, and public events and regulations on the size and material used in picket signs and sign handles or any other device used in a public demonstration.
3. Emergency statutes specifically designed to cope with unusual occurrences should be enacted to provide for:
  - a. Restrictions upon sales of gasoline, liquor, and weapons and ammunition;
  - b. The restriction of public access to certain geographic areas under specifically defined circumstances;
  - c. Curfew, loitering, and other crowd control measures;
  - d. The restriction of public use of schools, places of amusement, water, and private aircraft; and
  - e. Control of the storage of firearms, firearms parts, and ammunition.

## **COMMENTARY**

### **Planning For Unusual Occurrences**

In the event of an unusual occurrence, whether man-made or natural, it is the primary responsibility of the involved governing body and their respective law enforcement agency to restore normal conditions as soon as possible. Delays in restoration may result in injury to both life and property, as well as an intensification of the problem. In that reactive measures are usually inefficient and ineffective, every jurisdiction in Iowa should be covered with an unusual occurrence plan that can be immediately put into action.

Planning for unusual occurrences is not a simple task. The very fact that the situation will be unusual and not anticipated precludes the development of a plan that clearly details specific operations, deployment of personnel, and functional responsibilities. The conference participants proposed that such plans must be flexible enough to cover all situations but specific enough to provide meaningful guidance to law enforcement and other emergency service agency operations. To this end, the plan should address the functions outlined in Standard 18.3, Control Activities.

Responsibility for plan development should be related to the availability of local resources and the likelihood that outside assistance may be necessary. The participants agreed that an unusual occurrence in a town or small city would probably necessitate the intervention of the county sheriff's department. The conferees recommended that governing officials in these jurisdictions should not develop their own plan but should insure that the county sheriff maintains a plan that is applicable to their area. One participant mentioned that, in approximately two-thirds of all of Iowa's counties, the sheriff's plan is already depended upon by all of the incorporated areas within the respective county.

Recognizing the key role the county sheriff will play in the event of an unusual occurrence, it is strongly urged that all sheriffs and boards of supervisors develop and maintain unusual occurrence control plans and, where necessary, participate in multi-county mutual aid agreements.

The need for a formalized multi-county agreement is not to coerce adjoining departments into lending assistance in the event of an unusual occurrence. It was remarked that assistance would be offered whether or not a formalized agreement existed. A formalized agreement is needed to clarify legal questions such as civil liability, powers of arrest, and death benefits. It would also insure each participating law enforcement chief executive that he/she can rely upon the assistance of a minimum number of peace officers from participating agencies.

Formalized mutual aid agreements should also be developed by adjoining municipal agencies and among county and municipal agencies. Particularly in Iowa's metropolitan areas, the participants predicted that a mutual aid agreement would facilitate the rapid and coordinated involvement of neighboring agencies.

The substance of the plans developed by the county sheriffs and the municipalities should be made known to the involved personnel in their respective departments. However, the participants believed that personnel in mutual aid agreement agencies need not be informed of the other member's plans. The participants were of the opinion that, to avoid confusion and needless duplication of plans, officers in participating

departments should only be informed that they may be called upon to serve in another jurisdiction in the event of an unusual occurrence.

#### Command Authority

To prevent confusion and insure a coordinated and timely response to an unusual occurrence situation, one individual should be responsible for and recognized as being in command of all law enforcement operations in the involved area. The conference participants decided that this individual should be the law enforcement chief executive of the jurisdiction in which the involved area is located. This chief should command his/her own personnel, and coordinate the activities of participating agencies. This authority should only be preempted when a state of emergency is declared by the Governor, local authority breaks down, or command authority is transferred by prior agreement. Transfer of authority may also occur during the unusual occurrence if mutually agreed upon by all the principals.

Optimally, the law enforcement chief executive who has developed the plan for the involved jurisdiction should be responsible for its implementation. As noted above, the county sheriff would be responsible for county-wide unusual occurrence planning in the majority of Iowa's counties. Consequently, the participants acknowledged that the county sheriff should have command authority over all law enforcement operations in their respective counties except in those municipalities that have their own plans. Arrangements should be formalized between the local governing bodies that have not prepared their own plans and the county sheriff; the agreement should recognize the sheriff's authority in these matters. It was observed by one participant that these agreements usually already exist.

Command authority must not be interpreted as absolute control. It came to the attention of the conferees that previous multi-agency unusual occurrence efforts broke down only when the law enforcement chief executive in charge failed to involve the chief executives of participating agencies. The participants recommended that every law enforcement chief executive in command of any multi-agency effort allow the participating chief executives meaningful input into the command and control decision-making process.

#### Control Activities

Speed is a crucial element in the law enforcement response to an unusual occurrence situation. As previously noted, a rapid response will prevent a needless intensification of the problem in the involved area. To insure that a rapid and orderly activation, assembly, and deployment of all available law enforcement personnel occurs, every unusual occurrence plan should include an interim control organization.

This organization would be responsible for providing certain functions necessary in the event of any type of unusual occurrence.

The conference participants indicated that at least four functions should be provided by the control organization. These are a personnel function to call up agency personnel, contact mutual aid members, and to keep the chief executive aware of personnel needs; a logistics function to procure vehicles, locate sleeping accommodations, and feed the personnel; a casualty function to establish liaison with emergency medical services and gather, record, and disseminate all information concerning dead, injured, missing, and lost persons; and an intelligence function responsible for collecting and evaluating information and keeping the principals aware of all pertinent information.

The size of the control organization will, to a great extent, depend upon the resources available to the planning agency. Chief executives with limited personnel resources may assign one individual to be responsible for several functions. On the other hand, personnel in the larger agencies may be assigned to a specific task within one function. In either case, the conferees urged that personnel assigned to the unusual occurrence control organization be well briefed and adequately trained to effectively perform their tasks.

Command centers and, if appropriate, field command posts are necessary in all types of unusual occurrences. These centers should be staffed with the law enforcement chief executive in command and his/her advisors. It came to the attention of the participants that since the center will also serve to coordinate all law enforcement operations in the affected area, it should be provided with adequate communications capabilities. Liaison with the media and local and State officials should also be the responsibility of the command center staff.

#### Mass Arrests

In the event of a civil disturbance, it may become necessary to arrest and detain large numbers of individuals. While Iowa has only had minimal experience with these types of situations, the potential for civil disorder in the future does exist and, therefore, the need for an efficient mass arrest and detention capability cannot be overlooked.

Conference participants recommended that every jurisdiction engaged in unusual occurrence planning should assess the potential of civil disorder in their area and the possible need for a mass arrest capability. If the possibility of a civil disturbance does exist, the guidelines set forth in the mass arrest standard should be incorporated into the unusual occurrence control plan.



### Legal Considerations

Iowa law enforcement must be provided with the legal tools necessary to protect life and property and to restore normal conditions as rapidly as possible in the event of a civil disturbance. It was observed by the participants that Iowa has adequate criminal statutes covering most acts of violence common to most of these situations. However, the participant's opinion of current statutes did coincide with the NAC: "In many cases there are inadequate legal tools available to prevent or control some of the more sophisticated acts that have developed in recurring demonstrations and disorders." (NAC, **Police**, 180 (1973).) The conferees believed that such legal gaps may exist in Iowa law and suggested that State and local legislative bodies review existing law and ordinances to insure that all control organizations can take necessary action.

Action by the State Legislature should also be taken to provide financial assistance to those jurisdictions experiencing recurring unusual occurrences or extraordinary expenses in assisting a neighboring jurisdiction. The participants supported the NAC's argument for state reimbursement:

Recurring events in a jurisdiction requiring response of control forces can place a strain on funds. Neighboring agencies are also limited in the resources they can provide under mutual aid compacts during protracted occurrences. In addition to the difficulty of budgeting for these unpredictable increased expenditures is the greater problem of incurring costs that exceed the revenues a jurisdiction is able to raise.

Although local government must expect to meet the cost of internal disturbances, it should be able to look to Federal and State resources for reimbursement of costs incurred in responding to occurrences generated outside the community. Controlling disturbances, providing security, and the general policing associated with national partisan conventions, political campaigns, VIP visits, and response to mutual aid requests are examples of extraordinary costs that should not be borne by the local jurisdiction providing the law enforcement services. (NAC, **Police**, 181 (1973).)

### COMPARATIVE ANALYSIS REFERENCE

NAC Police 7.1, 7.2, 7.3, 7.4, 7.5.

## **Chapter Nineteen**

# **Personal Equipment**

**Goal: All peace officers are provided with the attire and equipment necessary to perform their duties.**

## **STANDARD 19.1**

### **Peace Officer Uniforms**

Every law enforcement chief executive should immediately develop and designate complete standard specifications for apparel and equipment to be worn by every agency employee when performing the duties of a uniformed sworn officer. To deter criminal activity, uniformed officers should be highly visible, easily identifiable and readily distinguishable from other uniformed persons. Every officer's appearance should reflect favorably on his/her agency and profession; however, to insure maximum efficiency, this should not be accomplished at the expense of physical comfort.

1. The Iowa State legislature should enact legislation standardizing the color of uniforms worn by all municipal peace officers who are subject to I.L.E.A. mandated training. Specifications should be developed in cooperation with Iowa's professional law enforcement associations.
2. The Iowa State Legislature should enact legislation fixing the color and style of uniforms worn by private patrolpersons or security guards to insure that they are readily distinguishable from peace officer uniforms.
3. Every law enforcement chief executive should insure that the uniforms of agency employees other than peace officers—such as civilian traffic control, parking control, and security officers—are by color, design, and items of identification, plainly distinguishable from those of peace officers.
4. Seasonal changes and climate should be considered when developing the agency's standard uniform.
5. The agency's uniform should identify the wearer by name and agency, and make him/her plainly recognizable as a peace officer. Such items should be visible at all times.
6. Every law enforcement chief executive should insure that every officer's appearance conforms to agency specifications and reflects favorably on the agency and the law enforcement profession.

## **STANDARD 19.2**

### **Firearms and Auxiliary Equipment**

Every law enforcement chief executive should immediately specify the type of firearms, ammunition, and auxiliary equipment to be used by the agency's peace officers. To enhance efficiency, personal equipment items should be interchangeable among all officers of the agency. Once established, these specified standards should be maintained by frequent, periodic inspections and appropriate disciplinary action when agency regulations are violated.

1. Written specifications should be established for agency-approved sidearms and ammunition to be carried by officers on uniformed duty, or plainclothes duty, or, if required by departmental regulations, off-duty. The specifications should include the type, caliber, barrel length, finish, and style of the sidearms, and the specific type of ammunition.
2. Officers of every automobile patrol unit should be equipped with a shotgun and appropriate ammunition.
3. All items of auxiliary equipment to be worn or carried by the officers should be designated. To insure intra-agency uniformity, the approved type, size, weight, color, style, and other relevant variables of each auxiliary equipment item should be specified in writing.
4. A program of frequent, regular equipment inspections should be initiated to insure that personal equipment items conform to agency specifications and are maintained in a presentable and serviceable condition. To insure that each officer's weapon functions properly, firearm practice should be required for all officers at least monthly, and all firearms should be examined at regular intervals.
5. To insure shooting competency, every agency's policy relative to firearms practice should require each officer to maintain a minimum qualifying score in the firearms practice course adopted by the agency.

## **STANDARD 19.3**

### **Agency Provision of Uniforms and Equipment**

Every law enforcement agency should immediately acquire the funds necessary to provide and maintain a full uniform and equipment complement for every peace officer. This will facilitate the agency's efforts to insure conformance to uniform and equipment standards.

1. Minimum uniform requirements should be determined by every agency for its officers. These should include alternate items of apparel for warm, cold, and foul weather.
2. The sidearm, ammunition, and auxiliary personal equipment specified by the agency should be furnished and replaced at no cost to the officer.
3. Plainclothes officers should be provided with a clothing allowance.

## **COMMENTARY**

### **Peace Officer Uniforms**

For a law enforcement agency to function as a viable crime deterrent and to allow the public maximum access to its personnel, peace officers must be highly visible, easily identifiable, and readily distinguishable. The wearing of distinctive uniforms has traditionally served this need. As observed by the conference participants, however, due to the proliferation of different peace officer uniforms throughout the state, as well as the use of similar apparel worn by non-law enforcement occupations, Iowa's peace officers may not be immediately recognized.

Conferees stated that this is an ever growing problem. It was related that truck drivers, bus drivers, and private security guards are continually being mistaken for sworn personnel. It also came to the participants' attention that there is little standardization within departments themselves. With a number of suppliers, and a multitude of colors, styles, and pieces of equipment, no two officers in a single agency may be attired in a uniform manner. Not only does this impede rapid identification of officers within a jurisdiction, but, as mentioned by several conferees, lowers the morale of the agency personnel. To correct this problem, it was recommended that immediate action be taken by the State Legislature and by the law enforcement chief executives of municipal departments.

The peace officer uniform standard addresses this problem in two ways. First, all municipal police uniforms in Iowa should be of a standardized color. (Iowa State Patrol troopers and county sheriffs and their deputies already have standardized uniforms.) It was the conferees' considered opinion that a standardized color for municipal police officers would be sufficient for immediate recognition. The color should be selected by the state's law enforcement organizations and mandated by the State Legislature. Municipal departments should be allowed a period of three years to comply so that new, approved uniforms can be purchased through the regular replacement process.

Inasmuch as the conferees believed that city councils and police officers would resist total statewide standardization, the style and other relevant variables of the peace officer uniform should be decided by each agency's chief executive. While the style of uniform may vary between municipal agencies, the conferees asserted that it is of paramount importance that there is complete standardization of the uniform and of auxiliary equipment within each department. Every law enforcement chief executive should develop specific standard specifications for apparel and equipment to be worn by every agency employee while performing the duties of a uniformed sworn officer. Procedures should also be adopted to insure that every officer's appearance conforms to agency specifications.

Legislative action should also be taken to insure that private patrolpersons and security guards are not mistaken for peace officers. The conference participants proposed that the Legislature fix the color and style of their uniforms so that they are readily distinguishable as non-sworn persons. The frequency with which private security guards have been mistaken for peace officers was a major concern of the participants and, it was agreed, demanding of immediate legislative action.

In the development of his/her personnel's uniform, every law enforcement chief executive should take into consideration factors such as durability, seasonal changes, and utility. Once the agency's apparel and equipment specifications are developed, all new uniforms, or replacements, must meet the specified criteria. It was recognized that, over a period of several years, every officer on the department would be attired in the approved uniform with little or no additional cost to the jurisdiction.

### **Firearms**

Basic to the contemporary law enforcement role is that force and, when justified, deadly force, may be demanded of the peace officer in his/her performance of duties. To insure that deadly force is applied effectively in an approved manner, every Iowa peace officer must be thoroughly trained in its proper use, be equipped with the appropriate

and reliable weaponry, and be qualified shooters. Conference participants advocated that anything less could endanger the life of the officer as well as place the lives of members of the community into jeopardy. To insure that deadly force is applied in an effective and an approved manner, every law enforcement chief executive in Iowa should establish written policy guiding the officer on the use of his/her discretion in shooting situations, develop specifications for agency-approved sidearms, ammunition, and auxiliary equipment, and implement a firearms program designed to insure firearm serviceability and each officer's shooting competency.

Every law enforcement chief executive is urged to develop written specifications for agency-approved sidearms and ammunition to be carried by officers on uniformed duty, plainclothes duty, or, if required by the department, off-duty. The chief executive should require that only those weapons suited for their jurisdiction be authorized. Interchangeability of ammunition is imperative; the conferees remarked that situations may arise where ammunition must be shared among officers.

Every automobile patrol unit should be provided with a shotgun and the appropriate ammunition. These weapons should be secured safely and easily accessible. The participants believed that it should be left to each chief executive's discretion as to how the shotgun should be secured.

To insure that firearms are maintained in serviceable condition and that every officer is a competent shooter, every agency should implement a firearms program. After a lengthy discussion regarding the limited resources of many of Iowa's law enforcement organizations, it was decided that every department should implement a program that consists of periodic examination of firearms, firearms practice at least monthly, and the maintenance of a minimum shooting score.

Conference participants commented that not all officers need monthly practice to maintain competency; monthly shooting practice requirements are primarily designed for those officers who have never been truly qualified in the use of firearms. However, since the conferees predicted that one-half of Iowa's peace officers were not qualified to use their weapons, monthly firearms practice should be required for all peace officers. All sworn officers should be required to maintain a minimum qualifying score during monthly firearms practice. Ideally, firearms practice should be conducted at a P.P.C. course (practical police course or combat course) rather than at a conventional target range.

Even when a law enforcement chief executive is confident that his/her officers are competent shooters, he/she should still implement a firearms program. Participants reported that an

increasing number of jurisdictions are being sued as a result of shooting incidents. The question raised at the court proceedings was not whether the officer acted in accordance with agency shooting policy, but whether the officer possessed adequate training in the use of firearms. The conferees noted that, unless the jurisdiction can document the involved officer's participation in a firearms program, the jurisdiction may be held liable. For this reason, the conference participants believed that governing bodies should implement such programs to defend themselves against civil litigation.

#### Provision of Uniforms and Equipment

The position taken by the conference participants regarding agency provision of uniforms and equipment reflects that of the NAC:

When the agency furnishes and maintains uniforms and equipment for its personnel the possibility that officers will wear or use unauthorized items is minimized. The agency's control over the officer's appearance is enhanced, as is the justification for inspections and mandatory replacement or repair.

The individual peace officer should no more have to bear the cost of purchasing and maintaining uniforms than he/she should pay the cost of his/her training. (NAC, **Police**, 522 (1973).)

Although law enforcement agencies should furnish and maintain uniforms and equipment, every peace officer should be permitted to carry his/her own firearm if it complies with agency specifications. It came to the attention of the conferees that officers who purchase their own weapons take greater pride in them, keep them better maintained, and are more likely to improve their shooting ability. It was recommended that all peace officers be provided with the option of using the agency provided firearm or their own personal weapon.

Even when the department provides funds for the maintenance of uniforms, the conferees observed that the administration of these monies is a key factor in how well the uniforms are, in fact, maintained. It was remarked that when officers are provided with an annual cash allowance for uniform maintenance, the money may not always be spent as expected. A more effective method to insure proper uniform maintenance is through a process of directly reimbursing the uniform supplier for agency-approved items purchased by the officer. The conferees predicted that through this procedure, the annual clothing allowance would be spent as authorized. This procedure also minimizes the possibility that officers would purchase unauthorized items.

While plainclothes personnel do not regularly wear uniforms, they should also be provided with

an annual clothing allowance. The conferees felt that this money should be provided because plainclothes officers spend as much to maintain their apparel as do uniformed personnel.

#### **COMPARATIVE ANALYSIS REFERENCE**

NAC Police 21.1, 21.2, 21.3

## **Chapter Twenty**

# **Transportation**

**Goal: Every law enforcement agency maintains a cost-effective transportation system which is most appropriate to meet its transportation needs.**

## STANDARD 20.1

### Transportation Equipment

Every law enforcement agency should annually evaluate the tasks performed within the agency and the transportation equipment which may be utilized to improve its ability to accomplish its objectives. Transportation equipment should be acquired and maintained in a manner which is most cost-effective.

1. Prior to submitting its annual budget, every agency should evaluate all existing and potential transportation applications. This evaluation should include the examination of all tasks which may facilitate the objectives of the agency to determine if new or different equipment will result in:
  - a. More efficient use of human resources; and
  - b. Improved law enforcement service that is cost-effective.
2. The potential usefulness and limitations of each type of transportation equipment should be evaluated. New and existing transportation equipment should be evaluated.
3. Agencies acquiring ground vehicles should determine whether the acquisition should be made by purchasing, leasing, or reimbursing for officer-owned vehicles. This determination should be based upon the following considerations:
  - a. Maintenance requirements;
  - b. Control problems;
  - c. Financing; and
  - d. Overall cost-effectiveness.
4. Agencies acquiring aircraft should determine the most advantageous form of acquisition by considering the maintenance and service requirements, the availability of the equipment when it will be needed, pilot-training and insurance costs, the availability of auxiliary equipment, and the cost per hour of:
  - a. Purchasing by the agency;
  - b. Leasing;
  - c. Purchasing jointly with other agencies;
  - d. Renting; and
  - e. Acquiring surplus military aircraft.

## STANDARD 20.2

### Fleet Safety

Every law enforcement agency should participate in or implement a fleet safety program to insure the safety of its employees and the public, minimize unnecessary expenditure of public funds, and increase agency efficiency.

1. The Iowa Law Enforcement Academy should provide driver training programs during basic and inservice training.
2. Every law enforcement agency should have a fleet safety program which should include:
  - a. Involvement in the ILEA driver training program if the agency cannot maintain its own program;
  - b. Procedures for problem-driver detection and retraining;
  - c. Procedures insuring employee inspection of agency vehicles prior to use; and
  - d. A maintenance program which will minimize the hazard of malfunctioning equipment.
3. The fleet safety program should emphasize the personal involvement of employees in meeting the objectives of the program through:
  - a. Recognition for safe driving; and
  - b. An education program with emphasis on the personal benefits to be derived from safe driving.
4. Every law enforcement chief executive should establish written policy regarding personnel operation of agency vehicles.

## COMMENTARY

### Transportation System

Effective law enforcement operations—particularly emergency response to calls for assistance—are dependent upon an agency's mobile capability. Whether an agency utilizes automobiles, motorcycles, bicycles, boats, helicopters, or fixed-wing aircraft, its transportation system must be reliable, suited to the operational task, and, due to the high costs of acquisition and maintenance, cost-effective. "The highly trained and educated professional must be provided with the necessary means to get him/her where he/she is needed - safely, quickly, and economically. A breakdown or deficiency in any part of the transportation system will seriously impair the operation of the entire system. If mobility is to be assured, care must be taken to establish and



maintain a transportation system with component parts that will provide the greatest mobility in the safest, most efficient manner." (National Advisory Commission, **Police**, 524 (1973).)

Great care must be taken to insure that the transportation equipment used for a specific operational task is the best available for fulfilling that transportation function. The conference participants recommended that annual evaluations be conducted to determine what transportation capabilities it would need and which equipment would be best suited for its effective and efficient performance. To insure immediate modifications if warranted in the transportation system, the conferees proposed that the transportation evaluation be conducted just prior to the preparation of the annual budget.

The potential usefulness and limitations of each type of transportation equipment and the most cost-effective manner to acquire and maintain them should also be assessed. Conferees related that an increasing number of departments are experimenting with medium-size and compact automobiles in lieu of full-size passenger models. Factors such as initial purchase price, maintenance costs, and trade-in value should also be taken into account.

Various methods of equipment acquisition should be taken into consideration. Factors that should be addressed are maintenance requirements, control problems, financing, and overall cost-effectiveness. The participants agreed that local governing bodies should examine the possible benefits to be derived from purchasing ground vehicles through the State Dispatchers Office. Several participants further noted that local jurisdictions would also benefit if the State Dispatcher was authorized to sell their used vehicles as well.

Aircraft acquisition was identified as being extremely costly and, therefore, the conferees strongly urged the agencies seeking to acquire one should first explore all of the alternatives. It was noted that military surplus helicopters, for example, may appear attractive due to their low initial investment but may prove to be a major fiscal liability. Alternatives to purchasing aircraft may include leasing, purchasing jointly with other agencies, or renting. Other factors that should be considered include the maintenance and service requirements, the availability of the equipment when it will be needed, pilot-training, insurance costs, and the availability of auxiliary equipment.

#### Driver Training

One of the most important tasks a peace officer is required to perform in his/her role is that of driving a vehicle. Every peace officer in Iowa should be capable of driving defensively whether on patrol in normal traffic or, when demanded by the situation, during a pursuit. Although much of

the patrol officer's time is spent driving, the conference participants observed that many peace officers are not aware of their own capabilities or those of their vehicles. To alleviate this problem, it was recommended that all agencies implement or participate in a fleet safety program as detailed in Standard 17.2.

As described by the NAC, a fleet safety program should include the following elements:

Driver training for each officer in his/her duty vehicle; a record system to identify agency accident causes and assist in problem-driver detection; supervisory observation of driving habits; testing of personnel to detect problem drivers and evaluate the effectiveness of driver training; reinforcement training for all officers; retraining for problem drivers; employee inspection of vehicles prior to use; and a maintenance program that minimizes the hazard of faulty equipment. (NAC, **Police**, 524 (1973).)

It was immediately recognized by the conferees that, while such a program would be highly beneficial, it would probably be beyond the resources of all but a few of Iowa's law enforcement agencies. For such a program to be implemented in a cost-effective manner on a statewide basis, a centralized program would have to be established. There was general agreement that the Iowa Law Enforcement Academy should serve this function.

In addition to participation in the I.L.E.A. driver training program, the conferees agreed that it was incumbent upon each agency to develop their own programs to encourage safe driving. More important than a safe driving program, however, is the establishment of policy regarding enforcement action in the event of a potentially hazardous situation, such as high speed pursuits. Formalized written driving policy should be established and disseminated to all agency personnel. Driving policies should not limit the officer's discretion but should offer him/her guidance in the proper enforcement alternative that should be taken. Conferees also suggested that the law enforcement chief executive may wish to establish rules that would prohibit, in all situations, extremely dangerous driving practices.

#### COMPARATIVE ANALYSIS REFERENCE

NAC Police 22.1, 22.2, 22.3

## **Chapter Twenty-One**

# **Communications**

**Goal:** The communications component of every law enforcement organization is designed to facilitate the rapid and accurate transmittal of information from the public to the agency and between the agency to its mobile units.

## **STANDARD 21.1**

### **Communications**

Every law enforcement agency and every governing body should take immediate action to comply with the Iowa State Telecommunications Plan.

## **STANDARD 21.2**

### **The Telephone Component**

Every law enforcement agency should develop as a sub-system of its overall communications system a telephone communications component designed to provide rapid and accurate communication with the public. This design may require an upgraded physical plant and supportive equipment, and procedures to shorten the time of the internal message handling.

1. A full-time telephone service sufficient to provide prompt answering of calls for service should immediately be implemented by every agency.
  - a. Telephone calls on emergency lines—all lines should be considered emergency lines when separate administrative lines have not been established—should be answered within 15 seconds, and non-emergency calls should be answered in 30 seconds.
  - b. Procedures should be adopted to control the quality of agency response to telephonic requests for service and information.
2. After an evaluation of agency needs, a sufficient number of trunk lines, in addition to and separate from business trunk lines, should be installed to insure that an emergency caller will not receive a busy signal during normal periods of peak activity, excluding catastrophic or unusual occurrences.
3. Misdirected emergency calls for law enforcement, fire, or other emergency services should be promptly accepted and that information obtained from such calls is immediately relayed to the appropriate emergency agency.
4. Departments with full-time telephone service should, as soon as practical, acquire and operate recording equipment that will allow endless or continuous recording of all in-

coming calls on emergency lines and instantaneous playback of those calls.

5. When practical, (911) single universal emergency telephone service should be obtained.

## **STANDARD 21.3**

### **Dispatch Control**

Every law enforcement agency should acknowledge that the speed with which it can communicate with field units is critical; that it affects the success of agency efforts to preserve life and property; and that it increases the potential for immediate apprehension of criminal suspects. Therefore, a rapid and accurate communications capability should be developed.

1. Every law enforcement agency should maintain a twenty-four-hour two-way radio capability providing continuous communication between a communications center and field units.
2. Delay times—the elapsed time between receipt of an emergency call and the time of message radio transmission—in the case of an emergency call should not exceed two minutes, and in the case of a nonemergency call, not more than six minutes. By 1978, communications center delay time in cases of emergency calls should not exceed one minute and in cases of nonemergency calls should not exceed four minutes.
3. Recording equipment should be acquired, when practical, which will allow continuous recording of every radio transmission and to allow instantaneous playback of field unit radio transmissions.
4. Every law enforcement agency should immediately seek action by the appropriate legislative body to regulate private agencies that provide alarm service. Appropriate steps should be taken to minimize field unit response to the location of any alarm not caused by a criminal attack.
5. Full-time communication centers should, by 1982, be reasonably secure from physical attack, sabotage, and natural disaster. This security should extend to overhead telephone trunk line dropwires running between aerial cables and the facility. Communication centers should be equipped with an emergency power supply.

## COMMENTARY

Resulting from an identified need to coordinate the communications network and improve the telecommunication capabilities of Iowa law enforcement, the Iowa State Telecommunications Plan was developed and adopted for the State. The Plan was designed to realize optimal utilization of available radio frequencies, insure each agency has a reliable, rapid, and accurate communications capability, and to promote coordination between contiguous law enforcement entities. Essentially, the Plan called for the establishment of communication centers on either a county-or multi-county-wide basis. The conference participants, most of whom were well aware of its recommendations, voiced their support for the Plan.

Notwithstanding widespread implementation of the Plan's recommendations throughout the state, the participants noted that several agencies and governing bodies have resisted its implementation. One factor identified as causing resistance was that of local pride and the attitude that complete autonomy must be maintained. The participants agreed that pride in one's law enforcement agency is highly worthwhile, but found little merit in using it as a rationale for maintaining a system that impedes the effective and efficient delivery of law enforcement services.

Agencies and governing bodies should examine their communication needs realistically. Such an examination should clearly indicate that implementation of the requirements set forth in the Telecommunications Plan would be the only viable alternative to the existing dysfunctional system. The participants' contention was that non-compliance with the Plan would maintain a system that is not only inefficient and non-cost-effective, but would hamper the agency's ability to serve its community.

The ultimate goal of any law enforcement communications system is to facilitate timely emergency response times through insuring the rapid and accurate transmittal of information. This flow of information—an emergency request for law enforcement services—was separated by the participants into two distinct yet interrelated operations: the telephone function which pertains to the manner in which the citizen can contact the agency; and the dispatch function consisting of the relay of information to mobile field units. Standards for these two operations were set forth by the participants in the telephone component and dispatch control standards. These standards do not supersede the State Telecommunications Plan; they were designed to support it.

Standards relating to the data retrieval function of a law enforcement organization's communications network are located in chapter 22.

## Telephone Component

To insure that a member of the community does not experience needless delay in contacting his/her enforcement agency for emergency assistance, the telephone subsystem should be designed to recognize and prioritize these calls. All calls of this nature should be answered within fifteen seconds, twenty-four hours a day. The participants believed that a longer delay, or the receipt of a busy signal, would seriously impair the agency's ability to provide emergency services in a timely manner.

The principle means to provide the appropriate attention to emergency calls is through the establishment of separate telephone lines for emergency and business calls. So that the caller does not receive a busy signal while attempting to place a request for emergency help, the number of emergency trunk lines maintained should be determined by a statistical analysis of the agency's current and predicted future calls for service. The participants noted that such an evaluation would serve to identify the number of trunk lines needed during its "peak." Analysis will indicate the number of trunk lines needed to adequately handle emergency calls during the agency's busiest hour in its busiest day in its busiest week in its busiest month excluding catastrophic or unusual occurrences. The development of a telephone sub-system without the benefit of such an analysis may either result in an inadequate system or a wasteful expenditure of funds.

The establishment of separate emergency and business lines may not always result in the prioritization of emergency calls. The participants reported that the general public doesn't care that a certain telephone number is reserved for emergency calls. Non-emergency business calls are continually received on emergency lines, thus preventing emergency calls from being accepted. It was related that several departments with emergency lines may eventually refuse to accept non-emergency calls on such lines. To alleviate this problem, intensive public education programs are needed to educate the public in the proper means to contact their law enforcement agency.

Utilization of a single universal emergency telephone number, "911", to contact the jurisdiction's emergency services has been growing throughout Iowa. The implementation of this service, however, has been impeded in Iowa due to the numerous telephone companies in the state. Participants reported that several telephone companies may co-exist within one law enforcement jurisdiction. Such a situation hampers the establishment of universal telephone service due to the technical requirements of such a system. This impediment may exist for a period of time; it was noted that many areas are jealous of their own telephone company and are opposed to any

form of cooperation necessary to make the universal service technically feasible. In light of this current situation, "911" service should be implemented when possible.

Once an emergency call is received by the agency, the speed at which the dispatcher can obtain the pertinent information is important. The participants brought out that persons placing an emergency call are oftentimes incoherent due to their excitable state. The dispatcher must be able to obtain all of the necessary information in a rapid and accurate fashion. For this reason, only the most competent individuals should be assigned to these activities; assignment to the dispatcher position should not be used as a disciplinary measure. To assist the dispatcher, the participants deemed it desirable to maintain recording equipment capable of instantaneous playback. This equipment, however, should not be purchased at the expense of more essential communications hardware.

#### Dispatch Control

The objective of the communications dispatch function is to insure that communication between the communications center and the field units is rapid, accurate, and reliable. The participants concurred that, optimally, delay time for emergency calls should not exceed one minute. These objectives should be attained by all communication centers upon their implementation of the State Telecommunications Plan.

Accuracy in message handling is a crucial factor in maintaining an effective communications dispatch function. Although competent dispatch personnel and adequate communications equipment will minimize garbled or misunderstood messages, the participants found that back-up recording equipment may be necessary to insure message accuracy.

Communication centers are cautioned about purchasing recording equipment without a thorough analysis of their communication needs. It was reported that, with the numerous devices that are currently available, agencies may purchase expensive hardware that may be outdated or unsuited for the center's communication workload. This problem is compounded because minimum industry-wide standards have not, as yet, been developed. In general, the participants considered these devices to be "nice assessories" that should only be acquired after the basic communications network has been established.

Law enforcement effectiveness in responding to emergency calls for assistance may be seriously undermined by the existence of faulty or malfunctioning burglar alarm devices. Malfunctioning alarms were identified as being a serious problem in that they tie up emergency telephone lines and cause the deployment of field units to locations where they are not needed. To alleviate this situation, the participants strongly urged

every agency and governing body to take the appropriate action to regulate the private agencies that provide alarm services.

The lack of industry-wide standards for the design, installation, and maintenance of alarm devices was identified as being a key reason for alarm malfunction. Local governing bodies should require that alarms meet certain technical specifications and are properly maintained to insure minimal malfunctions. Law enforcement agencies are encouraged to remove malfunctioning equipment from their dispatch center and charge the alarm company's client a fee for every false alarm.

#### COMPARATIVE ANALYSIS REFERENCE NAC Police 23.1, 23.2, 23.3

## **Chapter Twenty-Two**

# **Data Management**

**Goal:** Every law enforcement organization utilizes an information system which best supports field operations, patrol deployment, crime analysis, and administrative planning.

## **STANDARD 22.1**

### **Reporting Procedures**

Every law enforcement agency should establish procedures that will insure simple and efficient reporting of criminal activity, assist in criminal investigations, and provide complete information to other components of the criminal justice system.

1. The circumstances which require an officer to complete a report should be published, and printed forms for crime, arrest, and other reports should be provided.
  - a. There should be a forms control procedure which subjects every departmental form to initial approval and periodic review to determine if the form's use is appropriate and the information called for is necessary.
  - b. Field reports should be as simple as possible to complete, and their design should permit systematic collection of summary and management data.
2. Policies should be considered that allow reports of misdemeanors and miscellaneous incidents to be accepted by telephone when:
  - a. No field investigation appears necessary; and
  - b. The efforts of the patrol force would otherwise be diverted from higher priority duties.
3. The Iowa State Legislature should require every law enforcement agency to report to the Iowa Department of Public Safety information necessary for:
  - a. The identification of unrecovered stolen vehicles;
  - b. The identification of vehicles wanted in connection with the investigation of felonies or serious misdemeanors;
  - c. The identification of unrecovered stolen Vehicle Identification Number [VIN] plates and serially identified engines and transmissions;
  - d. The identification of unrecovered stolen or missing license plates;
  - e. Identification of serially numbered stolen or lost weapons; and
  - f. The identification of serially numbered stolen property items.

## **STANDARD 22.2**

### **The Basic Records System**

Every law enforcement agency should immediately establish a records system that collects crime data and records operational activities so crime conditions and the effects of agency operations can be systematically evaluated.

1. Every law enforcement agency should develop and maintain a "reportable incident file" based on agency needs, that contains documentation on all crime; essential non-criminal incidents such as missing persons, lost and found property, suicides, and accidental deaths; and, where appropriate, traffic incidents.

## **STANDARD 22.3**

### **Data Retrieval**

Every law enforcement agency should establish a cost-effective, compatible information system to collect, store, and retrieve information moving through the agency. The use of such a system should be directed toward crime reduction without sacrificing local autonomy.

1. Every law enforcement agency should develop and maintain immediate access to local, State, and Federal law enforcement telecommunications networks.
2. Every law enforcement agency should have the capability to retrieve statewide criminal information and provide it to field personnel within three minutes of the time requested for noncomputerized systems and within thirty seconds for computerized systems. This capability should at least include information on:
  - a. Individuals who are the subject of an arrest warrant for a felony or serious misdemeanor;
  - b. Unrecovered stolen vehicles;
  - c. Vehicles wanted in connection with the investigation of felonies or serious misdemeanors;
  - d. Unrecovered stolen Vehicle Identification Number plates and serially identified engines and transmissions;
  - e. Unrecovered stolen or missing license plates.

- f. Serially identified stolen or lost weapons; and
  - g. Serially numbered stolen property items.
3. The primary objective of a computer-based information system is the rapid response to the information needs of field units. Agencies developing or operating a computer-based information system should immediately identify critical information groups and assign priorities to them according to the requirements of the system user. Critical information groups should include at least:
    - a. Information on wanted persons;
    - b. Abstract data on criminal convictions, parole status, penitentiary releases, and vital criminal record information; and
    - c. Information on stolen property and vehicles.
  4. Advisory user groups should immediately be established for those agencies developing or operating a computer-based information system.

## COMMENTARY

In the formulation of agency-wide and unit goals and objectives, it is essential that the law enforcement chief executive possess knowledge of the existing crime problem. This knowledge can only be gained through the collection and analysis of crime reports which accurately describe each specific offense and all relevant elements pertaining to it. Without the valid and reliable reporting of criminal offenses and any other non-criminal occurrences which relate to the agency's function, the agency's efforts to impact upon criminal activity may become misdirected. Moreover, the conference participants related that, without accurate crime reporting and analysis, the agency cannot evaluate its effectiveness in reducing targeted crimes. The conferees concurred with the NAC in that:

Unless law enforcement agencies have a well-defined reporting policy for incidents of both a criminal and noncriminal nature, they will be unable to assess accurately the extent of criminal activity in their jurisdictions, and will find themselves ill-equipped to take effective measures against it. Moreover, inconsistent reporting procedures contribute to a lack of confidence in law enforcement; persons may well assume that certain kinds of behavior are tolerated in one section of the community but not in another. (NAC, *Police*, 571 (1973).)

To facilitate a functional reporting procedure, the conferees recommended that Standard 22.1, Reporting Procedures, be considered and imple-

mented where feasible. The standard suggests that policies should be established that specify which incidents of a criminal or noncriminal nature warrant reporting and the appropriate reporting method.

Reporting procedures should address the data requirements of State and Federal crime information systems as well as local needs. Reporting forms should enable the rapid and efficient collation of relevant data for crime analysis and Uniform Crime Reports. The reporting procedures should also insure that the forms provide complete information for patrol deployment systems, agency planning, and prosecution. For this reason, the conferees decided that each chief executive should, in cooperation with the local prosecuting authority, develop procedures most appropriate for his/her jurisdiction.

### Basic Records System

In order for the crime data to be optimally utilized, an effective records system is necessary. A records system will facilitate the translation of reported criminal and noncriminal incidents into meaningful information for the setting of goals and objectives, operational planning, crime analysis, evaluation, and State and Federal crime reporting. An effective records system is also needed to locate, in a timely manner, the criminal history files of individuals for investigatory and judicial purposes.

The conference participants recognized that the type of records system utilized would depend upon the size and function of the organization. Smaller departments may find that the use of filing cabinets may suffice. To support the sophisticated planning and deployment strategies of larger jurisdictions, however, microfilm, microfiche, or computerized systems may be most appropriate. The conferees urged every law enforcement chief executive to evaluate his/her agency's existing and future needs, assess the law enforcement record systems which are currently available, and seek to implement the most cost-effective system.

### Data Retrieval

Standard 22.3, Data Retrieval, primarily concerns the utilization of computerized information systems. While local and regional systems have been implemented, Iowa's primary system, TRACIS, is a statewide network allowing universal access to State and nationwide criminal information. The conference participants predicted that, upon implementation of county-wide communication centers, every department should be capable of retrieving pertinent information from TRACIS within the time parameters noted in the standard.

The NAC discusses the benefits that can be derived from computerized information systems:



Information on wanted persons, wanted or stolen vehicles, vehicle registration and driver's license data, and stolen property, constitute the basic components of a tactical police information system. These comparatively new systems are computer-based. In addition to having instantaneous and virtually unlimited memory banks, individual computers in these systems have the ability to communicate with or interrogate each other.

Tactical information systems are important to patrol operations because these systems can accomplish, in a minute or so, a series of communications and record tasks that formerly required as much as an hour or more to complete. These electronic systems eliminate the need for time-consuming telephone inquiries and manual searches of cumbersome filing systems. And because they are "real-time" (new information is added to the file soon after the event it documents occurs) and operate on extremely large data bases, their efficiency is unparalleled.

Tactical information systems can electronically centralize large quantities of physical data that are dispersed over a wide area. They provide a new array of tools for law enforcement. Stolen vehicles can be identified before they are stopped. A person stopped for questioning will no longer have to wait more than an hour for want and warrant checks; that information can be generated in minutes. Above all, officers will be safer when they can obtain information rapidly about...persons with whom they are dealing. Apprehension rates will be raised, preventing criminal fugitives from committing further crimes. Available patrol time will also increase due to much briefer standby times awaiting the return of information. (NAC, **Police**, 579 (1973).)

#### **COMPARATIVE ANALYSIS REFERENCE**

**NAC Police 24.1, 24.2, 24.3, 24.4**

## **Comparative Analysis**

The second section of this document contains a comparative analysis between the National Advisory Commission's police standards and the Iowa criminal justice system (ICJS). This study was undertaken in response to an identified need to familiarize the Project's participants with the present condition of the law enforcement function in Iowa. Since this analysis was conducted prior to the commencement of the Project's conferences, points of view and opinions expressed in it do not necessarily reflect those of the conferees.

Although the analysis was originally intended to structure and provide guidance in the development of the Iowa standards and goals, it continues to have great utility. The comparative analysis, read in conjunction with the adopted Iowa standards, serves to assist the reader in his/her understanding of the conferee's recommendations. Not only does the study provide insight into the origins of the adopted Iowa standards but it also informs the reader which issues and problems were addressed at the conferences. In addition, the analysis clearly indicates the areas of greatest inconsistency between the NAC's recommendations and the existing Iowa system; generally, these areas are those demanding the greatest and most immediate action on the part of the system functionaries.

The comparative analysis is comprised of three components; the verbatim National Advisory Commission standards; a description of the related Iowa criminal justice system (legislation, administrative and operational rules and procedures, and informal practices); and an analysis comparing the NAC's standard to what is actually practiced in the Iowa system. To facilitate reader comprehension of the study, the ICJS and analyses components of each NAC standard are indented from the extreme left of the page. The related adopted Iowa standards, if any, are indicated at the top of each NAC standard.

Every police chief executive immediately should develop written policy, based on policies of the governing body that provides formal authority for the police function, and should set forth the objectives and priorities that will guide the agency's delivery of police services. Agency policy should articulate the role of the agency in the protection of constitutional guarantees, the enforcement of the law, and the provision of services necessary to reduce crime, to maintain public order, and to respond to the needs of the community.

1. Every police chief executive should acknowledge that the basic purpose of the police is the maintenance of public order and the control of conduct legislatively defined as crime. The basic purpose may not limit the police role, but should be central to its full definition.

ICJS

The police function is normally not formally acknowledged in written policy.

Analysis

ICJS practice is different than NAC Standard

2. Every police chief executive should identify those crimes on which police resources will be concentrated. In the allocation of resources, those crimes that are most serious, stimulate the greatest fear, and cause the greatest economic losses should be afforded the highest priority.

ICJS

Few, if any, law enforcement chief executives have promulgated written policy statements which identify those crimes on which police resources will be concentrated.

Analysis

ICJS practice is different than NAC Standard

3. Every police chief executive should recognize that some government services that are not essentially a police function are, under some circumstances, appropriately performed by the police. Such services include those provided in the interest of effective government or in response to established community needs. A chief executive:

- a. Should determine if the service to be provided has a relationship to the objectives established by the police agency. If not, the chief executive should resist that service becoming a duty of the agency;
- b. Should determine the budgetary cost of the service; and
- c. Should inform the public and its representatives of the projected effect that provision of the service by the police will have on the ability of the agency to continue the present level of enforcement services.
- d. If the service must be provided by the police agency, it should be placed in perspective with all other agency services and it should be considered when establishing priorities for the delivery of all police services.
- e. The service should be made a part of the agency's police role until such time as it is no longer necessary for the police agency to perform the service.

ICJS

While law enforcement chief executives may personally hesitate to expand the agency's role into non-enforcement areas, most have taken little formal action.

Analysis

ICJS practice is different than NAC Standard

4. In connection with the preparation of their budgets, all police agencies should study and revise annually the objectives and priorities which have been established for the enforcement of laws and the delivery of services.

ICJS

Except in the largest agencies, functional objectives and priorities have not been incorporated into the budgetary planning process.

Analysis

ICJS practice is different than NAC Standard

5. Every police agency should determine the scope and availability of other government services and public and private social services, and develop its ability to make effective referrals to those services.

ICJS

According to all available information, police agencies make efforts to ensure that their personnel are cognizant of these organizations and that they are able to make effective referrals.

Analysis

ICJS practice is similar to NAC Standard

NAC POLICE STANDARD 1.2  
LIMITS OF AUTHORITY

RELATED IOWA STANDARD  
1.2 LIMITS OF AUTHORITY

Every police chief executive immediately should establish and disseminate to the public and to every agency employee written policy acknowledging that police effectiveness depends upon public approval and acceptance of police authority. This policy at least:

1. Should acknowledge that the limits of police authority are strictly prescribed by law and that there can be no situation which justifies extralegal police practices.

ICJS

Whereas many agencies, particularly rural, do not have formal written policy statements regarding the limits of police authority, all officers undergo I.L.E.A. approved basic training where they are taught that no situation justifies extralegal practices.

Analysis

ICJS practice is different than NAC Standard

It is evident that most police administrators assume that the public is aware of the limits placed on police authority.

2. Should acknowledge that there are times when force must be used in the performance of police tasks, but there can be no situation which justifies the use of unreasonable force.

#### ICJS

Only in the larger departments will the chief executive develop such written policy and disseminate it to his/her personnel.

#### Analysis

ICJS practice is different than NAC Standard

As in subsection .1, the chief executive oftentimes assumes that the public is aware that the police cannot use unreasonable force. While public information programs may cover this issue, it is never the main objective of the program.

3. Should acknowledge that in their exercise of authority the police must be accountable to the community by providing formal procedures for receiving both commendations and complaints from the public regarding individual officer performance. These procedures at least should stipulate that:

- a. There will be appropriate publicity to inform the public that complaints and commendations will be received and acted upon by the police agency;
- b. Every person who commends the performance of an individual officer in writing will receive a personal letter of acknowledgement; and
- c. Every allegation of misconduct will be investigated fully and impartially by the police agency, and the results made known to the complainant or the alleged victim of police misconduct.

#### ICJS

Very few departments inform the public with appropriate publicity that complaints and commendations will be received and acted upon.

Large urban departments with a community-relations unit usually have a formalized procedure by which all persons that commend an officer will receive a letter of acknowledgement.

Whereas most departments do not actively inform the public that complaints will be accepted, agencies do acknowledge that all complaints will be considered and investigated by the police.

#### Analysis

ICJS practice is different than NAC Standard

Particularly in the smaller agencies, a person making a complaint will often get little satisfaction in dealing with the agency itself. In such instances, the complainant will deal directly with the local officials.

4. Should provide for immediate adoption of formal procedures to respond to complaints, suggestions, and requests regarding police services and formulation of policies. These procedures at least should stipulate that:

- a. There will be appropriate notice to the public acknowledging that the police agency desires community involvement;
- b. The public will be involved in the development of formal procedures as well as in the policies that result from their establishment; and
- c. Periodic public surveys will be made to elicit evaluations of police service and to determine the law enforcement needs and expectations of the community.

## ICJS

As noted above, the larger urban departments have pre-existing formal procedures to respond to complaints. Although this procedure varies between agencies, it is substantially equivalent; nonserious complaints are handled in an informal manner either by the agency's community relations unit or by the accused officer's immediate supervisor; serious accusations are investigated by command level personnel or by command level advisory boards.

Intermediate size and rural agencies operate on an ad-hoc basis. As noted, procedures are informal.

There is evidence that, on occasion, the larger urban departments will seek community involvement. Various public relations programs encourage community input regarding agency procedure and operations. There are few indications, however, that urban agencies periodically conduct public surveys designed to elicit the law enforcement needs and expectations of the community.

### Analysis

ICJS practice is different than NAC Standard

#### NAC POLICE STANDARD 1.3 POLICE DISCRETION

#### RELATED IOWA STANDARD 1.4 DISCRETION

Every police agency should acknowledge the existence of the broad range of administrative and operational discretion that is exercised by all police agencies and individual officers. That acknowledgment should take the form of comprehensive policy statements that publicly establish the limits of discretion, that provide guidelines for its exercise within those limits, and that eliminate discriminatory enforcement of the law.

1. Every police chief executive should have the authority to establish his agency's fundamental objectives and priorities and to implement them through discretionary allocation and control of agency resources. In the exercise of his authority, every chief executive:

- a. Should seek legislation that grants him the authority to exercise his discretion in allocating police resources and in establishing his agency's fundamental objectives and priorities;
- b. Should review all existing criminal statutes, determine the ability of the agency to enforce these statutes effectively, and advise the legislature of the statutes' practicality from an enforcement standpoint; and
- c. Should advise the legislature of the practicality of each proposed criminal statute from an enforcement standpoint, and the impact of such proposed statutes on the ability of the agency to maintain the existing level of police services.

## ICJS

As a rule, law enforcement agencies in Iowa do not formally recognize police discretion. Probably no police chief executive in Iowa has established written policy procedures which recognizes and legitimates administrative or operational discretion.

As noted in a recent article (Iowa Law Review, 58.4, April 1973):

"...the (Iowa) chief's role in formulation departmental policy has been largely restricted to matters such as departmental discipline, shift assignment policies, and uniform regulations, while policies on selective enforcement have been left to develop by more informal means."

Data indicates that law enforcement chief executives, particularly those in charge of major departments (S.M.S.A.'s, D.P.S.), infrequently confer with and advise legislators. There is little evidence that these police administrators seek legislation which would enable them, and their personnel, to have greater administrative and operational discretion. It must be recognized that municipal police chiefs function as administrators. Ultimate authority and responsibility for police services is statutorily vested in the office of the city manager or mayor.

#### Analysis

ICJS practice is inconsistent with NAC Standard

2. Every police chief executive should establish policy that guides the exercise of discretion by police personnel in using arrest alternatives. This policy:
  - a. Should establish the limits of discretion by specifically identifying, insofar as possible, situations calling for the use of alternatives to continued physical custody;
  - b. Should establish criteria for the selection of appropriate enforcement alternatives;
  - c. Should require enforcement action to be taken in all situations where all elements of a crime are present and all policy criteria are satisfied;
  - d. Should be jurisdictionwide in both scope and application; and
  - e. Specifically should exclude offender lack of cooperation, or disrespect toward police personnel, as a factor in arrest determination unless such conduct constitutes a separate crime.

#### ICJS

Most, if not all, chief executives have not established guidelines which would ensure that discretion exercised uniformly and fairly by all sworn personnel.

While several of the larger departments have established written policy guiding the exercise of discretion by personnel, they are too general to provide guidance.

#### Analysis

ICJS practice is inconsistent with NAC Standard

Generally, an officer's action is determined by informal guidelines, such as peer group influence, rather than formal agency policy

3. Every police chief executive should establish policy that limits the exercise of discretion by police personnel in conducting investigations, and that provides guidelines for the exercise of discretion within those limits. This policy:
  - a. Should be based on codified laws, judicial decisions, public policy, and police experience in investigating criminal conduct;
  - b. Should identify situations where there can be no investigative discretion; and
  - c. Should establish guidelines for situations requiring the exercise of investigative discretion.

#### ICJS

Agency policy guiding investigative discretion is usually nonexistent. As a rule, a chief executive's policy is that all reported crimes are investigated, all known offenders are apprehended and arrested, and that the offender's constitutional rights are not violated.

Police personnel must rely upon their own informal guidelines during an investigation. Whether or not known offenders are apprehended and arrested depends entirely upon the informal criteria established by the officers themselves.

#### Analysis

ICJS practice is inconsistent with NAC Standard

4. Every police chief executive should establish policy that governs the exercise of discretion by police personnel in providing routine peacekeeping and other police services that, because of their frequent recurrence, lend themselves to the development of a uniform agency response.
5. Every police chief executive should formalize procedures for developing and implementing the foregoing written agency policy.
6. Every police chief executive immediately should adopt inspection and control procedures to insure that officers exercise their discretion in a manner consistent with agency policy.

#### ICJS

Written policies that govern the exercise of discretion by personnel performing routine peacekeeping and other police services have not been established.

As a rule, an officer's use of discretion is informally controlled by his peer group. Official action will only be taken if an officer deviates from the informal guidelines.

#### Analysis

ICJS practice is inconsistent with NAC Standard

#### NAC POLICE STANDARD 1.4 COMMUNICATING WITH THE PUBLIC

#### RELATED IOWA STANDARD 4.1 COMMUNICATING WITH THE PUBLIC

Every police agency should recognize the importance of bilateral communication with the public and should constantly seek to improve its ability to determine the needs and expectations, and to inform the public of the resulting policies developed to improve delivery of police services.

1. Every police agency should immediately adopt policies and procedures that provide for effective communication with the public through agency employees. Those policies and procedures should insure:
  - a. That every employee with duties involving public contact has sufficient information with which to respond to questions regarding agency policies; and
  - b. That information he receives is transmitted through the chain of command and acted upon at the appropriate level.

#### ICJS

Based upon all available data it is evident that agencies in the state maintain relatively good rapport with the public they serve. Although formal programs are lacking, personnel are provided with sufficient information to respond to questions about agency policy. Indeed, data indicates that personnel are encouraged to communicate with the public. In many agencies there are semi-formal lines of communication by which information, received by the officer, is passed on to the command level staff.

#### Analysis

ICJS practice is similar to NAC Standard



2. Every police agency that has racial and ethnic minority groups of significant size within its jurisdiction should recognize their police needs and should, where appropriate, develop means to insure effective communication with such groups.

#### ICJS

Attempts are being made by those urban departments which serve minority group populations to open up lines of communications with them. Police efforts are generally two-fold: 1) formal programs consisting of public-service advertising in minority newspapers or liaison with students (police-school liaison, cadet programs); and 2) continual informal liaison between police personnel and community leaders.

#### Analysis

ICJS practice is similar to NAC Standard

Many police attempts to communicate with minority populations have not met with success. Currently, unsuccessful programs are being evaluated and, with a period of time, new techniques will be developed that are expected to enhance communication between the agency and minority groups.

3. Every police agency with a substantial non-English-speaking population in its jurisdiction should provide readily available bilingual employees to answer requests for police services. In addition, existing agency programs should be adapted to insure adequate communication between non-English-speaking groups and the police agency.

#### ICJS

Departments with a non-English-speaking population have usually taken appropriate action.

#### Analysis

ICJS practice is similar to NAC Standard

4. Every police agency with more than 400 employees should establish a specialized unit responsible for maintaining communication with the community. In smaller agencies, this responsibility should be the executive's, using whatever agency resources are necessary and appropriate to accomplish the task.
  - a. The unit should establish lines of communication between the agency and recognized community leaders and should elicit information from the citizen on the street who may feel that he has little voice in government or in the provision of its services.
  - b. The unit should be no more than one step removed from the chief executive in the chain of command.
  - c. The unit should identify impediments to communication with the community, research and devise methods to overcome those impediments, and develop programs which facilitate communication between the agency and the community.
  - d. The unit should conduct constant evaluation of all programs intended to improve communication and should recommend discontinuance of programs when their objectives have been achieved or when another program might more beneficially achieve the identified functional objective.

#### ICJS

Even though there are no local agencies in the State with more than 400 employees, most of the urban departments have community-relations units, youth bureaus, or designated personnel that are responsible for maintaining communication with the community. Usually, liaison with the community is achieved through presentations at local civic organizations, public information programs, police-school liaison programs, and liaison with local (minority) leaders.

Analysis  
ICJS practice is similar to NAC Standard

NAC POLICE STANDARD 1.5  
POLICE UNDERSTANDING OF THEIR ROLE

RELATED IOWA STANDARD  
1.6 PEACE OFFICER UNDERSTANDING OF ROLE

Every police agency immediately should take steps to insure that every officer has an understanding of his role, and an awareness of the culture of the community where he works.

1. The procedure for developing policy regarding the police role should involve officers of the basic rank, first line supervisors, and middle managers. Every police employee should receive written policy defining the police role.

ICJS  
Assuming agency policy regarding the police role does exist, it is strictly a staff function.

Analysis  
ICJS practice is inconsistent with NAC Standard

2. Explicit instruction in the police role and community culture should be provided in all recruit and in-service training.
3. The philosophy behind the defined police role should be a part of all instruction and direction given to officers.
4. Middle managers and first line supervisors should receive training in the police role and thereafter continually reinforce those principles by example and by direction of those they supervise.

ICJS  
Taking into consideration that most law enforcement personnel in Iowa do not undergo formal in-service training, the extent of their instruction in the police role consists of a 1-2 hour session while in basic training (ILEA 240-hour course allows 1 hour for a topic called, "Changing Concepts of Police Responsibility").

Analysis  
ICJS practice is inconsistent with NAC Standard  
Generally, Iowa's law enforcement personnel are not receiving adequate training in the police role.  
While middle managers and first line supervisors do, on occasion, attend special training sessions, it is probable that the police role is not stressed by the instructors.

5. Methods of routinely evaluating individual officer performance should take into account all activities performed within the context of the defined role. Promotion and other incentives should be based on total performance within the defined role, rather than on any isolated aspect of that role.

## ICJS

The weight afforded all activities within the context of the police role will vary widely among jurisdictions.

## Analysis

ICJS practice is different than NAC Standard

### NAC POLICE STANDARD 1.6 PUBLIC UNDERSTANDING OF THE POLICE ROLE

### RELATED IOWA STANDARD 4.2 PUBLIC UNDERSTANDING OF PEACE OFFICER ROLE

Every police agency immediately should establish programs to inform the public of the agency's defined police role. These programs should include, but not be limited to, the following:

1. Every police agency should arrange for at least an annual classroom presentation by a uniformed officer at every public and private elementary school within its jurisdiction.
  - a. The content of the presentation should be tailored to the learning needs of the students; however, each presentation should include a basic description of the police role.
  - b. Every agency should work through the school to develop a basic study unit to be presented by the teacher prior to the officer's arrival, and every officer assigned to a school visit should be provided with prepared subject matter to be reviewed prior to making his visit.

## ICJS

Where local conditions and resources permit, local agencies do attempt to conduct elementary school presentations. Generally, the larger departments do provide such programs.

In those rural areas where the local department does not have the available personnel to conduct programs, the Iowa Highway Patrol has Traffic Education Officers that perform this function.

## Analysis

ICJS practice is similar to NAC Standard

2. Every police agency with more than 400 employees should, dependent upon securing the cooperation of local school authorities, assign a full-time officer to each junior and senior high school in its jurisdiction.
  - a. The officer's assignment should include teaching classes in the role of the police, and serving as a counselor. His assignment should not include law enforcement duties except as related to counseling.
  - b. Course content should be developed in cooperation with the schools and should include discussion of the police role, juvenile laws, and enforcement policies and practices relating to juveniles.

## ICJS

It has long been recognized in Iowa that there is a need to decrease the social distance between the police and the students, to effect an earlier identification of delinquents within the school system, and to decrease the number of youths who formally enter the criminal justice system. To meet this objective, an increasing number of Iowa's larger

jurisdictions have implemented "police-school" liaison projects. While the structure of the programs vary considerably, five purposes of the school-liaison policeman's role are:

1. To build better police-community relations by improving the police image.
2. To improve the attitudes of students toward police.
3. To improve police teamwork with teachers in handling problem youth.
4. To encourage understanding between police and young people.
5. To establish collaboration between the police and school in preventing crime and delinquency.

In addition to working with students and teachers in school during the day, the liaison officers are required to attend many extracurricular activities.

#### Analysis

ICJS practice is similar to NAC Standard

3. Every police agency, where permitted by local conditions, should participate in government and civic classes offered in local evening adult schools and community colleges.

#### ICJS

At the present time, there are no known government or civic classes taught by law enforcement personnel.

#### Analysis

ICJS practice is different than NAC Standard

4. With agency resources, where available, or in cooperation with employee organizations or local civic groups, every police agency should develop or participate in youth programs including scouting and other athletic or camping activities.

- a. All such programs should be designed to provide officers and young people with the opportunity to become personally acquainted with each other.
- b. Every officer participating in youth programs should be provided with written material describing the objective of the program and its relationship to the police role.

#### ICJS

Many intermediate and large departments are involved in and actively support organizations such as YMCA and YWCA athletic programs, Boy Scouting and Girl Scouting, ride-along programs (youths can ride in patrol cars), baseball teams, and Police Juvenile Leagues" (police and youths organize for recreational activities). Most urban departments are capable of supporting such activities, while most rural departments cannot.

#### Analysis

ICJS practice is similar to NAC Standard

Most programs enhancing police-youth relations are aimed at involving the "good" youth. There is little evidence that those youths identified as delinquent are encouraged to join activities.

5. Every police agency should accept invitations for officers to speak to business and civic organizations. Efforts should be made to provide speakers in response to every reasonable request and to coordinate the speaker's ability and background with the intended audience. Every opportunity should be taken to describe the police role and the agency's objectives and priorities.

#### ICJS

The number of speakers that a police agency provides for business or civic organizations depends upon the availability of personnel and the demand for services. As can be expected, those agencies which receive most invitations are located in those urban areas with the largest forces. In order to formalize the procedure in which speakers are provided, all urban agencies have either a community-relations unit, a youth bureau, or designated personnel responsible for giving presentations.

#### Analysis

ICJS practice is similar to NAC Standard

6. Every police agency with more than 150 employees should publish a statement of the police role, and the agency's activities to implement its role. An annual report should be used for this purpose. In addition, periodic statistical reports on crime, arrests, and property loss due to crime should be disseminated to the public. These reports should include an evaluation of significant trends and other interpretations.

#### ICJS

At the present time there is no state-wide regulation that requires a law enforcement agency to publish an annual report.

Annual reports, if compiled at all, are published by only a few of the largest SMSA's on a sporadic basis.

#### Analysis

ICJS practice is different than NAC Standard

It can be assumed that most agencies, rather than publishing an annual report which is time consuming and expensive, prefer to disseminate crime data and trends through the media on a continuous basis.

7. Every police agency should inquire into the availability of public service resources from advertising and communication organizations to assist in developing support for the agency and its programs.

#### ICJS

In those areas where the media (daily newspapers, radio, television, roadside billboards, businesses) is under local control, there is usually support for the agency and its programs. Agencies located in rural areas will receive only minimal media support due to the lack of rural-based media.

#### Analysis

ICJS practice is similar to NAC Standard

8. Every police agency should hold an annual open house and should provide other tours of police facilities and demonstrations of police equipment and tactics when appropriate to create greater public awareness of the police role.

#### ICJS

While only a few of the largest agencies conduct a formal annual open house presentation, most departments conduct student tours when requested by local schools.

Analysis  
ICJS practice is different than NAC Standard

NAC POLICE STANDARD 1.7  
NEWS MEDIA RELATIONS

RELATED IOWA STANDARD  
4.3 NEWS MEDIA RELATIONS

Every police chief executive immediately should acknowledge in written policy statements the important role of the news media and the need for the police agency to be open in its relations with the media. The agency should promote an aggressive policy of presenting public information rather than merely responding to occasional inquiries.

1. The news media relations policy should be included in the agency training curricula, and copies of it provided to all agency personnel, media representatives, and the public. This policy should acknowledge:

- a. The right of the press to obtain information for dissemination to the public;
- b. The agency's responsibility to respond to inquiries from the media, subject to legal restraints and the necessity to preserve evidence, to prevent interference with police investigations and other operations, and to protect the constitutional rights of persons accused of crimes;
- c. The agency's responsibility to seek the cooperation of the media to delay publication - rather than imposing censorship or unilateral news moratorium - when immediate reporting of certain information may be detrimental to the community, to victims of crime, or to an investigation; and
- d. The mutual benefits to the police agency and the media when relations between the two are characterized by candor, cooperation, and mutual respect.

ICJS

The relationship between the agency and the news media will vary among jurisdictions. The ILEA basic training curriculum includes a 1-hour course entitled, "Law Enforcement and the News Media." One objective of this session is to enhance the spirit of cooperation between media and law enforcement personnel.

Media relations policy will depend upon the completeness of general agency policy.

Analysis  
ICJS practice is different than NAC Standard

2. The news media relations program should provide regular liaison between the agency and the media through an officer or unit, depending upon the size of the agency and the nature and frequency of local news media demands.

ICJS

While no agency feels the need to designate full-time news media liaison officers, most urban agencies have formalized procedures by which periodic liaison between the agency and the media is maintained.

Analysis  
ICJS practice is similar to NAC Standard

3. Every police chief executive should establish a means of local, regional, or State accreditation of legitimate news media representatives or of recognizing accreditation by other agencies to assist media representatives in receiving police cooperation.

ICJS

There is no evidence that lists of accredited media personnel have been established.

Analysis

ICJS practice is different than NAC Standard

4. Every police chief executive, in cooperation with the media, should prepare a written policy establishing the relationship between his agency and the news media during unusual occurrences.

ICJS

Written policy regarding the media relationship during an unusual occurrence normally does not exist. In the past, this relationship has broken down during unusual occurrences.

Analysis

ICJS practice is different than NAC Standard

#### NAC POLICE STANDARD 2.1 DEVELOPMENT OF GOALS AND OBJECTIVES

#### RELATED IOWA STANDARD 1.3 GOALS AND OBJECTIVES

Every police agency immediately should develop short- and long-range goals and objectives to guide agency functions. To assist in this development, every unit commander should review and put into writing the principle goals and objectives of his unit.

1. Every police agency and every unit within the agency should insure that its goals and objectives are:
  - a. Consistent with the role of the police as defined by the agency's chief executive;
  - b. Responsive to community needs;
  - c. Reasonably attainable;
  - d. Sufficiently flexible to permit change as needed; and
  - e. Quantifiable and measurable where possible.
2. Every police agency should provide for maximum input both within and outside the agency in the development of its goals and objectives. It should:
  - a. Create an atmosphere that encourages unrestricted submission of ideas by all employees regardless of rank; and
  - b. Establish methods to obtain ideas from a variety of organizations and individuals outside the agency.
3. Every police agency and every unit within each agency should publish and disseminate its goals and objectives to provide uniform direction of employee efforts.

ICJS

Except in a few of the largest law enforcement agencies in Iowa, specific goals and objectives (other than broad statements such as "protection of the community") do not exist. Generally, departments with fewer than 75 personnel have not formally recognized that goals and objectives should be developed to guide agency policy.

For the most part, department "S.O.P.'s" (standard operating procedure) substitute for formalized goals and objectives. Police personnel are made aware of their agency's S.O.P. through written policy statements in the largest agencies and verbally in all others. Available data indicates that input, particularly by individuals outside the agency, into the S.O.P. decision making process is limited.

It is highly unlikely that any individual or group of individuals without political influence could have significant affect upon department policy and/or objectives.

#### Analysis

ICJS practice is different than NAC Standard

4. Every police chief executive should require every unit commander to make a periodic review of unit goals and objectives and submit a written evaluation of the progress made toward the attainment of these goals. Annually, in conjunction with the budget preparation, every police chief executive should provide for review and evaluation of all agency goals and objectives and for revisions where appropriate.

#### ICJS

Systematic review of each unit's goals and objectives may occur only in the larger agencies.

#### Analysis

ICJS practice is different than NAC Standard

### NAC POLICE STANDARD 2.2 ESTABLISHMENT OF POLICY

Every police chief executive immediately should establish written policies in those areas of operations in which guidance is needed to direct agency employees toward the attainment of agency goals and objectives.

1. Every police chief executive should promulgate policy that provides clear direction without necessarily limiting employee's exercise of discretion.

#### ICJS

Written policy statements are usually only found in the larger departments. Agencies with fewer than 30 sworn personnel rarely have established written operational policies. Policy is usually so broad as to set no limits whatsoever upon operational practices. It is not unusual for written policy to establish what officers cannot do, rather than what should be done.

#### Analysis

ICJS practice is inconsistent with NAC Standard

2. Every police chief executive should provide for maximum participation in the policy formulation process. This participation should include at least:

- a. Input from all level within the agency--from the level of execution to that of management--through informal meetings between the police chief executive and members of the basic rank, idea incentive programs, and any other methods that will promote the upward flow of communications; and organizations, and the specific community affected.



#### ICJS

Operational policy, in all but a few agencies, is developed entirely by the chief executive, command and supervisory level personnel, and, on occasion, by local government officials. There is little indication that basic rank personnel have much, if any, input into agency operational policy. Community organizations without political influence will also have little input into police policy.

#### Analysis

ICJS practice is inconsistent with NAC Standard

3. Every police chief executive should provide written policies in those areas in which direction is needed, including:

- a. General goals and objectives of the agency;
- b. Administrative matters;
- c. Community relations;
- d. Public and press relations;
- e. Personnel procedures and relations;
- f. Personal conduct of employees;
- g. Specific law enforcement operations with emphasis on such sensitive areas as the use of force, the use of lethal and nonlethal weapons, and arrest and custody; and
- h. Use of support services.

#### ICJS

As noted above, only a few of the larger departments have established written operational policy. However, policy is usually so broad as to allow the officer almost complete discretion.

#### Analysis

ICJS practice is inconsistent with NAC Standard

#### NAC POLICE STANDARD 2.3 INSPECTIONS

#### RELATED IOWA STANDARD 1.7 INSPECTIONS

Every police agency should immediately establish a formal inspection system to provide the police chief executive with the information he needs to evaluate the efficiency and effectiveness of agency operations.

1. Every police agency should require ongoing line inspections. Every police chief executive should give every manager and supervisor the responsibility and the authority to hold inspections and:
  - a. To conduct continual inspections of all personnel subordinate and directly responsible to him through any level of the chain command and to inspect the equipment used and the operations performed by such subordinate personnel;
  - b. To take immediate action indicated by the results of such inspections: commendation for exemplary performance and correction of deficiencies.

#### ICJS

In the vast majority of agencies - those with fewer than 25 employees - the chief executive personally conducts all inspections. Formal inspections are conducted in the larger agencies by command level and supervisory personnel. Actions taken by command level and supervisory personnel as a result of an inspection are only limited by their authority and rank

## Analysis

ICJS practice is different than NAC Standard

2. Every police chief executive should implement routine scheduled and unscheduled inspections of all personnel, material, and operations. When the police chief executive personally cannot conduct these inspections often enough, he should provide for staff inspections to meet these needs.

- a. Every police agency with 400 or more personnel should establish a unit staffed with at least one employee whose full-time responsibility is staff inspection. The size and or organization of the inspection unit should correspond to the size of the agency and the complexity of the inspections task;
- b. Every police agency with at least 75 but fewer than 400 personnel should, where necessary, establish an inspection unit or assign an employee whose full-time responsibility is staff inspection. If a full-time assignment is not justified, staff inspections should be assigned to an employee who performs related duties but is neither responsible to supervisors of the units being inspected nor responsible for the operations of such units;
- c. Every police agency with fewer than 75 personnel, and in which the chief executive cannot conduct his own inspections, should assign responsibility for staff inspections to an employee who performs related duties but is neither responsible to supervisors of the units being inspected nor responsible for the operations of such units;
- d. Staff inspections should include inspection of materials, facilities, personnel, procedures and operations. A written report of the findings of the inspection should be forwarded to the chief executive; and
- e. Where possible, the rank of the employee responsible for staff inspections or that of the employee in charge of the inspections unit should be no lower than the rank of the employee in charge of the unit being inspected. There should be no more than one person between the inspecting employee and the chief executive in the chain of command. The person conducting a staff inspection should be a direct representative of the police chief executive.

## ICJS

The only law enforcement agency in Iowa with 400 or more sworn personnel is the Iowa Highway Patrol (D.P.S.). In addition to the inspectional responsibilities awarded area and district commanders, there is a full-time inspector who reports directly to the I.H.P. Chief. Of those local departments with 75+ personnel, approximately 3 of them have special inspection capabilities. In the other agencies, inspections are most likely the responsibility of the assistant chiefs or division commanders. It is probable that no one command level officer is formally delegated to conduct inspections. Furthermore, these officers would be inspecting units which they personally are responsible for. In all other agencies, the chief executive would be personally responsible for inspections. A formal written report of the inspector's findings would only be found in those departments with the special units. However, data indicates that in these agencies and in those without specialized units, report of all inspections are often not forwarded to the chief. The rank of the inspector is usually higher than the personnel under inspection.

## Analysis

ICJS practice is different than NAC Standard

It is likely that formal inspections are non-existent in most departments. Inspections may only consist of a cursory check of an officer's appearance during a briefing session. There are strong indications that an inspection, if it is conducted, does not cover operating procedures.

NAC POLICE STANDARD 3.1  
CRIME PROBLEM IDENTIFICATION  
AND RESOURCE DEVELOPMENT

RELATED IOWA STANDARD  
4.4 COMMUNITY CRIME PROBLEM IDENTIFICATION

Every police agency should insure that patrolmen and members of the public are brought together to solve crime problems on a local basis. Police agencies with more than 75 personnel should immediately adopt a crime identification program.

1. Every police agency should, consistent with local police needs and its internal organization, adopt geographic policing programs which insure stability of assignment for individual officers who are operationally deployed.

ICJS

Most of Iowa's intermediate- and small-sized departments maintain stability of assignment and deployment due to their limited personnel resources and lack of distinct patrol sectors. No major metro department utilizes a true geographic deployment plan.

Analysis

ICJS practice is different than NAC Standard

2. Every patrol officer assigned to a geographic policing program should be responsible for the control of crime in his area and, consistent with agency priorities and policies and subject to normal approval, should be granted authority to determine the immediate means he will use if fulfilling that responsibility.

ICJS

As noted, no metro department currently operates a geographic policing program. Officers are not responsible for crime control within their assigned sector and cannot act with greater discretion.

Analysis

ICJS practice is different than NAC Standard

3. Every police agency should arrange for officers assigned to geographic policing programs to meet regularly with persons who live or work in their area to discuss the identification of crime problems and the cooperative development of solutions to these problems.

ICJS

Currently, no agency has a policing program that formally establishes channels of communication between officers and the community.

Analysis

ICJS practice is different than NAC Standard

Being that officers are usually assigned to sectors for long periods of time (1-2 years), it is probable that, to varying degrees, there is liaison with area residents.

4. Every agency having more than 75 personnel should establish a specialized unit which provides support services, functional supervision, and administrative review and evaluation of the geographic policing program.

## ICJS

There are currently no geographic policing programs.

## Analysis

ICJS practice is different than NAC Standard

### NAC POLICE STANDARD 3.2 CRIME PREVENTION

### RELATED IOWA STANDARD 4.5 COMMUNITY CRIME PREVENTION

Every police agency should immediately establish programs that encourage members of the public to take an active role in preventing crime, that provide information leading to the arrest and conviction of criminal offenders, that facilitate the identification and recovery of stolen property, and that increase liaison with private industry in security efforts.

1. Every police agency should assist actively in the establishment of volunteer neighborhood security programs that involve the public in neighborhood crime prevention and reduction.
  - a. The police agency should provide the community with information and assistance regarding means to avoid being victimized by crime and should make every effort to inform neighborhoods of developing crime trends that may affect their area.
  - b. The police agency should instruct neighborhood volunteers to telephone the police concerning suspicious situations and to identify themselves as volunteers and provide necessary information.
  - c. Participating volunteers should not take enforcement action themselves.
  - d. Police units should respond directly to the incident rather than to the reporting volunteer.
  - e. If further information is required from the volunteer, the police agency should contact him by telephone.
  - f. If an arrest results from the volunteer's information, the police agency should immediately notify him by telephone.
  - g. The police agency should acknowledge through personal contact, telephone call, or letter, every person who provides information.
2. Every police agency should establish or assist programs that involve trade, business, industry, and community participation in preventing and reducing commercial crimes.

## ICJS

Although several law enforcement agencies in Iowa have supported, and are supporting, crime prevention programs, it is evident that, taken as a whole, little has been accomplished in this area. Those programs that had been implemented were short-lived and of questionable deterrent value. Current programs have limited impact because only local residents will benefit. Furthermore, many programs were developed without professional assistance. No one agency has personnel who are qualified to develop and implement such programs. Data indicates that crime prevention programs are most efficient and cost-effective when operated on a regional or statewide basis. No agency is sponsoring a volunteer neighborhood security program as described in the NAC Standard.

## Analysis

ICJS practice is different than NAC Standard

3. Every police agency should seek the enactment of local ordinances that establish minimum security standards for all new construction and for existing commercial structures. Once regulated buildings are constructed, ordinances should be enforced through inspection by operational police personnel.

#### ICJS

Available data indicates that agencies have not sought to establish minimum security standards for new construction or for existing commercial structures.

#### Analysis

ICJS practice is inconsistent with NAC Standard

4. Every police agency should conduct, upon request, security inspections of businesses and residences and recommend measures to avoid being victimized by crime.
5. Every police agency having more than 75 personnel should establish a specialized unit to provide support services to and jurisdictionwide coordination of the agency's crime prevention programs; however such programs should be operationally decentralized whenever possible.

#### ICJS

Data reveals that most law enforcement agencies will, upon request, conduct security inspections of businesses and residences. It is evident, however, that most departments do not have the personnel capable of providing an adequate inspection.

#### Analysis

ICJS practice is different than NAC Standard

#### NAC POLICE STANDARD 4.1 COOPERATION AND COORDINATION

#### RELATED IOWA STANDARD 5.1 CRIMINAL JUSTICE SYSTEM COOPERATION

Every police agency immediately should act to insure understanding and cooperation between the agency and all other elements of the criminal justice system, and should immediately plan and implement appropriate coordination of its efforts with those of other elements of the criminal justice system.

1. Every police agency should cooperate with other elements of the criminal justice system in processing criminal cases from arrest to trial within 60 days.

#### ICJS

Cooperation between police agencies and local prosecutors varies widely. There is little indication that police personnel feel obligated to ensure a defendant trial within 60 days after the preliminary arraignment.

#### Analysis

ICJS practice is inconsistent with NAC Standard

2. Every police agency should consider and, where appropriate, seek the formation of a criminal justice coordinating council with members representative of law enforcement, other criminal justice agencies, and local government.

The council:

- a. Should have as its overall objective the fair and effective disposition of all criminal cases and other more specific goals and activities related to crime prevention and reduction; and
- b. Should develop policy and institute planning and coordination programs that serve to achieve its objective.

#### ICJS

At best, local coordinating councils are convened infrequently and often are politically motivated.

#### Analysis

ICJS practice is different than NAC Standard

3. Every police agency should support training programs that promote understanding and cooperation through the development of unified interdisciplinary training for all elements of the criminal justice system. Those programs:

- a. Should provide for the instruction of police personnel in the functions of all criminal justice agencies in order to place the police role in proper perspective;
- b. Should encourage, where appropriate, police participation in training given to members of other criminal justice agencies.

#### ICJS

There are no indications that law enforcement agencies provide interdisciplinary training for their personnel. Except for rudimentary training upon employment, or direct on-the-job contact, personnel are not familiar with the functions of other criminal justice agencies.

#### Analysis

ICJS practice is inconsistent with NAC Standard

NAC POLICE STANDARD 4.2  
POLICE OPERATIONAL EFFECTIVENESS  
WITHIN THE CRIMINAL JUSTICE SYSTEM

RELATED IOWA STANDARD  
5.2 LAW ENFORCEMENT CRIMINAL  
JUSTICE SYSTEM COOPERATION

Every police agency immediately should insure its operational effectiveness in dealing with other elements of the criminal justice system.

1. Every police agency should develop procedures in cooperation with local courts and prosecutors to allow on-duty officers to be on call when subpoenaed to testify in criminal matters.

#### ICJS

Formalized procedures, by which officers can be subpoenaed while on-duty, are haphazard and random.

#### Analysis

ICJS practice is inconsistent with NAC Standard

2. Every police agency should develop and maintain liaison with:

- a. Local courts and prosecutors to facilitate the timely issuance of arrest and search warrants, issuance of criminal complaints, and arraignment of prisoners;
- b. Juvenile courts to divert, in appropriate circumstances, juveniles from the juvenile justice system and to preserve confidentiality of proceedings to the greatest extent possible;
- c. Corrections agencies, including probation and parole, in order to enhance information on the status and activities of released persons who are still under sentence; and

- d. Other Federal, State, and local law enforcement agencies in order to arrange for the arrest and return of fugitives, to exchange information in criminal investigations, to establish joint plans for dealing with criminal conduct, and to share statistical and support services.

#### ICJS

Generally, only minimal cooperation is maintained between law enforcement and the other components of the Iowa criminal justice system.

Departments with youth bureaus (10-15 currently; eventually all departments serving 10,000 + population) usually maintain informal liaison with the juvenile court. In such instances, youth bureau personnel are required to cooperate with the court via the juvenile probation officer. The primary function of the youth bureau is to screen all cases and divert youths from the juvenile justice system.

Liaison between law enforcement and correctional agencies is sporadic and conducted on an ad hoc basis. B.C.I. agents stationed near the State's maximum security facilities are kept notified of all releases.

Coordination with extra-state agencies (other States, Federal) is almost always conducted by the D.P.S.

#### Analysis

ICJS practice is different than NAC Standard

3. Every police agency should cooperate in the establishment of task force efforts with other criminal justice agencies and Federal, State, and local law enforcement agencies, where appropriate, to deal with major crime problems.

#### ICJS

Multi-agency task forces have been implemented in several metro areas to cope with specific crimes (homicide).

#### Analysis

ICJS practice is different than NAC Standard

### NAC POLICE STANDARD 4.3 DIVERSION

Every police agency, where permitted by law, immediately should divert from the criminal and juvenile justice systems any individual who comes to the attention of the police, and for whom the purpose of the criminal or juvenile process would be inappropriate, or in whose case other resources would be more effective. All diversion dispositions should be made pursuant to written agency policy that insures fairness and uniformity of treatment.

1. Police chief executives may develop written policies and procedures which allow, in appropriate cases, for juveniles who come to the attention of the agency to be diverted from the juvenile justice process. Such policies and procedures should be prepared in cooperation with other elements of the juvenile justice system.

#### ICJS

As a rule, police chief executives have not established written policy regarding juvenile diversion. In agencies with youth bureaus, the decision to divert the youth from the

juvenile justice system is made entirely by the juvenile officer. Most, if not all, youth bureaus operate according to informal procedures established by youth bureau personnel and, in some instances, juvenile probation officers.

Agencies without youth bureaus oftentimes do not recognize diversion and, consequently, all youths are introduced into the juvenile justice system.

#### Analysis

ICJS practice is inconsistent with the NAC Standard

2. These policies and procedures should allow for processing mentally ill persons who come to the attention of the agency, should be prepared in cooperation with mental health authorities and courts, and should provide for mental health agency referral of those persons who are in need of professional assistance but are not taken into custody.

#### ICJS

There is little evidence that police agencies have established policies and procedures with the courts and mental health authorities for dealing with mentally ill individuals. Generally, police personnel are informed, either in written policy statements or verbally that all "mentally unstable" individuals, who would normally be taken into custody, are to be taken to a designated medical facility. Where such facilities are not conveniently located, the mentally unstable individual is taken to the regular holding facility.

#### Analysis

ICJS practice is different than NAC Standard

3. These policies should allow for effective alternatives when arrest for some misdemeanor offenses would be inappropriate.

#### ICJS

Police chief executives have not recognized alternatives to arrest for any offense, misdemeanor or felony. Criteria for arrest alternatives for non-traffic misdemeanor offenses have not been formally established. Any action taken by the officer other than arrest is unauthorized.

#### Analysis

ICJS practice is inconsistent with NAC Standard

NAC POLICE STANDARD 4.4  
CITATION AND RELEASE  
ON OWN RECOGNIZANCE

RELATED IOWA STANDARD  
5.3 CITATION AND RELEASE  
ON OWN RECOGNIZANCE

Every police agency immediately should make maximum effective use of State statutes permitting police agencies to issue written summonses and citations in lieu of physical arrest or prearrest confinement. Every police agency also should cooperate in programs that permit arraigned defendants to be released on their own recognizance in lieu of money bail in appropriate cases.

1. Every police agency should adopt policies and procedures that provide guidelines for the exercise of individual officer's discretion in the implementation of State statutes that permit issuance of citations and summonses, in lieu of physical arrest or prearrest confinement.



#### ICJS

Provisions exist for the issuance of a citation in lieu of arrest. Section 753.5 states that "whenever it would be lawful for a peace officer to arrest a person without a warrant, he may issue a citation instead of making the arrest and taking the person before a magistrate."

Data indicates that the use of citations in lieu of arrest, except for minor traffic violations, is rather limited. Departments have not established formal policy whereby criteria for issuing citations is specified.

#### Analysis

ICJS practice is inconsistent with NAC Standard

2. Every police agency should take all available steps to insure that at the time arraigned defendants are considered for pretrial release, their previous criminal history or present conditional release status, if any, is documented and evaluated by the court in determining whether the defendants are released or confined pending trial.

#### ICJS

Available data indicates that agencies do not, on their own initiative, supply this data to the court.

#### Analysis

ICJS practice is similar to NAC Standard

3. Every police agency should place special emphasis on expeditiously serving all outstanding arrest warrants obtained by the agency, particularly those issued due to a defendant's failure to appear at court proceedings.

#### ICJS

Arrest warrants issued due to a defendant's failure to appear at court proceedings are generally the responsibility of the county sheriff's department. This function is served by deputies who are designated as court bailiffs. Data indicates that such warrants are, to the extent possible, awarded priority attention.

#### Analysis

ICJS practice is similar to NAC Standard

#### NAC POLICE STANDARD 4.5 CRIMINAL CASE FOLLOWUP

#### RELATED IOWA STANDARD 5.4 CRIMINAL CASE FOLLOWUP

Every police agency immediately should develop policies and procedures to follow up on the disposition of criminal cases initiated by the agency. This should be done in cooperation with local courts and prosecuting agencies.

1. Every police agency, in cooperation with local courts and prosecuting agencies, should provide for the administrative followup of selected criminal cases. Policies and procedures should be developed:

- a. To identify criminal cases which, because of extenuating circumstances or the defendants' criminal histories, require special attention by the prosecuting agency; and
- b. To require a police representative to attend personally all open judicial proceedings related to these cases, and to maintain close personal liaison with assigned prosecutors.

#### ICJS

Police agencies have not developed formal procedures with local courts and prosecutors to follow up on the disposition of criminal cases. Any liaison is achieved on an informal, random basis.

#### Analysis

ICJS practice is inconsistent with NAC Standard

2. Every police agency should review administratively all major criminal cases in which prosecuting agencies decline to prosecute or later cause to be dismissed. That review:

- a. Should result in a referral of each such case to the concerned officer's commanding officer for administrative action to correct any police deficiencies which may have weakened the case; or
- b. Should result in a referral of each case to the prosecuting agency for that agency's action to correct any deficiencies for which it may have been responsible.

#### ICJS

Police agencies are usually not informed of the disposition of cases they initiated. Prosecutors rarely inform the agency about case weaknesses.

#### Analysis

ICJS practice is different than NAC Standard

3. Every police agency should encourage courts and prosecuting agencies routinely to evaluate investigations, case preparation, and the courtroom demeanor and testimony of police officers and to inform the police agency of those evaluations.

#### ICJS

Normally, prosecutors are not requested by police agencies to evaluate police performance vis-a-vis criminal prosecution.

#### Analysis

ICJS practice is inconsistent with NAC Standard

4. Every police agency formally should make information from its files available to other criminal justice agencies and to the courts for reference in making diversion, sentencing, probation, and parole determinations. In addition to records of past contacts with the defendant, useful information might include the effect the crime had on the victim, and the likelihood of future crime resulting from defendant's presence in the community.

#### ICJS

Although not a formalized procedure in many agencies, authorized personnel from other criminal justice agencies can gain access to police criminal history files. Other information, i.e., effect of crime on victim, can only be obtained informally by personal liaison with concerned personnel.

## Analysis

ICJS practice is different than NAC Standard

### NAC POLICE STANDARD 5.1 RESPONSIBILITY FOR POLICE SERVICE

### RELATED IOWA STANDARD 3.1 RESPONSIBILITY FOR LAW ENFORCEMENT

Every State and local government immediately should provide complete and competent police service through an organizational structure that most effectively and efficiently meets its responsibility. The government responsible for this service should provide for a police organization that performs the duties described as the police role.

1. Every police agency should provide for access to police service and response to police emergency situations 24 hours a day.
2. Every local government unable to support a police agency and provide 24-hour-a-day services should arrange immediately for the necessary services by mutual agreement with an agency that can provide them.

#### ICJS

"Currently, of the approximately 950 cities and towns in Iowa, only 8.4% (no. = 80) provide police services with five or more full time men. This means that only 8.4% of the cities and towns in Iowa possess the tax base or the willingness or both to provide 24 hour police patrol made theoretically possible through police agency staffing of five full-time officers. On the county level, 36.4% (N = 36) of the sheriff's offices are staffed with five officers for the entire county. It must be considered, however, that the county sheriffs in Iowa must provide civil support to the courts and this reduces manpower available to engage in active patrol.

Approximately 55% of Iowa's population resides in the cities and towns that can offer 24 hour patrol coverage. The remaining 45% of Iowa's population resides in cities or towns that do not provide 24 hour patrol coverage or in rural areas that must rely upon the county sheriff for police services. Recalling that approximately 36% of county sheriff's can provide 24 hour patrol coverage, it can be estimated that 60-70% of Iowa's population currently resides in jurisdictions that do or at least possess the on-board personnel, at the local or county level to provide 24 hour patrol coverage. The remaining 30-40% of Iowa's population resides in jurisdictions that do not possess the available resources to provide 24 hour patrol coverage."

-1975 Iowa Criminal Justice Plan

## Analysis

ICJS practice is inconsistent with NAC Standard

3. Every police chief executive should establish an organizational structure that will best insure effective and efficient performance of the police functions necessary to fulfill the agency's role within the community. Every police chief executive:
  - a. Should, in conjunction with the annual budget preparation, review the agency's organizational structure in view of modern management practices and provide for necessary changes.
  - b. Should insure that the organizational structure facilitates the rendering of direct assistance practical to the people.
  - c. Should organize the agency's staff elements to insure that the organizational structure provides for direct assistance and service to line elements.
  - d. Should limit functional units, recognizing that they increase the need for coordination, create impediments to horizontal communications, and increase the danger of functional objectives superseding agency goals.

- e. Should establish only those levels of management necessary to provide adequate direction and control.
- f. Should define the lines of authority and insure that responsibility is placed at every level with commensurate authority to carry out assigned responsibility.
- g. Should not be encumbered by traditional principles of organization if the agency goals can best be achieved by less formal means.

#### ICJS

To the extent possible, chief executives modify the organizational structure of their departments to facilitate effective and efficient performance of the police function. It must be recognized, however, that in those departments with fewer than 15 sworn personnel (approximately 30 municipal/county/state law enforcement agencies have more than 15 full time sworn personnel) any re-organization is extremely limited.

#### Analysis

ICJS practice is different than NAC Standard

Several of the State's larger departments have contracted the International Association of Chiefs of Police (IACP) to conduct surveys. These surveys often are used by the contracting agency for re-organizational purposes.

#### NAC POLICE STANDARD 5.2 COMBINED POLICE SERVICES

#### RELATED IOWA STANDARD 3.2 LAW ENFORCEMENT CONSOLIDATION

Every State and local government and every police agency should provide police services by the most effective and efficient organizational means available to it. In determining this means, each should acknowledge that the police organization (and any functional unit within it) should be large enough to be effective but small enough to be responsive to the people. If the most effective and efficient police service can be provided through mutual agreement or joint participation with other criminal justice agencies, the governmental entity or the police agency immediately should enter into the appropriate agreement or joint operation. At a minimum police agencies that employ fewer than 10 sworn employees should consolidate for improved efficiency and effectiveness.

1. Every State should enact legislation enabling local governments and police and criminal justice agencies, with the concurrence of their governing bodies, to enter into interagency agreements to permit total or partial consolidation of police services. This legislation:

- a. Should permit police service agreements and joint participation between agencies at all levels of government;
- b. Should encourage interagency agreements for and joint participation in police services where beneficial to agencies involved;
- c. Should permit reasonable local control or responsiveness to local needs.

#### ICJS

The Iowa Code enables local governments (municipal, county, State) to enter into mutually beneficial interagency agreements for the delivery of police services. See section 28E.

#### Analysis

ICJS practice is different than NAC Standard

As a result of several retirement systems established for Iowa's law enforcement officers in the CODE, consolidation between agencies with different systems may result in confusion and possible loss of benefits for personnel. (See NAC Police Standard 20.5).

It has been suggested that retirement system legislation would be required in order to facilitate consolidation of municipal/county law enforcement agencies.

Legislation may also be required to ensure that 28E agreements are more binding in nature. Any law enforcement agency currently operating pursuant to 28E is basically unstable being that participating governments are not required to renew the contract.

2. Every local government should take whatever other actions are necessary for joint participation where such services can be provided most effectively.
3. No State or local government or police agency should enter into any agreement for or participate in any police service that would not be responsive to the needs of its jurisdiction and that does not at least:
  - a. Maintain the current level of a service at a reduced cost;
  - b. Improve the current level of a service either at the same cost or at an increased cost if justified; or
  - c. Provide an additional service at least as effectively and economically as it could be provided by the agency alone.

#### ICJS

Theoretically, all areas of the State are provided with police services. Chapter 748.4 of the Code gives the Sheriff county-wide jurisdiction; this power exists whether or not the municipal corporation has a police department or hires town marshals within their respective territorial limits. However, since most sheriff's departments (60%) cannot provide county-wide 24-hour services, it is evident that many small municipalities must maintain their own department or do without viable law enforcement. Recognizing that only 8.4% of the cities and towns in Iowa possess the tax base or the willingness or both to provide 24-hour patrol, i.e., hiring five (5) full-time officers, they must rely upon the inadequate services provided by the sheriff's department.

In order to enhance the sporadic delivery of services provided by the sheriff, particularly crime preventive functions such as patrol, many local governments who are unable to maintain full time personnel contract with the sheriff for extra coverage. This system enables the local government to pay for specific services from the sheriff which would not usually be provided. Thus, while a deputy may normally patrol the municipality 15 minutes per day, under the terms of the contract such services may be increased to two or three hours. In this manner, local governments without the funds for their own personnel can receive additional police services. Furthermore, as a result of the extra income to the county, the sheriff's department can employ more deputies.

#### Analysis

ICJS practice is different than NAC Standard

While all local governments are permitted to enter into agreements with the county sheriff's department (or other local governments) for additional services, most localities, as yet, have not done so. See 1975 Criminal Justice Plan for additional data.

4. Every State, in cooperation with all police agencies within it, should develop a comprehensive statewide mutual aid plan to provide for mutual aid in civil disorders, natural disasters, and other contingencies where manpower or material requirements might exceed the response capability of single agencies.

#### ICJS

All available data indicates that the current statewide mutual aid plan was developed by the D.P.S. with little input by local agencies.

#### Analysis

ICJS practice is different than NAC Standard

5. Every State should provide, at no cost to all police agencies within the State, those staff services such as laboratory services, information systems, and intelligence and communications systems, which fill a need common to all these agencies and which would not be economical or effective for a single agency to provide for itself.

#### ICJS

Staff services provided free of charge by the Department of Public Safety include laboratory services (B.C.I. Criminalistics Laboratory), information systems (TRACIS) and intelligence (Criminal Conspiracy Unit-B.C.I.). See comparative analysis, Police 12.1, 12.2, Chapters 23 and 24.

With the implementation of the Iowa Telecommunications Plan a statewide mutual aid communications channel will be fully operational.

#### Analysis

ICJS practice is similar to NAC Standard

Agencies are required to pay a rental fee of \$100/month for a TRACIS terminal. Agencies without a terminal may request TRACIS data, via radio, without charge.

6. Every local government and every local police agency should study possibilities for combined and contract police services, and where appropriate, implement such services. Combined and contract service may include:

- a. Total consolidation of local government services: the merging of two city governments, or city-county governments;
- b. Total consolidation of police services: the merging of two or more police agencies or of all police agencies (i.e., regional consolidation) in a given geographic area;
- c. Partial consolidation of police services: the merging of specific functional units of two or more agencies;
- d. Regionalization of specific police service: the combination of personnel and material resources to provide specific police services on a geographic rather than jurisdictional basis;
- e. Metropolitanization: the provision of public services (including police) through a single government to the communities within a metropolitan area;
- f. Contracting for total police services: the provision of all police services by contract with another government (city with city, city with county, county with city, or city or county with State);
- g. Contracting for specific police services: the provision of limited or special police or criminal justice agency; and
- h. Service sharing: the sharing of support services by two or more agencies.

#### ICJS

Implementation of county-wide consolidated and contract law enforcement has already begun in Iowa and, to varying degrees, is being considered by local governments in many counties.

As noted in the **1975 Criminal Justice Plan** (see also **Consolidated Law Enforcement in Iowa, S.I.A.C.C., 1974**) there are four (4) basic consolidated law enforcement designs which are under consideration.

1. **County to City Agreement or the Sheriff - Deputy System**; All incorporated areas within a county would enter into an agreement with the county sheriff's department. The cost to each municipality would be determined by their need for police services. Thus, a town needing a full-time deputy will pay more than those towns needing only sporadic patrol. With the additional income and greater population base more deputies could be employed. Theoretically, implementation of such a system in sparsely populated counties would meet with little resistance because the sheriff's department is the primary pre-existing law enforcement agency. In addition, cost-effectiveness is obtained because a municipality will only pay for the law enforcement services it needs and receives.
2. **City - County Agreement**: In those counties where the primary pre-existing law enforcement agency is located in a municipality, an agreement can be reached so that

the municipal department serves the entire county. Since a municipality is statutorily permitted to enter in an agreement with other municipalities and the county (Chapter 28E), the county board of supervisors and other local governments will pay the predominant agency to provide police services.

3. **County Law Enforcement Agency:** Instead of designating a pre-existing agency, all local governments would enter into an agreement for the creation of a new law enforcement entity. This new county law enforcement agency would assume sole responsibility for law enforcement within the county. This system could best be implemented in those counties where there is neither a predominant nor effective law enforcement agency.
4. **Special Police District:** A fourth alternative for unified law enforcement would be a single purpose special district to provide for law enforcement within a given geographical area. Such a district would not require the reorganization of government but the creation of a special unit to furnish a service which each participating agency formerly maintained. Major urban departments which share similar enforcement problems with adjacent suburban agencies may be joined in one district to enhance police efficiency and cost-effectiveness.

#### Analysis

ICJS practice is different than NAC Standard

The Iowa Crime Commission has designated consolidated and contract law enforcement high priority and is funding its implementation in those counties desiring such a system. Statewide implementation will be a multi-year project.

While most counties would benefit from some form of unified law enforcement, its implementation has been resisted. Some of the reasons for this are:

1. **Vested interest:** Under any unified system, some supervisory and command level personnel will have to sacrifice authority/prestige/salary. This is particularly true in plans #2 and #3 where the sheriff's department would no longer have a law enforcement function.
2. **Instability of command:** Under system #1 (Sheriff-Deputy), the chief executive will not be required to have any law enforcement experience and could possibly subvert the agency's function for political reasons, i.e., only do what is politically expedient. Being that the sheriff is an elected official, confusion will result whenever a new sheriff is elected.
3. **Contract instability:** Agreements made between local governments pursuant to Chapter 28E are of limited duration and reversible, i.e., escape clauses. Thus, any participating municipality or sheriff's department would not be required to renew the agreement thereby removing the department's tax and population base. Any unified system could be seriously disrupted by the election of new government officials or sheriffs. Since all 28E contracts must be periodically renewed by all participants, newly elected officials may have different notions as to how the law enforcement function should be provided and vote against renewal of the agreement. Furthermore, under systems #2 and #3, a newly elected sheriff may demand reversion of the law enforcement function to his department.

As noted in the **1975 Criminal Justice Plan**, a major Crime Commission priority in the field of law enforcement in Iowa is development of efficient 24 hour police service through consolidation of agencies with under five, full time, sworn officers.

Support will be in three primary areas, consolidated law enforcement, combined facilities and contract law enforcement. Contract law enforcement will enable towns with insufficient population to support a professional police department to contract with outside agencies for this service. It is expected that unified law enforcement will come into greater demand in the future, and is considered a priority program area. The contract concept applies primarily to the rural areas; however, the concept of unified law enforcement and shared facilities can be applied in both rural and urban areas.

There are several major facets of Iowa Crime Commission involvement in the development of consolidated law enforcement programs in Iowa.

1. The Iowa Crime Commission will offer funding incentives for development of consolidated law enforcement projects or components thereof.

2. The Area Crime Commissions in Iowa will assume the role of coordinating and encouraging the development of consolidated law enforcement services within each area.
3. That the development of any consolidated law enforcement program in Iowa include consideration of all applicable criminal justice standards adopted for Iowa.
4. That the capability to provide 24 hour active patrol service be utilized as a key factor in determining the need to consolidate police services. This would set the recommended minimum police agency size in Iowa at five full time officers plus the necessary support personnel, i.e. dispatchers, jailers, matrons.
5. Considering that the county sheriff is a part of at least two of the possible methods for combining police services in Iowa, establishment of minimum qualifications for candidates for the elective office of sheriff is supported by the Iowa Crime Commission. This would insure the professional competence of those individuals charged with the direct responsibility for operation of each consolidated police agency.
6. That the development of any consolidated law enforcement program supported by the Commission include development of an adequate telecommunication capability in accordance with the state communications plan.
7. That any consolidated law enforcement program supported by the Commission establish an effective records system and comply with all reporting requirements established for the Iowa criminal justice system.
8. That any officer employed in a consolidated law enforcement program supported by the Commission receive basic recruit training offered in accordance with Iowa law prior to being actively employed and exercising sworn authority.
9. That any consolidated law enforcement program supported by the Commission establish and maintain salaries that attract and retain qualified sworn personnel capable of performing the increasingly complex and demanding functions of police work.

Funding in this program area will be a continuous long term process. The establishment of 24 hour police services and all attendant services is an undertaking requiring several years to accomplish. It is anticipated that consolidated law enforcement projects implemented in future years will also serve as vehicles for implementation of many police standards.

7. Every police agency should immediately, and annually thereafter, evaluate its staff services to determine if they are adequate and cost effective and whether these services would meet operational need more effectively or efficiently if they were combined with those of other police or criminal justice agencies, or if agency staff services were secured from another agency by mutual agreement.
8. Every police agency that maintains cost-effectiveness staff service should offer the services to other agencies if by so doing it can increase the cost-effectiveness of the staff service.
9. Every police chief executive should identify those line operations of his agency that might be more effective and efficient in preventing, deterring, or investigating multijurisdictional criminal activity if combined with like operations of other agencies. Having identified these operations, he should:
  - a. Confer regularly with all other chief executives within his area, exchange information about regional criminal activity, and jointly develop and maintain the best organizational means for regional control of this activity; and
  - b. Cooperate in planning, organizing, and implementing regional law enforcement efforts where such efforts will directly or indirectly benefit the jurisdiction he serves.

#### ICJS

For all intents and purposes, sharing and unification of staff services occurs only when such actions are the obvious solution to an immediate problem or when vital staff services depend upon multi-jurisdictional unification. It is unlikely that most intermediate size and rural chief executives periodically consider the need for consolidation of staff services. This is because agencies of this size rely primarily upon the D.P.S. for specialized functions. In metropolitan areas with the existing need for specialized staff functions there is evidence of consolidation. One example is M.A.N.S. (Metropolitan Area Narcotics Squad) which serves Des Moines and the adjacent suburbs. Personnel from participating departments function as one unit and have jurisdiction in the entire problem area.



Available data indicates, however, that formal periodic planning by police administrators for implementation of regional staff units is not standard procedure.

#### Analysis

ICJS practice is different than NAC Standard

### NAC POLICE STANDARD 5.3 COMMITMENT TO PLANNING

### RELATED IOWA STANDARD 2.1 THE PLANNING FUNCTION

Every police agency should develop planning processes which will anticipate short- and long-term problems and suggest alternative solutions to them. Policy should be written to guide all employees toward effective administrative and operational planning decisions. Every police agency should adopt procedures immediately to assure the planning competency of its personnel through the establishment of qualifications for selection and training.

1. Every police agency should establish written policy setting out specific goals and objectives of the planning effort, quantified and measurable where possible, which at least include the following:
  - a. To develop and suggest plans that will improve police service in furthering the goals of the agency;
  - b. To review existing agency plans to ascertain their suitability, to determine any weaknesses, to update or devise improvement when needed, and to assure they are suitably recorded;
  - c. To gather and organize into usable format information needed for agency planning.
2. Every police agency should stress the necessity for continual planning in all areas throughout the agency, to include at least:
  - a. Within administrative planning: long range, fiscal and management plans;
  - b. Within operational planning: specific operational, procedural, and tactical plans;
  - c. Extradepartmental plans; and
  - d. Research and development.

#### ICJS

Even in the larger urban departments much of the planning is accomplished in a sporadic, ad hoc manner. Short-term planning is usually a direct result of an immediate problem or need. Long range planning is oftentimes based on vague, undefined, and unwritten objectives. Planning in smaller departments is usually nonexistent.

#### Analysis

ICJS practice is different than NAC Standard

3. Every police agency should establish written qualifications for employees assigned specifically to planning activities.
4. Every police agency should provide training necessary for all personnel to carry out their planning responsibilities.

#### ICJS

All available data indicates that written qualifications for employees specifically assigned to planning activities are virtually nonexistent. Furthermore, training for police planners primarily consists of on-the-job training.

#### Analysis

ICJS practice is different than NAC Standard

5. If there are planning needs that cannot be satisfied by agency personnel, the police agency should satisfy these needs through an appropriate arrangement with another police agency, another governmental agency, or a private consultant.

#### ICJS

Limited police planning has been accomplished through extra-agency personnel. Several agencies have contracted with private consulting firms, i.e., International Association of Chiefs of Police, government agencies, and other police agencies.

#### Analysis

ICJS practice is similar to NAC Standard

#### NAC POLICE STANDARD 5.4 AGENCY AND JURISDICTIONAL PLANNING

#### RELATED IOWA STANDARD 2.2 AGENCY AND JURISDICTIONAL PLANNING

Every police agency should immediately identify the types of planning necessary for effective operation, and should assign specific responsibility for research and development, and police agency and jurisdictional planning.

1. Every police agency with 75 or more personnel should establish a unit staffed with at least one employee whose full-time responsibility will be intra-agency administrative planning and coordination of all planning activities for the agency.

- a. The size and composition of this planning unit should be proportionate to the size of the agency and the magnitude of the present and anticipated planning task.
- b. The employee in charge of the planning unit should have no more than one person in the chain of command between him and the police chief executive.

#### ICJS

Of the eight law enforcement departments in Iowa with 75 or more sworn personnel only four have full-time planning units. (I.H.P. and three metro departments). These units are directly linked to the chief executive in the chain of command.

#### Analysis

ICJS practice is similar to NAC Standard

2. Every police agency organized into subdivisions should delineate divisional planning responsibilities and should provide personnel accordingly.

- a. To the extent feasible, divisional planning should be a staff activity performed by the agency's central planning unit. If centralized planning for a division is not feasible, the agency should assign planning personnel to the division.
- b. The agency should assign a specialized section of the central planning unit or a separate specialized planning unit to specialized divisions or to divisions with specialized planning requirements.
- c. The agency should insure coordination of all agency planning efforts.

#### ICJS

Divisional planning is conducted by the divisional chiefs in cooperation with the agency's planning unit. No agency with planning capabilities has decentralized the planning function.

#### Analysis

ICJS practice is similar to NAC Standard

3. Every police agency with fewer than 75 personnel should assign responsibility for administrative planning and coordination of all planning activities of the agency.

- a. If the magnitude of the agency's planning task justifies a full-time employee, one should be assigned; and
- b. If it does not, this task should be assigned to an employee with related duties.

#### ICJS

In agencies without a full-time unit, the planning and research function is the responsibility of the chief executive. Usually, the chief will work in conjunction with his command level personnel.

#### Analysis

ICJS practice is different than NAC Standard

4. Every police agency should assign responsibility for maintaining close interagency planning.

- a. Interagency planning should be engaged in by police agencies that are geographically close, that regularly operate concurrently within the same jurisdictional boundaries, that participate in a plan for mutual aid, or that logically should participate in any combined or regional police effort.
- b. Where regional police planning agencies exist, every police agency should assign responsibility for planning with those regional police planning agencies whose decisions might affect the assigning agency. This responsibility should include liaison with the established regional planning agency or other representative of the State Planning Agency.

#### ICJS

Data indicates that interagency planning is often conducted on an ad hoc basis. There is little indication that adjacent police agencies have formalized planning efforts.

#### Analysis

ICJS practice is different than NAC Standard

5. Every police agency should participate in cooperative planning with all other governmental subdivisions of the jurisdiction when such planning can have effect on crime, public safety, or efficient police operations.

- a. Every local governmental entity, in all matters of mutual interest, immediately should provide for police planning with that of other governmental subdivisions of the jurisdiction.
- b. Every police agency should assign responsibility for joint planning, when applicable, with the local government administrative office, local government attorney's office, finance department, purchasing department, personnel department, civil service commission, fire department, department of public works, utilities department, building inspection unit, street or highway department, parks department, recreation department, planning unit, and health department.

## ICJS

As noted, inter-agency planning is an informal process conducted on an infrequent basis when mutual problems arise. There is little indication that local governments have established formal planning units which would establish permanent on-going liaison between police and other governmental agencies.

## Analysis

ICJS practice is different than NAC Standard

### NAC POLICE STANDARD 5.5 POLICE-COMMUNITY PHYSICAL PLANNING

### RELATED IOWA STANDARD 2.3 PHYSICAL ENVIRONMENT PLANNING

Every police agency should participate with local planning agencies and organizations, public and private, in community physical planning that affects the rate or nature of crime or the fear of crime.

1. Every government entity should seek police participation with public and private agencies and organizations involved in community physical planning within the jurisdiction.
2. Every police agency should assist in planning with public and private organizations involved in police-related community physical planning. This assistance should at least include planning involving:
  - a. Industrial area development;
  - b. Business and commercial area development;
  - c. Residential area development, both low rise and high rise;
  - d. Governmental or health facility complex development;
  - e. Open area development, both park and other recreation;
  - f. Redevelopment projects such as urban renewal; and
  - g. Building requirements (target hardening), both residential and commercial.

## ICJS

Available data reveals that most law enforcement agencies in Iowa will, upon request, provide community physical planning assistance. As a rule, assistance is provided in an informal manner on an ad hoc basis.

It is evident that only the most diversified agencies have the specialized personnel capable of serving in this capacity.

## Analysis

ICJS practice is different than NAC Standard

### NAC POLICE STANDARD 5.6 RESPONSIBILITY FOR FISCAL MANAGEMENT

### RELATED IOWA STANDARD 3.3 RESPONSIBILITY FOR FISCAL MANAGEMENT

Every State or local government maintaining a police agency should immediately assign responsibility for fiscal management to the police chief executive. Where he does not personally perform the fiscal management function, this responsibility should be delegated to a fiscal affairs officer with staff as needed.

1. The police chief executive's primary areas of fiscal management responsibility should include fiscal planning, budget preparation and presentation, and fiscal control.

## ICJS

Generally, law enforcement chief executives in municipal jurisdictions have limited involvement in his/her agency's fiscal control.

## Analysis

ICJS practice is inconsistent with NAC Standard

2. Every police chief executive should immediately delegate the fiscal management responsibilities that he does not personally perform.
  - a. Every chief executive of a police agency with more than 150 personnel should delegate fiscal management to a fiscal affairs officer with staff as needed.
  - b. Every chief executive of a police agency with 150 or fewer personnel should appoint a fiscal affairs officer and staff when this can be justified.
  - c. Every police chief executive should provide that the responsibilities of the fiscal affairs officer include annual budget development, maintenance of liaison with the jurisdictional fiscal affairs officer, supervision of internal expenditures and related controls, and familiarization with recent developments in fiscal affairs management.

## ICJS

All law enforcement agencies with 150 + sworn personnel maintain a fiscal officer or unit. Fiscal personnel coordinate fiscal and budgetary planning in addition to monitoring expenditures.

## Analysis

ICJS practice is different than NAC Standard

### NAC POLICE STANDARD 5.7 FISCAL MANAGEMENT PROCEDURES

### RELATED IOWA STANDARD 3.4 FISCAL MANAGEMENT PROCEDURES

Every police chief executive should use the most effective and appropriate fiscal management techniques available. He should establish policy and procedures so budgeting is a fundamental part of the management planning process.

1. Every police chief executive should initiate annual budget planning with a detailed statement on budget preparation. This statement should reflect fiscal direction received from the fiscal affairs officer of the jurisdiction.

## ICJS

Except in a few of the largest, decentralized departments, annual budget planning is not a formalized process.

## Analysis

ICJS practice is different than NAC Standard

2. Every organizational element of the police agency should be involved in budget planning and should prepare a draft budget appropriate to its needs; adequate justification should be provided as part of the budget document for all major continuing expenditures, significant changes in minor continuing expenditures, and all new budget items.

3. Every police chief executive should develop the fiscal controls necessary for the agency to stay within funding restrictions, to insure that funds are being spent for authorized purposes, to account property for monies received from the public, and to alert management to possible fiscal problems requiring remedial action. This function also should include:

- a. Developing policy and procedures for highly flexible interaccount transfers as changing needs arise during budget years; and
- b. Preparing, on a quarterly basis in large agencies and on a monthly basis in small ones, summaries of expenditures, balances, and interaccount transfers.

#### ICJS

Except in the largest departments, fiscal controls are not exercised by the agency's chief executive.

#### Analysis

ICJS practice is different than NAC Standard

4. Every police agency should study and experiment with various forms of systems budgeting: budgeting based on the consolidation of functionally unrelated tasks and corresponding resources to form a system that will achieve an identified objective. If the value of systems budgeting will offset the simplicity and convenience of line item or other modified budgeting methods already in use, the agency should adopt such a system.

- a. If systems budgeting is adopted, it should be under the control of the police agency fiscal affairs officer.
- b. The police agency fiscal affairs officer should be thoroughly competent in whatever systems budgeting might be adopted, and the chief executive and the major organizational element commanders should be thoroughly oriented in it.
- c. Preferably, systems budgeting should be adopted by the police agency when it is adopted by all governmental agencies of the jurisdiction.

#### ICJS

There is little indication that any police agency in Iowa has implemented or is considering alternative budget systems such as PPBS. Many agencies have only recently incorporated an efficient line budget system.

#### Analysis

ICJS practice is different than NAC Standard

### NAC POLICE STANDARD 5.8 FUNDING

### RELATED IOWA STANDARD 3.5 FUNDING

Every police chief executive and every police fiscal affairs officer should be thoroughly familiar with all means by which the agency can derive all the benefits possible from local funding, city-State-Federal revenue sharing, grants and grantsmanship, and the use of bonds. They should understand the implications of each and use these means to provide funding for agency programs.

1. No police agency should enforce local ordinances for the sole or primary purpose of raising revenue, and no income arising from enforcement action should be earmarked specifically for any single enforcement agency.

#### ICJS

Revenue arising from enforcement action is not channeled back into the agency to augment the annual budget.

#### Analysis

ICJS practice is similar to NAC Standard

2. No police chief executive should seek referenda that would govern the size of the personnel complement, the allocation of resources to specific agency programs, or the setting of police salaries except as specifically provided by the laws or legislative body of the jurisdiction.

#### ICJS

Data does not indicate any instances where police chief executives have sought referenda for the setting of police salaries....

#### Analysis

ICJS practice is similar to NAC Standard

3. Every police agency should use grants under explicit conditions to fund planning and experimentation in all phases of police service.
- Functional responsibility for the procurement of grants from Federal and State agencies and foundations should be made the specific responsibility of a police agency employee designated by the chief executive.
  - Grants should not be sought to initiate long-range programs unless the jurisdiction will commit itself to continued funding on successful completion of the funded portion of the project.
  - Any employee assigned to grant procurement should be given appropriate training.

#### ICJS

Functional responsibility for the procurement of grants is usually delegated to the planning unit in the larger agencies. In agencies without a planning or research unit, the chief, or a designated command level officer, acts in this capacity.

As a rule, police agencies must have local government fiscal commitment prior to submitting a grant application for a long range project.

#### Analysis

ICJS practice is similar to NAC Standard

4. Every police agency should use bonds only for capital purchases such as land acquisition, building construction, and major equipment installments. Bonds should not be used to augment budgets for personnel and operating expenses.

#### ICJS

Available data indicates that bonds are only used for capital purchases.

#### Analysis

ICJS practice is similar to NAC Standard

NAC POLICE STANDARD 6.1  
SELECTING A TEAM POLICING PLAN

RELATED IOWA STANDARD  
15.1 TEAM POLICING

Every police agency should examine the team policing concept to determine its value in increasing coordination of patrol and specialized functions within the agency. A team policing system should be adopted when research and testing indicate that such a system would enable the agency to use its resources more efficiently.

1. Every police agency should conduct research into the team policing concept to determine its value to the agency. This research should include:
  - a. Evaluation of the structure and effectiveness of various forms of team policing applied by other agencies of comparable size and resources; and
  - b. Assessment of the resources necessary to implement various team policing systems.

ICJS

In Iowa there are approximately seven departments that have the potential for a team policing operation. Other agencies do not have the resources for such a system. A few other departments have utilized team policing procedures in the past.

Analysis

ICJS practice is different than NAC Standard

2. Every police agency should test and evaluate applicable forms of team policing prior to formal implementation. Testing should be conducted:
  - a. To minimize disruption of ongoing agency operations; and
  - b. To measure effectiveness in achieving predetermined objectives and goals.

ICJS

It is expected that team policing would be evaluated prior to full-scale implementation.

Analysis

ICJS practice is different than NAC Standard

NAC POLICE STANDARD 6.2  
IMPLEMENTATION OF TEAM POLICING

RELATED IOWA STANDARD  
15.1 TEAM POLICING

Every police agency implementing team policing should insure that the system effectively facilitates the agency's efforts to reduce crime, detect and apprehend criminal offenders, improve the quality of police services, and enhance police-community cooperation.

1. Every police agency should include agency personnel in the team policing planning and implementation process. Personnel participation should be consistent with the degree of ultimate involvement in the team policing system.

ICJS

Personnel input into team policing planning can be expected to be limited.



#### Analysis

ICJS practice is different than NAC Standard

2. Every police agency should provide preparatory and inservice training for all personnel involved in the team policing system. The objectives of the training program should be to acquaint all agency personnel with team policing policy, procedures, objectives and goals, and to provide specific training according to the extent and nature of personnel involvement in the team policing effort.

#### ICJS

If preparatory training is made available prior to implementation, it would normally be of limited duration and depth.

#### Analysis

ICJS practice different than NAC Standard

3. Every police agency should develop programs to encourage community involvement in the agency's team policing system.

#### ICJS

Previous team policing efforts were unsuccessful in involving the members of the community.

#### Analysis

ICJS practice is different than NAC Standard

### NAC POLICE STANDARD 7.1 COMMAND AND CONTROL PLANNING

### RELATED IOWA STANDARD 18.1 PLANNING FOR UNUSUAL OCCURRENCES

The chief executive of every municipality should have ultimate responsibility for developing plans for coordination of all government and private agencies involved in unusual occurrence control activities. Every police chief executive should develop plans immediately for the effective command and control of police resources during mass disorders and natural disasters. These plans should be developed and applied in cooperation with allied local, State, and Federal agencies and should be directed toward restoring normal conditions as rapidly as possible.

1. Every police agency should develop intra-agency command and control plans to activate the resources of the agency rapidly to control any unusual occurrence that may occur within its jurisdiction. These plans should provide for:

- a. Liaison with other organizations to include the participation of those organizations in quickly restoring normal order;
- b. Mutual assistance agreements with other local law enforcement agencies and with State and Federal authorities, where effective control resources may be limited by agency size; and
- c. The participation of other government and private agencies.

#### ICJS

Theoretically, the city manager (or mayor) and the chief executive are responsible for the formulation written procedures that would be adhered to in the event of an unusual

occurrence. Data indicates, however, that in most smaller urban, suburban and rural areas there has been no such planning. Indeed, many of the larger urban areas have developed plans that are limited in scope.

In the event of an unusual occurrence, liaison and cooperation between local police agencies and other emergency organizations would be ad-hoc.

The D.P.S. has the most extensive plan in the state. Their "Emergency Action Plan" coordinates the activities of statewide organizations, e.g., C.C.U. for intelligence gathering and the I.H.P. for riot control and apprehension of offenders. Whereas the larger urban departments are familiar with this plan, local personnel are not being relied upon to carry out operations. Recently, sheriff departments in adjoining counties have been entering into mutual-aid pacts. These agreements will insure each participating agency additional manpower in the event of an unusual occurrence.

#### Analysis

ICJS practice is different than NAC Standard

2. Every police agency should furnish current copies of command and control plans to every organization likely to participate directly in the control effort.

#### ICJS

Most agencies do not periodically revise their plans; when plans are modified there is no assurance that they will be disseminated. Participating organizations are not kept informed of the current unusual occurrence control activities.

#### Analysis

ICJS practice is inconsistent with NAC Standard

3. Every police agency should insure that every employee is familiar with command and control plans that relate to any function the employee might be called upon to perform, or any function that might relate to his performance.

#### ICJS

Only command level personnel are kept informed of their agency's unusual occurrence plans. Basic rank, first line supervisors, and middle management often are not aware if the department has a plan and, if they are, have not been informed what special function they might serve.

#### Analysis

ICJS practice is different than NAC Standard

NAC POLICE STANDARD 7.2  
EXECUTIVE RESPONSIBILITY

RELATED IOWA STANDARD  
18.2 EXECUTIVE AUTHORITY

Every police chief executive should be given responsibility immediately to command all police resources involved in controlling unusual occurrences within his jurisdiction. This authority should be preempted only when a state of emergency is declared by the Governor, local authority breaks down, or command authority is transferred by prior agreement. In carrying out this responsibility, the police chief executive should direct all police activities within the affected area, and he should insure that at least minimum services are provided to the remainder of the jurisdiction.

1. Every local government should provide by law that the police chief executive be responsible for all law enforcement resources used to control unusual occurrences within the jurisdiction. The police chief executive immediately should establish a system designating executive command in his absence.

- a. A system of succession of command should be established; and
- b. A senior officer should be designated the acting chief executive in the absence of the chief executive.

#### ICJS

In accordance with Iowa law, ultimate law enforcement authority within municipalities is delegated to the mayor or city-manager (chapter 363C.7(5), 363E.1) and in unincorporated areas to the sheriff. The municipal police chief executive is, in effect, an administrator and during an unusual occurrence his authority to supervise police operations can be superseded by the mayor/city-manager/city council. If the police administration is allowed to retain control over operations during an unusual occurrence then the succession of command will be determined by the pre-existing chain of command; special contingency plans for the succession of command have not been established.

#### Analysis

ICJS practice is inconsistent with NAC Standard

2. The chief executive or his delegate should be available to assume command without delay at all times. This individual should:

- a. Assess the agency's needs in the involved area and in the remainder of the jurisdiction;
- b. Make decisions based on available information, and issue appropriate instructions to the agency to insure coordinated and effective deployment of personnel and equipment for control of the occurrence and for effective minimum policing of the remainder of the agency's jurisdiction;
- c. Insure that all actions taken by law enforcement personnel deployed in the affected area are supervised and directed; and
- d. Apply control measures according to established command and control plans and predetermined strategies.

#### ICJS

Assuming that the police chief executive retains control over agency operations, he will have ultimate control over deployment of personnel, coordinate activities, and apply control measures according to the established plan if such a plan had been previously developed.

#### Analysis

ICJS practice is different than NAC Standard

NAC POLICE STANDARD 7.3  
ORGANIZING FOR CONTROL

RELATED IOWA STANDARD  
18.3 CONTROL ACTIVITIES

Every police agency should develop an interim unusual occurrence control organization. This organization should be capable of rapid and orderly activation, assembly, and deployment of all needed agency resources and should be flexible enough to permit incremental activation. It should provide the following services under the command of the police chief executive.

1. A control center should be established to act as the agency command post responsible for:
  - a. Coordinating all agency unusual occurrence control activities;

- b. Obtaining all resources and assistance required for the field forces from agency and outside sources;
  - c. Maintaining chronological logs and preparing periodic reports concerning the unusual occurrence situations; and
  - d. Collecting and disseminating information from field forces, agency sources, and outside agencies.
2. An intelligence organization should be responsible for collecting, evaluating, and disseminating information. The intelligence function should be performed by:
- a. Field units;
  - b. A coordinating unit located at the agency control center; and
  - c. Outside agencies contributing intelligence through the coordinating unit.
3. A personnel unit should be established to:
- a. Activate a predetermined personnel call-up system;
  - b. Maintain current personnel availability information and a continuous accounting of all agency personnel;
  - c. Anticipate the personnel needs of the field forces and provide for them;
  - d. Advise the agency commanding officer of the availability of personnel when the number of officers committed to the unusual occurrence indicates the need for partial or total mobilization, or a request for mutual aid or military assistance; and
  - e. Make proper and timely notifications of deaths and injuries of agency personnel.
4. A logistics unit should be established to:
- a. Procure the needed vehicles, maintenance, supplies, and equipment;
  - b. Account for the disruption of all vehicles, supplies, and equipment deployed in the unusual occurrence;
  - c. Determine appropriate staging areas and maintain a current list of them;
  - d. Receive and safeguard evidence and property for the field forces; and
  - e. Provide for feeding of field forces, when necessary.
5. A field command post should be established and staffed with personnel to support the field commander. The field command post should be staffed and organized to enable the field commander to:
- a. Direct the operation necessary to control the unusual occurrence;
  - b. Assemble and assign agency resources;
  - c. Collect, evaluate, and disseminate intelligence concerning the incident;
  - d. Communicate with concerned task force officers and units;
  - e. Apply the strategy and tactics necessary to accomplish the police mission;
  - f. Gather, record, and preserve evidence; and
  - g. Maintain appropriate records of field operations.
6. A casualty information center should be established and staffed with qualified personnel to:
- a. Gather, record, and disseminate all information concerning dead, injured, missing, and lost persons;
  - b. Establish liaison with relief agencies to obtain information on evacuees and evacuation centers;
  - c. Establish liaison with the medical examiner or coroner;
  - d. Deploy personnel, as needed, to hospitals, first aid stations, and morgues; and
  - e. Prepare casualty statistical reports periodically for the agency commanding officer.

#### ICJS

Except for a few of the larger departments, unusual occurrence plans are not highly formalized. Even when plans do exist, it is unlikely that they are as comprehensive as that noted in the NAC Standard.

#### Analysis

ICJS practice is different than NAC Standard

NAC POLICE STANDARD 7.4  
MASS PROCESSING OF ARRESTEES

RELATED IOWA STANDARD  
18.4 MASS ARRESTS

Every police agency should immediately develop a system for the arrest, processing, transportation, and detention of large numbers of persons. The agency should seek alternatives to mass arrests, but if it is determined that mass arrests are necessary, a system should be available to provide adequate security for prisoners and officers and to insure that the arresting officer is returned to his field assignment as quickly as possible. The system should facilitate the restoration of order by means of lawful arrest, and preservation of all available evidence.

1. The mass arrest system should insure that arrestees are processed as rapidly as possible. The system should provide:
  - a. A procedure for gathering and preserving available evidence to connect the arrestee to the crime he is to be charged with. The evidence may include photographs, recordings, videotapes, statements of witnesses, or other evidence;
  - b. A procedure for receiving each prisoner from the arresting officer and facilitating the officer's return to his field assignment as soon as possible;
  - c. Positive identification of the arrestee and the arresting officer;
  - d. A procedure for receiving and maintaining continuity of evidence;
  - e. Rapid removal of arrestees from the affected area. Security should be provided en route to prevent attempts to free prisoners;
  - f. A secure detention area to prevent escape or attempts to free prisoners. The facility should be adequate to maintain custody of a number of prisoners in safety;
  - g. Prearranged interagency agreements to facilitate the assimilation of the arrestees into the jail system when the arresting agency is not the custodial agency;
  - h. Defense counsel visitations after processing. These visitations should not be permitted under field conditions or at temporary detention facilities unless adequate security is provided. Prisoners should be transported to a secure detention facility without delay; and
  - i. Liaison with local courts and prosecutors to determine procedures and temporary court sites for speedy arraignment of arrestees.
2. The mass arrest system should make the name and charge of persons arrested available to public inquiry as soon as possible after the arrestee has been processed. A current list of arrestees should be communicated to the agency command center as the information becomes available. Inquiries should be directed to one central location.

ICJS

No law enforcement agency in Iowa has established special procedures for mass processing of arrestees during an unusual occurrence. In the event of a situation where mass arrests are necessary, police agencies will function in an ad-hoc manner.

Analysis

ICJS practice is different than NAC Standard

NAC POLICE STANDARD 7.5  
LEGAL CONSIDERATIONS

RELATED IOWA STANDARD  
18.5 LEGAL CONSIDERATIONS

Every State and local government should immediately review existing law and consider new legislation to permit necessary action by all control agencies and afford each individual all his constitutional guarantees during an unusual occurrence.

1. Full-time protection should be afforded every community by permanent legislation to provide for:
  - a. Federal and State reimbursement of local law enforcement agencies required to react to Federal

- and State events, such as conventions, campaigns, or VIP visits, and extraordinary costs incurred in responding to mutual aid requests;
- b. Mutual aid agreements between local, county, and State police, and the National Guard;
- c. The prohibition of unnecessary force or violence in making arrests;
- d. The prohibition of any sanctuary by providing police access to any area, public or private, within the jurisdiction or close enough to constitute an immediate threat to public order within the jurisdiction;
- e. The prohibition of interference with or attacks upon firemen or other emergency personnel;
- f. The prohibition against failure to disperse any unlawful assemblies;
- g. Prohibition of impeding pedestrian or vehicular traffic;
- h. Strict controls on the manufacture, possession, transportation, or distribution of incendiary or explosive devices; and
- i. Permits for parades, assemblies, and public events and regulations for the size and material used picket signs and sign handles or any other device used in a public demonstration.

#### ICJS

State legislation specifically relating to unusual occurrences is relatively limited. Chapter 743, "Unlawful Assembly And Suppression of Riots," defines the term "riot" and criminal penalties for participants.

There has been no legislation authorizing State reimbursement of local law enforcement agencies required to react to state events, VIP visits, et.al.

The D.P.S.'s Emergency Action Plan is based upon mutual aid agreements with local departments. Chapter 28E authorizes such mutual aid pacts. The Iowa National Guard can only be deployed at the express order of the governor. See section 27A.7.

In accordance with section 755.2, "No unnecessary force or violence shall be used in making the (arrest), and the person arrested shall not be subjected to any greater restraint than is necessary for his detention.

All private dwellings (sanctuaries) are protected by the fourth amendment. There are no special provisions allowing law enforcement personnel to enter a private dwelling without search warrant or without probable cause that a felony is being committed.

There are no provisions specifically prohibiting attacks on firemen or other emergency personnel. It is evident, however, that such acts would be covered under regular criminal statutes, i.e., aggravated assault.

In accordance with section 743.7, all responsible officials, such as magistrates or law enforcement personnel, who fail to arrest all persons engaged in an unlawful assembly, will be subject to prosecution (misdemeanor).

As defined in section 743.2, a riot can be considered any (violent or tumultuous) act (of three or more persons) impeding pedestrian or vehicular traffic.

While there is no legislation prohibiting the sale of firearms during an unusual occurrence, the manufacture, possession, transportation, and distribution of incendiary and explosive devices is strictly controlled. Chapter 697.

It is unlikely that municipalities have enacted ordinances that regulate the material to be used in picket signs, sign handles, et.al.

#### Analysis

ICJS practice is different than NAC Standard

ICJS principle is different than NAC

2. Emergency statutes specifically designed to cope with unusual occurrences should be enacted to provide for:

- a. The arrest powers of county and State police and National Guard forces when engaged with or without the local police agency's assistance in control operations within a local jurisdiction;
- b. Emergency police authority enabling local police to maintain public order by suspending due process where a clear and present danger exists that mob action will render ineffective any local police agency's ability to maintain order;
- c. Restrictions upon sales of gasoline, liquor, and weapons;
- d. The restriction of public access to certain geographic areas under specifically defined circumstances;

- e. Curfew, loitering, and other crowd control measures;
- f. The restriction of public use of schools, place of amusement, water, and private aircraft; and
- g. Control of the storage of firearms, firearms parts, and ammunition.

#### ICJS

All peace officers - sheriffs and deputies, marshals and policemen of cities and towns, D.P.S. sworn personnel ... (see section 748.3) - upon request, are statutorily authorized to act with full police power anywhere in the State. See section 748.6.

Iowa National Guard personnel may only aid, "the civil authorities of any political subdivision in cases of breaches of the peace or imminent danger..." See section 29A.8.

There are no provisions in the code for suspending due process during an unusual occurrence.

There are no provisions in the CODE for restricting gasoline, liquor, or weapon (firearms) sales.

Generally, municipal governments can restrict the use of public ways and grounds. "Public areas may be temporarily closed by resolution, and may be vacated by ordinance." Section 364.12(2).

There are no provisions in the CODE for special unusual occurrence crowd control, curfew or loitering procedures.

No specific legislation exists restricting public use of schools, places of amusement, water and private aircraft. As noted above, section 364.12(2) enables municipal governments to temporarily close any public area.

Emergency statutes dealing specifically with the storage of firearms do not exist.

#### Analysis

ICJS practice is different than NAC Standard

#### NAC POLICE STANDARD 7.6 TRAINING FOR UNUSUAL OCCURRENCES

#### RELATED IOWA STANDARD 12.8 UNUSUAL OCCURRENCE TRAINING

Every police chief executive should immediately establish formal training programs in unusual occurrence control administration, strategy, tactics, resources, and standard operating procedures. This training should be given to selected personnel at all levels within the agency, personnel from other related public and private agencies. It should be given frequently enough to maintain proficiency between training sessions, and should be routinely scheduled during periods of peak personnel strength. Otherwise, it should be scheduled in advance of anticipated events.

An unusual occurrence control training program should include both formal instruction and practical exercise.

#### 1. Formal instruction should be implemented through:

- a. Frequent inservice training, such as roll-call training, to serve as a refresher course, to practice techniques, or to introduce new procedures;
- b. Periodic agency-conducted schools to familiarize personnel with agency unusual occurrence control procedures and organizational structure;
- c. Regional or Federal courses, particularly when agency size does not permit development of local schools; and
- d. A regional training institute to train instructors for local agencies.

#### ICJS

Few, if any, agencies conduct formal in-service unusual occurrence training. Such training is only provided to law enforcement personnel during basic training and then only for short duration (the ILEA 240-hour curriculum provides 4 hours civil disturbance training). Aside

from supervisory officers who may infrequently attend special out-of-state sessions, municipal and county law enforcement personnel do not undergo any specialized unusual occurrence training.

Analysis

ICJS practice is inconsistent with NAC Standard

2. Practical exercises should be conducted periodically to develop proficiency and teamwork among personnel through:

- a. Field exercises for operational personnel to practice tactics and procedures;
- b. Command post exercises for formulating strategy and evaluating existing and new procedures;
- c. Regional exercises for familiarizing command personnel with mutual aid procedures and developing coordination between other local control agencies and nonlaw enforcement agencies; and
- d. Criminal justice system exercises to develop coordinated participation of all interrelated criminal justice and noncriminal justice agencies.

ICJS

It is unlikely that any agency, jurisdiction, or region conduct formalized unusual occurrence exercises

Analysis

ICJS practice is inconsistent with NAC Standard

3. The training curriculum and the subjects for practice should be directed to:

- a. Administrative level personnel to familiarize them with agency and criminal justice system emergency organizational structure and procedures for requesting additional personnel and equipment from the military or through mutual aid; and
- b. Operational personnel to familiarize them with strategy, tactics, and standard operating procedures. The emphasis should be placed on a coordinated effort rather than individual action; use of chemical agents, communications equipment, and other specialized equipment; applicable laws; human relations training; and procedures for procuring logistical support.

ICJS

As noted, unusual occurrence training for law enforcement personnel is, at the present time, wholly inadequate. It must be recognized, however, that those agencies which conduct periodic in-service training sessions do teach courses that can be of benefit to the officer during an unusual occurrence, i.e., first-aid and use of special weapons.

Analysis

ICJS practice is inconsistent with NAC Standard

NAC POLICE STANDARD 8.1  
ESTABLISHING THE ROLE OF THE PATROL OFFICER

RELATED IOWA STANDARD  
14.2 THE PEACE OFFICER ROLE

Every police chief executive immediately should develop written policy that defines the role of the patrol officer, and should establish operational objectives and priorities that reflect the most effective use of the patrol officer in reducing crime.



1. Every police chief executive should acknowledge that the patrol officer is the agency's primary element for the deliverance of police services and prevention of criminal activity.
2. Every police chief executive should insure maximum efficiency in the deliverance of patrol services by setting out in written policy the objectives and priorities governing these services. This policy:
  - a. Should insure that resources are concentrated on fundamental police duties;
  - b. Should insure that patrol officers are engaged in tasks that are related to the police function;
  - c. Should require immediate response to incidents where there is an immediate threat to the safety of an individual, a crime in progress, or a crime committed and the apprehension of the suspected offender is likely. Urban area response time—from the time a call is dispatched to the arrival at the scene—under normal conditions should not exceed 3 minutes for emergency calls, and 20 minutes for nonemergency calls;
  - d. Should emphasize the need for preventive patrol to reduce the opportunity for criminal activity; and
  - e. Should provide a procedure for accepting reports of criminal incidents not requiring a field investigation.

#### ICJS

Except for several of the largest departments, written policy stating the goals and objectives of the patrol function has not been promulgated. In the larger departments, the primary role and importance of the patrol officer is usually defined in written form within the policy handbook.

Depending upon the size of agency, there may or may not be written policy statements insuring the delivery of patrol services. As noted, chief executives of small agencies have direct control over deployment of personnel. Where an extensive chain of command exists, the chief assume may that command personnel are carrying out both his written instructions and verbal commands.

Data indicates that the majority of the largest departments can respond to an emergency call within 3 minutes and non-emergency calls in 20 minutes.

It is evident that this response time can only be attained by the smaller urban departments under exceptionally ideal conditions. Response times for sheriff's departments cannot be determined; one hour response times are not unusual.

#### Analysis

ICJS practice is different than NAC Standard

3. Every police chief executive should insure that all elements of the agency, especially the patrol and communications elements, know the priority place upon each request for police service.

#### ICJS

It can be expected that patrol and communications personnel are cognizant of which calls for service should be prioritized.

#### Analysis

ICJS practice is similar to NAC Standard

4. Every police chief executive should implement a public information program to inform the community of the agency's policies regarding the deliverance of police service. This program should include provisions to involve citizens in crime prevention activities.

#### ICJS

It is likely that the general public is not familiar with their law enforcement agency's policy regarding the deliverance of service.

Analysis  
ICJS practice is different than NAC Standard

NAC POLICE STANDARD 8.2  
ENHANCING THE ROLE OF THE PATROL OFFICER

RELATED IOWA STANDARD  
14.2 THE PEACE OFFICER ROLE

Every local government and police chief executive, recognizing that the patrol function is the most important element of the police agency, immediately should adopt policies that attract and retain highly qualified personnel in the patrol force.

1. Every local government should expand its classification and pay system to provide greater advancement opportunities within the patrol ranks. The system should provide:
  - a. Multiple pay grades within the basic rank;
  - b. Opportunity for advancement within the basic rank to permit equality between patrol officers and investigators;
  - c. Parity in top salary step between patrol officers and nonsupervisory officers assigned to other operational functions;
  - d. Proficiency pay for personnel who have demonstrated expertise in specific field activities that contribute to more efficient police service.

ICJS

Based upon all available data, police agencies in Iowa do not provide any opportunity for advancement within the basic (patrol) rank. While there may be annual pay increases (steps) these are based upon longevity rather than personal ability or achievement. As a rule, a rookie officer will attain his highest step within several years.

Career advancement in the patrol ranks is virtually non-existent. The status of the patrol officer, as well as his duties and responsibilities, remains far below that of investigators and supervisory personnel. Thus, there is no pay parity between a patrol officer's maximum salary and that of higher level officers.

Proficiency pay is not given to patrol officers who demonstrate expertise in specialized activities. Aside from incentive pay for completed college courses in a couple of agencies, officers cannot earn more than stated on the scheduled pay scale.

Analysis  
ICJS practice is inconsistent with NAC Standard

2. Every police chief executive should seek continually to enhance the role of the patrol officer by providing status and recognition from the agency and encouraging similar status and recognition from the community. The police chief executive should:
  - a. Provide distinctive insignia indicating demonstrated expertise in specific field activities;
  - b. Insure that all elements within the agency provide maximum assistance and cooperation to the patrol officer;
  - c. Implement a community information program emphasizing the importance of the patrol officer in the life of the community and encouraging community cooperation in providing police service;
  - d. Provide comprehensive initial and inservice training thoroughly to equip the patrol officer for his role;
  - e. Insure that field supervisory personnel possess the knowledge and skills necessary to guide the patrol officer;
  - f. Implement procedures to provide agencywide recognition of patrol officers who have consistently performed in an efficient and commendable manner;
  - g. Encourage suggestions on changes in policies, procedures, and other matters that affect the delivery of police services and reduction of crime;
  - h. Provide deployment flexibility to facilitate various approaches to individual community crime problems;

- i. Adopt policies and procedures that allow the patrol officer to conduct the complete investigation of crimes which do not require extensive followup investigation, and allow them to close the investigation of those crimes; and
- j. Insure that promotional oral examination boards recognize that patrol work provides valuable experience for men seeking promotion to supervisory positions.

#### ICJS

There is little evidence that police chiefs actively seek to enhance the status and prestige of the patrol officer.

Patrol officers are not provided with distinctive insignia indicating demonstrated expertise.

While most agencies have some form of community information program, enhancement of the patrol officer is not necessarily its main objective.

In the vast majority of agencies, patrol officers do not undergo the comprehensive in-service training essential for optimal performance. Patrol officers must rely upon on-the-job training to learn needed skills. Specialized in-service training may consist of a ten minute briefing before each shift.

In order to provide field supervisory personnel capable of assisting the patrol officer, several agencies send first line supervisors (sergeants) to special training sessions. Such supervisory classes are conducted at training centers such as the I.L.E.A. at Camp Dodge. Due to lack of time and availability of personnel, most supervisors do not have the opportunity to attend these sessions.

Except under unusual circumstances, there are no procedures to provide agencywide recognition for patrol officers.

Generally, line patrol personnel are not permitted meaningful input into the administrative decision-making process.

#### Analysis

ICJS practice is different than NAC Standard

The patrol officer in Iowa has the lowest rank in the relatively low status occupation of law enforcement. Police administrators are usually unable to enhance the position through encouraging agency or community recognition. Only by raising each officer's self-esteem can the role of the patrol officer be enhanced. This can be accomplished through changes such as increased salaries, stricter entrance qualifications, increased responsibility, professional inservice training, and career development.

#### NAC POLICE STANDARD 8.3 DEPLOYMENT OF PATROL OFFICERS

#### RELATED IOWA STANDARD 14.1 PATROL DEPLOYMENT

Every police agency immediately should develop a patrol deployment system that is responsive to the demand for police services and consistent with the effective use of the agency's patrol personnel. The deployment system should include collecting and analyzing required data, conducting a workload study, and allocating personnel to patrol assignments within the agency.

1. Every police agency should establish a system for the collection and analysis of patrol deployment data according to area and time.
  - a. A census tract, reporting area, or permanent grid system should be developed to determine geographical distribution of data; and
  - b. Seasonal, daily, and hourly variations should be considered in determining chronological distribution of data.

## ICJS

For the most part, Iowa's intermediate and large departments maintain crime frequency records and other raw data necessary for deployment of personnel based upon need. To varying degrees, this data consists of crime statistics whereby incidence of criminal behavior is compared to geographic area, month of the year, day of the week and time of the day.

## Analysis

ICJS practice is different than NAC Standard

2. Every police agency should conduct a comprehensive workload study to determine the nature and volume of the demands of police service and the time expended on all activities performed by patrol personnel. The workload study should be the first step in developing a deployment data base and should be conducted at least annually thereafter. Information obtained for the workload study should be used:
- To develop operational objectives for patrol personnel;
  - To establish priorities on the types of activities to be performed by patrol personnel; and
  - To measure the efficiency and effectiveness of the patrol operation in achieving agency goals.

## ICJS

While workload studies may have been conducted on a semi-formal basis at several of the largest departments, there is little to indicate that they are done routinely each year. Data which is routinely compiled by these departments consists of breakdowns of police activities, i.e., traffic enforcement, criminal investigations, number of stolen vehicles recovered. However, many other departments may, in the near future, conduct such comprehensive workload studies. These studies may be used to deploy patrol personnel in a more efficient and cost-effective manner.

## Analysis

ICJS practice is different than NAC Standard

3. Every police agency should implement an allocation system for the geographical and chronological proportionate need distribution of patrol personnel. The allocation system should emphasize agency efforts to reduce crime, increase criminal apprehensions, minimize response time to calls for services, and equalize patrol personnel workload. This system should provide for the allocation of personnel to:
- Division or precincts in those agencies which are geographically decentralized;
  - Shifts;
  - Days of the week;
  - Beats; and
  - Fixed-post and relief assignments.

## ICJS

Only in the larger departments will patrol officers be assigned to a specific geographic sector. The delineation of these sectors is based upon physical environment, i.e., a river may split the city, as well as the incidence of preventable criminal activity. Ideally, sector divisions also facilitate equal workloads for all patrol personnel.

Data reveals that several departments systematically modify sector delineations based upon time of day, day of the week, and season. These modifications compensate for the varying demand for police services.

## Analysis

ICJS practice is different than NAC Standard

4. Every police agency should establish procedures for the implementation, operation, and periodic evaluation and revision of the agency's deployment system. These procedures should include provisions to insure the active participation and willing cooperation of all agency personnel.

#### ICJS

Currently, only a few of the largest departments conduct formal evaluation of their deployment system. If available, the research and planning unit will be responsible for system revisions. In those agencies without a specialized planning unit, the uniform division (patrol) chief will meet with records personnel and jointly modify existing deployment procedures. Such semi-formal meetings are usually conducted monthly. It is likely that deployment decisions, made without the benefit of a specialized planning staff, are arrived at in a haphazard manner.

#### Analysis

ICJS practice is different than NAC Standard

#### NAC POLICE STANDARD 9.1 SPECIALIZED ASSIGNMENT

#### RELATED IOWA STANDARD 16.1 SPECIALIZED ASSIGNMENT

Every police agency should use generalists (patrol officers) wherever possible and, before establishing any specialization necessary to improve the delivery of police service, specifically define the problem that may require specialization, determine precisely what forms of specialization are required to cope with this problem, and implement only those forms in a manner consistent with available resources and agency priorities.

1. Every police chief executive should define the specific problem in concise written terms and in doing so should consider at least:
  - a. Whether the problem requires the action of another public or private organization;
  - b. The severity of the problem;
  - c. The period of time the problem is expected to exist; and
  - d. The community's geographic, physical, and population conditions that contribute to the problem or which may affect or be affected by the specialization.
2. Every police chief executive should consider community perception of the problem: community awareness, and the attitudes based on that awareness.
3. Every police chief executive should - based on his definition of the problem, community perception of it, and pertinent legal requirements- assess all resources and tactical alternatives available to the agency, and in doing so determine at least:
  - a. Whether the problem requires specialization;
  - b. The degree of specialization required;
  - c. The manpower and equipment resources required by specialization;
  - d. Which of the needed resources are available within the agency and which are available outside it;
  - e. The availability of necessary specialized training;
  - f. The expected duration of the need for specialization; and
  - g. The organizational changes needed as a result of specialization.
4. Every police chief executive should give special consideration to the impact of specialization on:
  - a. The identified problem;
  - b. Personnel and fiscal resources;
  - c. Community attitudes toward the agency; and
  - d. The agency's delivery of general police services.
5. Every police agency should develop an operations effectiveness review for each new specialization. This review process should be carried out:
  - a. As a goal-oriented activity analysis; and
  - b. On a specific schedule for the expected duration of the need.

**CONTINUED**

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6. Every police agency should terminate a specialized activity whenever the problem for which it was needed no longer exists, or can be controlled as well as better through other agency operations.

#### ICJS

Generally, only the intermediate-size and large local departments have specialized units to cope with specific crime problems. It is unlikely that these police chief executives define specific problems in written terms. For the most part, decisions as to the formation of specialized units occur informally between the chief, command level personnel, and local officials. Special solutions to specific problems probably are based upon factors such as severity of the problem, community awareness and response, and availability of police manpower.

If the creation of a specialized unit is deemed necessary, it is likely that all concerned parties would be involved in the formation of the unit.

Once the unit is operational, its impact upon the problem may only be superficially evaluated. Even if the evaluation indicates that the specialized unit is of little value, it may be maintained.

#### Analysis

ICJS practice is different than NAC Standard

#### NAC POLICE STANDARD 9.2 SELECTION FOR SPECIALIZED ASSIGNMENT

#### RELATED IOWA STANDARD 16.2 SELECTION FOR SPECIALIZED ASSIGNMENT

Every police agency immediately should establish written policy defining specific criteria for the selection and placement of specialist personnel so that they are effectively matched to the requirements of each speciality.

1. Every police agency should maintain a comprehensive personnel records system from which information is readily retrievable. This system should:
  - a. Include all pertinent data on every agency employee;
  - b. Employ a consistent format on all personnel records; and
  - c. Include procedures for continual updating.

#### ICJS

In a predominant number of agencies, police administrators have not established formal procedures for selecting personnel for specialized assignment.

Comprehensive personnel records will only be found in the largest departments. Pertinent updates such as annual personnel evaluation reports, commendations, sustained/non-sustained accusations of misbehavior, and special training are included only in some of the departments. There is little indication that these records are readily retrievable.

#### Analysis

ICJS practice is different than NAC Standard

2. Every police agency should disseminate agencywide written announcements describing anticipated specialist position openings. These announcements should include:
  - a. Minimum personnel requirements for each position; and
  - b. The specialized skills or other attributes required by the position.

3. Every police agency should establish written minimum requirements for every specialist position. These requirements should stipulate the required:
- a. Length and diversity of experience;
  - b. Formal education; and
  - c. Specialized skills, knowledge, and experience.

#### ICJS

Generally, written announcements of anticipated specialist positions are not disseminated. Minimum qualifications for positions are not established. Applicants applying for these positions are evaluated on wholly subjective criteria.

#### Analysis

ICJS practice is inconsistent with NAC Standard

Data reveals that many police administrators do not recognize the need for formalized specialist selection. It is the widely held opinion that since the departments are relatively small all personnel are made aware of specialist openings via informal channels.

4. Command personnel within the specialty should interview every candidate for a specialist position. Interviewers should:
- a. Review the pertinent personnel records of every candidate;
  - b. Consider the candidate's attitude toward the position as well as his objective qualifications for it; and
  - c. Conduct a special personnel investigation where the specific position or candidate requires it.

#### ICJS

Depending upon the expertise required for the position, command level officers may, or may not, interview applicants. In most agencies, applications are screened prior to final consideration.

Selection decisions are based, in part, on past performance and applicant's interest in the position.

#### Analysis

ICJS practice is different than NAC Standard

5. Every police agency should establish written training requirements for each specialty. These requirements may include:
- a. Formal preassignment training; and
  - b. Formal on-the-job training.

#### ICJS

Except for positions requiring specific expertise, written training requirements have not been established for each specialty.

#### Analysis

ICJS practice is inconsistent with NAC Standard

6. Every police agency should require satisfactory completion of an internally administered internship in any specialist position before regular assignment to that position.



#### ICJS

Specialist personnel are not required to undergo an internship or probationary period prior to regular assignment.

#### Analysis

ICJS practice is inconsistent with NAC Standard

7. Every police agency should establish a rotation system that requires specialists to be regularly rotated from positions where potential for officer compromise is high to positions where this potential is low or the criminal "clientele" is different. This rotation system should include:

- a. Identification of all positions—including vice, narcotics, and all types of undercover assignments—where potential for officer compromise is high;
- b. Written policies that specifically limit the duration of assignment to any identified position. Because limitations may differ, these policies and procedures should stipulate those for personnel at the supervisory and administrative level and those for personnel at the level of execution;
- c. Provisions for limited extensions with the specific approval of the chief executive; and
- d. Provisions that insure the maintenance of a high level of operational competence within the specialty and throughout the agency.

#### ICJS

Although formalized rotation systems do not exist, most agencies do not permit personnel to remain in a high compromise position for an extended period of time (18 months - 3 years).

#### Analysis

ICJS practice is different than NAC Standard

#### NAC POLICE STANDARD 9.3 ANNUAL REVIEW OF AGENCY SPECIALIZATION

#### RELATED IOWA STANDARD 16.3 ANNUAL REVIEW OF SPECIALIZATION

Every police agency which has established specialties should immediately, and thereafter, annually conduct a formal review of each specialty to determine its effectiveness in helping to achieve agency goals and objectives. In conducting this formal review:

1. Every police chief executive should examine the problem for which the specialty was created and identify any modifications that problem may have undergone in the past year;
2. Every police chief executive should assess the cost-effectiveness of the specialty over the past year and from that assessment, determine whether the current level of resource commitment to the specialty is adequate or warranted.
3. Every police chief executive should take the action indicated by the results of the formal annual review of each specialty. This action may include:
  - a. Continuation of the specialization in its present form;
  - b. Adjustment of manpower and equipment allocations based on modifications in the problem or the cost-effectiveness of the specialization.

#### ICJS

Review of specialized units within police agencies usually consists of continual, informal meetings between the unit commanders and the chief executive. Even though most chief

executives are kept aware of all operations and activities within their department, needed modifications within the specialized units are often not made. Generally, little formal action is taken by the chief executive to terminate specialties.

#### Analysis

ICJS practice is inconsistent with NAC Standard

#### NAC POLICE STANDARD 9.4 STATE SPECIALISTS

#### RELATED IOWA STANDARD 16.4 D.P.S. SPECIALIZATION

Every State, by 1975, should provide, upon the request of any local police agency in the State, specialists to assist in the investigation of crimes and other incidents that may require extensive or highly specialized investigative resources not otherwise available to the local agency. The State may also fund regional operational specialist activities. The State or regional specialists should not provide everyday needs to local law enforcement.

1. Every State should provide trained specialists who are properly equipped to assist local police agencies. Where appropriate, the State should provide funds to combine or consolidate local special investigative resources.

#### ICJS

When the local agency does not maintain the specialized capabilities to deal with crime problems, the Iowa Department of Public Safety may be asked to provide the necessary expertise.

Due to the multi-functional nature of the Department, the services that it provides have been delegated to various divisions. These are as follows:

**Bureau of Criminal Investigation** - Any local government in the state can request the assistance of B.C.I. personnel to assist in or handle the investigation of a broad range of major crimes. The General Criminal Investigations Unit is generally called in if either the crime is: 1) multi-jurisdictional; 2) of a serious enough nature to require the additional manpower and expertise of the state agents; or 3) a crime involving a state or public official. The Criminal Conspiracy Unit (CCU) is primarily involved in the acquisition, analysis, maintenance and utilization of criminal intelligence data and the suppression of organized criminal evidence submitted by any law enforcement agency in the state. The Criminal Identification Unit and TRACIS maintain criminal history files and crime data which is made available to all agencies. The Criminalistics Laboratory analyzes criminal analysis, maintenance and utilization of criminal intelligence data. The Criminal Identification Unit and TRACIS maintain criminal history files and crime data which is made available to all agencies. The Criminalistics Laboratory analyzes criminal evidence submitted by any law enforcement agency in the State.

**Division of Narcotic and Drug Enforcement (DNDE)** - Having original jurisdiction, the DNDE can initiate operations anywhere in the state without having to be requested by the local government of the locale. Its primary function is the identification and apprehension of the major source of illicit drugs in Iowa with the emphasis on heroin traffickers.

In addition to these services, the DPS also provides for arson investigations (Fire Marshalls Office) and enforcement of laws relating to the sale and use of alcoholic beverages (Liquor and Beer Division).

#### Analysis

ICJS practice is similar to NAC Standard

2. Every State should publish and distribute to every local police agency in the State the request procedure for obtaining specialists.

#### ICJS

All local law enforcement agencies are kept up to date of all services that can be provided by the DPS. Chief executives, or local government officials, are aware of the procedure to request DPS assistance.

#### Analysis

ICJS practice is similar to NAC Standard

3. Every State should insure that its specialists pursue the investigation in complete cooperation with and support of the local agency.

#### ICJS

It is DPS policy that when they are requested to provide assistance to a local agency, there is to be full cooperation with the local officials. During most investigations, the final responsibility for and ultimate control over the case rests with the local law enforcement agency. Only when working at the direction of state officials - investigations of public officials for crimes such as embezzlement generally originate with the Governor, State Auditor or Attorney General - will D.P.S. maintain ultimate responsibility.

#### Analysis

ICJS practice is similar to NAC Standard

### NAC POLICE STANDARD 9.5 JUVENILE OPERATIONS

The chief executive of every police agency immediately should develop written policy governing his agency's involvement in the detection, deterrence, and prevention of delinquent behavior and juvenile crime.

1. Every police agency should provide all its police officers with specific training in preventing delinquent behavior and juvenile crime.

#### ICJS

Almost all of the formal training which peace officers receive occurs during basic training. According to the ILEA curriculum, only 4 hours of classroom time (240 hr. course) is spent dealing with juvenile justice. Being that the vast majority of the state's officers undergo this limited training program, and that formal in-service training is virtually non-existent in most agencies, then it is probable that most officers have only 4 hours of training in how to deal with juveniles.

#### Analysis

ICJS practice is inconsistent with NAC Standard

2. Every police agency should cooperate actively with other agencies and organizations, public and private, in order to employ all available resources to detect and deter delinquent behavior and combat juvenile crime.

#### ICJS

Based upon all available data it is evident that many of the larger urban departments actively cooperate with public and private organizations to detect and deter delinquent behavior. This function is served by youth bureau detectives or police-school liaison officers.

#### Analysis

ICJS practice is different than NAC Standard

3. Every police agency should establish in cooperation with courts written policies and procedures governing agency action in juvenile matters. These policies and procedures should stipulate at least:

- a. The specific form of agency cooperation with other governmental agencies concerned with delinquent behavior, abandonment, neglect, and juvenile crime;
- b. The specific form of agency cooperation with nongovernmental agencies and organizations where assistance in juvenile matters may be obtained;
- c. The procedures for release of juveniles into parental custody; and
- d. The procedures for the detention of juveniles.

#### ICJS

All of the urban departments have formalized practices and procedures, usually written, with the courts governing agency action in juvenile matters. In the smaller rural agencies such procedures are more likely to be in the form of verbal agreements or understandings rather than written policy.

#### Analysis

ICJS practice is different than NAC Standard

4. Every police agency having more than 15 employees should establish juvenile investigation capabilities.

- a. The specific duties and responsibilities of these positions should be based upon the particular juvenile problems within the community.
- b. The juvenile specialists, besides concentrating on law enforcement as related to juveniles, should provide support and coordination of all community efforts for the benefit of juveniles.

#### ICJS

According to the **1975 Criminal Justice Plan**, all police departments or sheriffs' offices which serve a population of 10,000 or more and handle at least 100 juvenile cases per year should consider a juvenile officer or a Youth Bureau. This would include the 27 cities of over 10,000 population (agencies with approximately 15 + sworn personnel) of which 17 already have at least one full-time juvenile officer. All of the 27 cities with a population of over 10,000 will have a juvenile officer or Youth Bureau by 1977.

#### Analysis

ICJS practice is similar to NAC Standard

5. Every police agency having more than 75 employees should establish a juvenile investigation unit, and every smaller police agency should establish a juvenile investigation unit if community conditions warrant. This unit:

- a. Should be assigned responsibility for conducting as many juvenile investigations as practicable, assisting field officers in juvenile matters, and maintaining liaison with other agencies and organizations interested in juvenile matters; and
- b. Should be functionally decentralized to the most effective command level.

#### ICJS

All of the larger urban departments have full-time juvenile investigation units. These units provide full time personnel who, in addition to handling police business as it pertains to juveniles, can handle many cases on an unofficial basis.

#### Analysis

ICJS practice is similar to NAC Standard

### NAC POLICE STANDARD 9.6 TRAFFIC OPERATIONS

### RELATED IOWA STANDARD 16.5 TRAFFIC OPERATIONS

Every police agency and every local government responsible for highway traffic safety should perform the basic functions of traffic law enforcement, traffic accident management and traffic direction and control.

1. Every police agency should perform the basic function of traffic law enforcement--the police activity specifically directed toward controlling traffic violations through preventive patrol and enforcement, case preparation, and court testimony. This function:

- a. Should include line patrol, area patrol, selective location patrol, and records and logistics; and
- b. Should be the fundamental responsibility of all uniformed officers.

#### ICJS

According to all available information, all police agencies perform basic traffic enforcement duties.

#### Analysis

ICJS practice is similar to NAC Standard

2. Every police agency should perform the basic function of traffic accident management. This function relates to police activities connected with traffic collisions, and includes providing assistance to the injured, protecting the scene, preparing reports, taking necessary enforcement action, and conducting followup investigations. The function should include:

- a. Initial traffic accident investigation, followup investigation, traffic control at the scene, injury control, enforcement action, records, reports, and notifications; and
- b. On-scene investigations of all accidents involving a fatality, personal injury, or one or more vehicles that must be towed from the scene.

#### ICJS

All agencies provide the basic function of traffic accident management. On occasion, particularly during multiple-car accidents or inclement weather conditions, personnel from municipal, county, and state agencies work together to provide emergency assistance.

#### Analysis

ICJS practice is similar to NAC Standard

3. Every local government with responsibility for traffic direction and control should perform the basic function of traffic control and direction which has a direct and immediate effect on traffic flow. Such activities are those which have an immediate and direct effect. These activities:

- a. May include intersection control, parking control, pedestrian control, police escort, special event control, and hazard control;
- b. Should be transferred, wherever possible, from the police agency to another local government agency, or be undertaken by the police agency but assigned to nonsworn employees;
- c. Should not be performed by employees if the need can be anticipated in advance, and electronic traffic control devices can be installed, unless employees are cost-effective.

#### ICJS

Except in a number of the larger jurisdictions, patrol officers are required to provide the traffic direction and control function.

#### Analysis

ICJS practice is different than NAC Standard

4. Every police agency should develop and implement written policies governing the investigation of traffic accidents, enforcement of State and local traffic laws and regulations, and traffic direction. Police chief executives should insure that these policies are regularly communicated to all supervisors and line personnel. These policies should include guidelines on:

- a. Physical arrests, issuance of warnings and citations, and transportation of arrestees;
- b. Investigation of traffic accidents;
- c. Interjurisdictional responsibility and authority for traffic supervision; and
- d. Ancillary services that have an indirect effect on traffic flow.

#### ICJS

Written agency policy will only be promulgated in the larger departments.

#### Analysis

ICJS practice is different than NAC Standard

5. Every State should assume complete responsibility for licensing all drivers of motor vehicles, vehicle registration, vehicle inspection, vehicle weight control, carrier and commercial regulations.

- a. Activities that do not require peace officer status should be assigned to nonsworn personnel.
- b. Observed failure to comply with driver licensing, vehicle registration, and equipment and safety regulations, should be subject to citation or reported to the appropriate agency through clearly established channels of communications.

#### ICJS

The Department of Public Safety and the Department of Transportation have complete responsibility for the registration and inspection of all motor vehicles and the licensing of all drivers.

#### Analysis

ICJS practice is similar to NAC Standard

6. Every police agency should employ, where necessary, specialized equipment operated by specially trained personnel to implement effective traffic programs.

ICJS

Many law enforcement agencies use advanced speed detection devices, such as radar and vascar, to ensure compliance with posted speed limits.

Analysis

ICJS practice is similar to NAC Standard

7. Municipal police agencies employing more than 400 personnel should, consistent with an analysis of need, establish specialized accident investigation and traffic enforcement units. These units:

- a. Should be staffed with as few personnel as the local traffic problem will permit; and
- b. Should be functionally decentralized to the more effective command level.

ICJS

There are very few agencies in the state with the need for specialized accident investigation units. Many of these agencies already have formal traffic units who are responsible for accident investigations.

Analysis

ICJS practice is similar to NAC Standard

8. Every police agency should make assignments for all traffic functions on the basis of traffic volume, accident experience, violation frequency, and congestion.

- a. Selective enforcement techniques should be implemented through assignment of men and equipment by time and location on the basis of demonstrated need.
- b. The establishment of a selective enforcement task force should be considered when the State or community accident death rate exceeds the national average or exceeds the average for the State or community for the last 3 years.
- c. Every police agency should have at least one employee specially trained in highway safety management and able to plan and evaluate effective traffic safety programs.
- d. Specialization should be limited according to need, and the major street traffic duties should be performed by patrol officers.

ICJS

Data reveals that all law enforcement agencies with the available personnel and equipment incorporate selective enforcement techniques into their traffic control function. Statistical data is often used by the agency's traffic unit or specialist to determine where and when selective enforcement should take place.

Analysis

ICJS practice is similar to NAC Standard

9. Every police agency should be capable of performing, or arrange for the performance of, activities necessary to support traffic line functions. These activities:

- a. May include administration, planning, budgeting, personnel management, research and analysis, public information, training, communications, transportation, records and identification, property control, equipment supply, and laboratory services; and

- b. Should enable the police agency to gather and analyze traffic information and to maintain records to guide the agency in the safe movement of traffic.

#### ICJS

Only the largest urban areas and the IHP have a fairly extensive planning and analytical capability. Most smaller agencies cooperate with the IHP and rely upon DPS computer-derived data to formulate their own traffic control programs. Since the IHP has jurisdiction over all roads in unincorporated areas (outside the boundaries of municipalities) they must, out of necessity, incorporate selective enforcement techniques.

#### Analysis

ICJS practice is similar to NAC Standard

10. Every police agency should periodically release traffic safety information and traffic safety educational material to the general public, and should cooperate with appropriate educational institutions in the preparation and presentation of traffic safety educational programs.

#### ICJS

All of the major urban departments periodically release traffic safety data to the general public. These agencies have extensive programs and specialized personnel, usually from the community relations unit, who make presentations at local schools and civic organizations. Traffic education officers are supplied by the IHP to conduct public information programs in rural areas throughout the state.

#### Analysis

ICJS practice is similar to NAC Standard

### NAC POLICE STANDARD 9.7 CRIMINAL INVESTIGATION

### RELATED IOWA STANDARD 16.6 CRIMINAL INVESTIGATIONS

Every police agency immediately should direct patrol officers to conduct thorough preliminary investigations and should establish in writing priorities to insure that investigative efforts are spent in a manner that will best achieve organizational goals.

1. Every police agency should recognize that patrol officers are preliminary investigators and that they should conduct thorough preliminary investigations. However, investigative specialists should be assigned to very serious or complex preliminary investigations when delay will not hamper the investigation.
2. Every police agency should establish only as many specialized criminal investigative units as needed, staffed only with the number of personnel necessary to conduct timely investigations that lead to organizational objectives. The thoroughness of preliminary investigations by patrol officers should be insured, to reduce followup investigative efforts.

#### ICJS

Generally, patrol officers are not recognized as preliminary investigators in those departments with criminal investigation units. Specialized units may be overstaffed and inefficient.



Analysis

ICJS practice is different than NAC Standard

3. Every police agency should establish investigative priorities according to the seriousness of the crime, how recently it was reported, the amount of readily available information about suspects, the availability of agency resources, and community attitudes.

ICJS

Investigative priorities are established informally according to the seriousness of the crime, amount of available information, et.al.

Analysis

ICJS practice is different than NAC Standard

4. Every police agency employing 75 or more personnel should assign full-time criminal investigators. Every agency with fewer than 75 personnel should assign criminal investigation specialists only where specific needs are present.
- Specialization within the criminal investigation unit should take place only when necessary to improve overall efficiency within the agency.
  - Criminal investigation operations should be decentralized to the most effective command level. However, unusual cases or types of cases may be investigated by a centralized unit.

ICJS

All departments in Iowa with 75 + personnel maintain full-time investigators. Smaller departments maintain either full- or part-time capabilities.

Analysis

ICJS practice is similar to NAC Standard

5. Every police agency should establish quality control procedures to insure that every reported crime receives the investigation it warrants. These procedures should include:
- A followup report of each open investigation every 10 days and command approval of every continuance of an investigation past 30 days;
  - Constant inspection and review of individual, team, and unit criminal investigation reports and investigator activity summaries; and
  - Individual, team, and unit performance measures based at least on arrests and dispositions, crimes cleared, property recovered, and caseload.

ICJS

There is little indication that police agencies have established quality control procedures for investigations. Available data indicates that agencies do not require a written follow-up report to be filed on open investigations every 10 days. Command approval for every investigation lasting past 30 days need not be obtained. If investigatory activities and reports are inspected it occurs informally at irregular intervals.

Analysis

ICJS practice is different than NAC Standard

6. Every police agency with 75 or more personnel should consider the use of a case preparation operation to insure that all evidence that may lead to the conviction or acquittal of defendants is systematically prepared and presented for review by the prosecuting authority. A technician should be employed to handle any or all of the functions listed, whenever an agency can improve the quality of case preparation at the same or reduced cost.

- a. Policies and procedures should be developed in cooperation with representatives of the local prosecutorial and judicial systems, and should contain the information required by all three systems.
- b. All police information on each case prepared for prosecution should be in a systematically prepared, written report that contains the following documentation: copies of the incident report; followup reports; identification and laboratory reports; and any other reports necessitated by the investigation.
- c. Every case also should contain written documentation relating to all case disposition information and notification records.
- d. The case preparation technician may: establish case files and insure their completeness; present case files to prosecutors; present subjects in custody for arraignment, or obtain a warrant and disseminate warrant information; represent the agency at all pretrial hearings; notify witnesses; document final dispositions of cases; and return the case report file to the originating unit for retention.

#### ICJS

The completeness of cases prepared for prosecution varies between agencies. Generally, policies and procedures for case preparation have not been developed in cooperation with representatives of the local prosecutorial and judicial systems.

#### Analysis

ICJS practice is different than NAC Standard

7. Every police agency should coordinate criminal investigations with all other agency operations. This coordination should be supported by;

- a. Clearly defined procedures for the exchange of information between investigative specialists and between those specialists and uniformed patrol officers.
- b. Systematic rotation of generalists into investigative specialties; and
- c. Equitable publicity of the efforts of all agency elements.

#### ICJS

Although there is liaison between patrol personnel and criminal specialists, it is often achieved through informal channels. Data indicates that, in most agencies, patrol personnel are not regularly rotated into specialist positions. It is unlikely that patrol officers are awarded equitable publicity for joint specialist/patrol efforts.

#### Analysis

ICJS practice is different than NAC Standard

NAC POLICE STANDARD 9.8  
SPECIAL CRIME TACTICAL FORCES

RELATED IOWA STANDARD  
16.7 MULTI-JURISDICTIONAL  
TASKS AND TACTICAL FORCES

Every police agency employing more than 75 personnel should have immediately available, consistent with an analysis of its need, a flexible and highly mobile tactical force for rapid deployment against special crime problems.

1. Every chief executive should establish written policies and procedures that govern deployment of the tactical force against any problem. These policies and procedures should stipulate at least:
  - a. That the tactical force will be deployed on the basis of current crime pattern analyses or validated current information on expected crime activity;
  - b. That the tactical force will be deployed against a problem only when the regularly assigned patrol force is not adequate to be effective against that problem; and
  - c. That tactical force deployment strategy will be based on an objective analysis of the problem, overt saturation as a highly visible preventive strategy, and covert saturation as a low visibility detection and apprehension operation.
2. Every police agency employing more than 400 personnel should consider maintaining a full-time tactical force, and every agency employing more than 75 but fewer than 400 should consider maintaining a full-or part-time tactical force, depending on local problems.
  - a. The numerical strength of the tactical force should depend on agency needs and local problems.
  - b. A full-time tactical force should include an analytical staff element.
  - c. A part-time tactical force should use qualified personnel from anywhere within the agency.
  - d. Every tactical force should have a central headquarters and should operate from that headquarters when deployed against a problem.
  - e. Field commanders should be informed of tactical force activities within their area of responsibility. Tactical force activities should be consistent with the policies of the field commander of each area in which they are working.
  - f. Every tactical force should be equipped with necessary equipment, vehicles, radios, vision devices, and weapons.

#### ICJS

According to all available data, only the Des Moines P.D. maintains a unit that can function as a special crime tactical force. There, the chief executive has established written policies and procedures governing their operations.

#### Analysis

ICJS practice is similar to NAC Standard

#### NAC POLICE STANDARD 9.9 VICE OPERATIONS

#### RELATED IOWA STANDARD 16.8 VICE OPERATIONS

Every police agency should immediately insure its capability to conduct effective vice operations against illegal gambling, traffic in liquor, prostitution, pandering, pornography, and obscene conduct. These operations should be capable of reducing the incidence of vice crimes and related criminal activity.

1. Every chief executive should establish written policies governing vice operations. The policies, consistent with existing statutes:
  - a. Should reflect community attitudes toward vice crimes, the severity of the local vice problem on other local crime problems.
  - b. Should acknowledge that the patrol force is responsible for taking enforcement action against all vice violations they see.
2. Every police agency employing more than 75 personnel should have a full-time vice investigation capability. Every agency employing fewer than 75 personnel may assign vice operations specialists on a full-or part-time basis, depending on the local problem.

#### ICJS

All departments with 75+ personnel maintain full- or part time specialized capabilities to cope with vice crime problems. Often, when a part time capability is maintained, personnel assigned to similar operations are responsible for vice enforcement. Generally, chief executives have not promulgated vice policy.

#### Analysis

ICJS practice is different than NAC Standard

3. Every chief executive should insure close coordination and continual exchange of information between vice, narcotic and drug, patrol, and intelligence operations, and close liaison with other agencies conducting similar operations.

#### ICJS

In those agencies conducting vice operations there is, to the extent practical, information flow within the agency. However, there are indications that adjoining departments often do not share information on mutual problems.

#### Analysis

ICJS practice is different than NAC Standard

4. Every police agency should provide vice operations with special funds, specialized equipment, vehicles, vision devices, and any other physical support necessary to conduct effective vice operations.
5. Every chief executive should insure that every field commander reports in writing every 30 days to the chief executive, or his designee, the form and extent of the current vice problem in his area and the effort of vice operations on that problem. This report should contain:
  - a. The number of vice arrests by type of offense and location;
  - b. Information received on vice problems; and
  - c. Current vice operations directed against area vice problems.

#### ICJS

It is evident that the head of the vice unit must compete with all other units for additional funding when the annual police budget is being prepared.

In agencies where there is full-time vice investigation capability, the chief executive is made fully aware of current problems and operations on either a daily, weekly, or monthly basis.

#### Analysis

ICJS practice is different than NAC Standard

6. Every police chief executive should insure, through written policies and procedures, that every vice complaint received by his agency will be reduced to writing and investigated as thoroughly as possible. Vice complaint policies and procedures should provide that:
  - a. All vice complaints be distributed to the chief executive or his designee, and to the vice unit;
  - b. Every 10 days a written followup report on each vice complaint be made to indicate the progress of the investigation; and
  - c. Every vice complaint investigation not completed within 30 days of its receipt be reviewed and that all necessary steps be taken to expedite the investigation.

#### ICJS

It is improbable that all vice complaints are distributed to the chief and that they will receive equal attention. Further, it is doubtful that the chief executive will receive a written follow-up report every ten days during the investigation. Only a few agencies give priority to those investigations lasting more than one month.

#### Analysis

ICJS practice is different than NAC Standard

NAC POLICE STANDARD 9.10  
NARCOTIC AND DRUG INVESTIGATIONS

RELATED IOWA STANDARD  
16.9 NARCOTICS AND DRUG INVESTIGATIONS

Every police agency should acknowledge the direct relationship between narcotic and drug offenses and other criminal activity, and should have available a narcotic and drug investigation capability based on that acknowledgment.

1. Every police agency should provide fundamental narcotic and drug investigation training to every officer during basic training.

ICJS

All law enforcement personnel undergo fundamental narcotic and drug investigation training during mandatory basic training.

Analysis

ICJS practice is similar to NAC Standard

2. Every police agency should cooperate in and, where necessary, establish narcotic and drug abuse awareness programs, such as school system educational programs, civic group programs, multi-agency programs, and Analysis Anonymous programs.

ICJS

Law enforcement agencies have had limited involvement in sponsoring drug prevention programs.

Analysis

ICJS practice is different than NAC Standard

3. Every police agency employing more than 75 personnel should have a full-time narcotic and drug investigation capability. Personnel in smaller agencies may be assigned where justified by the local problem.

- a. The number of personnel assigned to the narcotic and drug operation should be determined by the local problem.
- b. Where appropriate in agencies with 75 or less personnel, drug and narcotic operations may be consolidated with vice operations.
- c. Drug and narcotic operations should be decentralized to the extent that the agency is; however, a central drug and narcotic unit should be maintained to coordinate the decentralized operations.

ICJS

All available data indicates that all of the major departments (75 + sworn personnel) maintain full-time narcotics personnel. In smaller agencies, usually in rural areas, the services of the D.N.D.E. (State Division of Narcotic and Drug Enforcement) are available free of charge.

Analysis

ICJS practice is similar to NAC Standard

4. Every police agency should insure coordination and the continual exchange of information between officers assigned to narcotic and drug enforcement, vice enforcement, intelligence, and uniformed patrol.
5. Every chief executive should establish written policies and procedures requiring that every narcotic and drug complaint will be reported in writing and thoroughly investigated. These policies and procedures should provide that:
  - a. All narcotic and drug complaints be distributed to the chief executive or his delegate, and to the central narcotic and drug unit;
  - b. A written followup report of every open drug or narcotic investigation be prepared every 30 days to indicate the progress of the investigation;
  - c. Individual, team, and unit narcotic and drug investigation reports and activity summaries be inspected and reviewed continually;
  - d. Individual, team, and unit performance measures continually be applied to drug and narcotic operations. These measures should include arrests and dispositions; number of purchases by type of drug or narcotic, quantity and quality of seized narcotics and drugs, other crimes cleared, and working caseload.

#### ICJS

Agency narcotic enforcement policies are often vague and meaningless. It is not standard procedure to distribute reports of all investigations to the chief executive. Furthermore, most agencies do not require a written followup report to be prepared every 30 days to indicate the status of the investigation. Prepared reports, as well as the unit's activities, are usually not formally reviewed. In most instances, the unit's performance is evaluated by the unit commander and the chief in an informal manner.

#### Analysis

ICJS practice is different than NAC Standard

6. Every police agency should provide narcotic operations with special funds and specialized equipment such as vehicles, electronic equipment, and vision devices necessary to conduct effective narcotic and drug operations.

#### ICJS

Narcotic units may not be provided with sufficient equipment due to the generally inadequate funding made available to law enforcement agencies.

#### Analysis

ICJS practice is different than NAC Standard

#### NAC POLICE STANDARD 9.11 INTELLIGENCE OPERATIONS

#### RELATED IOWA STANDARD 16.10 INTELLIGENCE

Every police agency and every State immediately should establish and maintain the capability to gather and evaluate information and to disseminate intelligence in a manner which protects every individual's right to privacy while it curtails organized crime and public disorder.

1. Every State should establish a central gathering, analysis, and storage capability, and intelligence dissemination system.
  - a. Every police agency should actively participate in providing information and receiving intelligence from this system.

- b. Every police agency should designate at least one person to be responsible for liaison with the State intelligence system.
- c. Every State intelligence system should disseminate specific intelligence to local agencies according to local needs and should disseminate general information throughout the State.

#### ICJS

At the present time, intelligence gathering operations in Iowa is in a state of flux. As a result of recent legislation (Section 749B Criminal History Data Act), strict limitations were placed upon its storage (Section 749B.8 prohibits intelligence or surveillance data from being placed in computer storage system) and its dissemination to local police agencies. As a result of these restrictions, as well as various other obstacles, an efficient and cost-effective system has yet to be developed.

Currently, all statewide intelligence gathering is conducted by the Criminal Conspiracy Unit (D.P.S.). To facilitate liaison with the urban agencies, most urban agencies designate an officer in their investigation division to function as a liaison officer. Liaison is also maintained with other enforcement divisions within the D.P.S. and adjacent agencies. The flow of intelligence data normally occurs in a somewhat informal manner. Local agencies are neither required nor obligated to provide information to the C.C.U.; C.C.U. data is usually forwarded to local agencies only when it is expedient to do so.

#### Analysis

ICJS practice is different than NAC Standard

- 2. Every local agency should participate, where appropriate, in the establishment of a regional intelligence system. Every regional intelligence system should participate actively in the State system.

#### ICJS

Although there are no formalized regional intelligence systems, there are indications that many agencies in adjoining jurisdictions do cooperate and share intelligence data.

#### Analysis

ICJS practice is similar to NAC Standard

- 3. Every police agency with more than 75 personnel should have a full-time intelligence capability.
  - a. The number of personnel assigned to this operation should be based on local conditions.
  - b. The intelligence operation should be centralized; however, intelligence specialists may be assigned, where appropriate, to major transportation centers.
  - c. When the size of the intelligence operation permits, organized crime intelligence should be separate from civil disorder intelligence.
  - d. In smaller agencies the intelligence specialist should be required to take direct enforcement action only where limited agency resources make it absolutely necessary. In larger agencies the intelligence specialist should be required to take direct enforcement action only where a serious threat to life or property makes it absolutely necessary.
  - e. The intelligence operation should include an independent and well-secured reporting and record system.

#### ICJS

While all urban departments maintain intelligence gathering capabilities, only the largest departments have specialized intelligence units. Agencies without full-time staff usually assign a supervisory officer in the investigative division to collect data and maintain liaison with the C.C.U. The C.C.U. maintains liaison with nation-wide intelligence agencies and upon request, assists any local agency in collecting data.

In accordance with the Criminal History Data Act, all intelligence data is to be kept apart from the regular record system; access to such data is to be so restrictive as to insure security and privacy.

#### Analysis

ICJS practice is different than NAC Standard

4. Every police agency should insure exchange of information and coordination between the intelligence operation and all other operational entities of the agency and with other government agencies.

#### ICJS

As noted, cooperation among D.P.S, and county, and municipal law enforcement agencies is sporadic and conducted on an ad hoc basis. There is much concern over how the Criminal History Data Act will affect the flow of intelligence data. It is believed that further interpretation of the Act, probably by the courts, will be a prerequisite to the creation of a formal systematic exchange of intelligence information.

#### Analysis

ICJS practice is different than NAC Standard

5. Every police agency should supply its intelligence operation with the funds, vehicles, vision devices, and other specialized equipment necessary to implement an effective intelligence operation.

#### ICJS

See 9.10 (.6)

#### Analysis

ICJS practice is similar to NAC Standard

### NAC POLICE STANDARD 10.1 ASSIGNMENT OF CIVILIAN POLICE PERSONNEL

### RELATED IOWA STANDARD 11.1 CIVILIAN EMPLOYEES

Every police agency should assign civilian personnel to positions that do not require the exercise of police authority or the application of the special knowledge, skills, and aptitudes of the professional peace officer. To determine the proper deployment of civilian and sworn personnel, every agency immediately:

1. Should identify those sworn positions which:
  - a. Do not require that the incumbent have peace officer status under local, state, or Federal statute;
  - b. Do not require that the incumbent exercise the full police power and authority normally exercised by a peace officer;
  - c. Do not require that the incumbent possess expertise which can be acquired only through actual field experience as a sworn police officer; and
  - d. Do not contribute significantly to the professional development of sworn personnel.
2. Should designate as civilian those positions that can be filled by a civilian employee according to the foregoing criteria;
3. Should staff with qualified civilian personnel all positions designated for civilians;



4. Should provide a continuing audit of all existing and future positions to determine the feasibility of staffing with civilian personnel.

#### ICJS

Based upon the available information, it can only be assumed that each agency's administrator decides which positions can be filled by civilians. There is no evidence that formal review is standard operating procedure in any agency.

#### Analysis

ICJS practice is different than NAC Standard

Iowa's law enforcement agencies have, for a period of time, been cognizant of the advantages which employing civilians bring. While civilians, mostly women, have traditionally served as secretaries and clerks, rising costs and a greater demand for police services have opened several new positions for them.

5. Should develop a salary and benefit structure for civilian personnel commensurate with their position classifications;
6. Should insure that an opportunity for career development exists within each civilian position classification where the nature of the position does not limit or bar such opportunity.

#### ICJS

While there is mobility in the larger agencies, civilians, for the most part, do not have any opportunity for career development. Civilians in positions of any responsibility are usually supervised by sworn personnel, thereby, prohibiting promotions.

#### Analysis

ICJS practice is different than NAC Standard

Police agencies often have difficulty retaining qualified personnel due to lack of opportunity for career development. If civilians were allowed to occupy supervisory positions then mobility for the sworn personnel would suffer.

7. Should conduct indepth personal background investigations of civilian applicants for confidential or sensitive positions. These background investigations should be as thorough as those of sworn applicants.

#### ICJS

Generally, those civilians under consideration for positions directly related to law enforcement operations - radio operators, lab technicians - undergo only a limited personal background investigation.

#### Analysis

ICJS practice is different than NAC Standard

8. Should provide civilian training programs that insure the level of proficiency necessary to perform the duties of each assignment.

#### ICJS

Civilians doing specialized work either are taught on the job or must have the prerequisite training before initial employment.

#### Analysis

ICJS practice is different than NAC Standard

9. Should inform all civilian employees of the requirements for sworn police status and interview them to determine their interest or desire to seek such status subsequently, and should record all information obtained during such interviews;
10. Should assign those civilian employees who express a desire to seek sworn status later to positions that will contribute to their professional development as police officers.

#### ICJS

It is obvious that civilians employed by police agencies are cognizant of the process by which they attain sworn status, i.e., civil services or merit. There is no data which indicates that civilian personnel are formally interviewed, vis-a-vis sworn police status.

Being that agencies have a limited number of civilian positions, there is limited flexibility in assignments. Civilians expressing interest in a sworn position will only receive informal assistance from agency personnel.

#### Analysis

ICJS practice is different than NAC Standard

#### NAC POLICE STANDARD 10.2

##### SELECTION AND ASSIGNMENT OF RESERVE POLICE OFFICERS

#### RELATED IOWA STANDARD

##### 11.2 RESERVE PEACE OFFICERS

Every State and every police agency should consider employment of police reserve officers immediately to supplement the regular force of sworn personnel and increase community involvement in local police service.

1. Every State immediately should establish minimum standards for reserve police officer selection and training according to the following criteria:
  - a. Reserve officer selection standards should be equivalent to those for regular sworn personnel except that the reserve specialist should be selected on the basis of those limited duties which he will perform. Reserve officer medical and age requirements may differ from those for regular sworn personnel since a retirement liability does not exist.
  - b. Reserve officer training standards should be equivalent to those for regular sworn personnel, but reserve specialists should be trained according to the requirements of the specialty which they will perform.

#### ICJS

The CODE OF IOWA makes no provisions for the use of reserve officer units; no minimum standards have been established.

#### Analysis

ICJS practice is inconsistent with NAC Standard

There are strong indications that there is growing support for state control of reserve officers. This control would consist of 1) minimum qualifications which must be met by all

reservists, 2) mandatory formal training, and 3) limitations upon the reserves function and law enforcement role.

2. Every police agency that has identified a specific need to augment its regular force of sworn personnel to alleviate manpower shortages or to cope with unique deployment problems, should immediately establish a police reserve program. To realize the maximum benefit from such a program, every agency:

- a. Should establish recruitment and selection criteria equivalent to those for regular sworn personnel, with the exception of medical and age requirements;
- b. Should provide reserve generalist training equivalent to that provided regular sworn personnel, and should provide reserve specialist training required by the specialty to which the reservist will be assigned;
- c. Should insure that the reserve training program meets or exceeds State standards that regulate the training of regular, part-time or reserve officers;
- d. Should assign the reserve generalist to supplement regular police personnel in the day-to-day delivery of police services and assign the reserve specialist to perform services within a particular field of expertise;
- e. Should establish a reserve inservice training program equivalent to that for regular sworn personnel; and
- f. Should furnish the reserve officer with the same uniform and equipment as a regular sworn officer only upon his completion of all training requirements. Until he has completed all training requirements, his uniform should readily identify him as a reserve officer, and he should perform his duties only under the direct supervision of a regular sworn officer.

#### ICJS

Reserve officers do not undergo any formal basic training. In-service training for reservists, like that for regular sworn personnel, is in most agencies totally inadequate.

Reserve officers are neither trained for nor assigned to specialist positions.

Many reserve officers wear the same uniforms as sworn personnel. In several jurisdictions, reservists carry sidearms even though they often patrol without being supervised by sworn personnel.

#### Analysis

ICJS practice is inconsistent with NAC Standard

Although there is movement toward disbanding reserve units, many agencies still rely heavily upon them. There are basically two reasons for this: 1) large urban areas often need extra help for special occurrences of short duration; and 2) small agencies are able to provide a semblance of adequate police services.

Whereas the use of reserve officers by urban areas can be beneficial, their use by small departments often yields unanticipated and undesired results. These include: 1) needed sworn personnel will not be hired; 2) enforcement of the law will be in the hands of individuals whose integrity has never been determined; 3) reserve units function outside the law - there is no authority for their existence within the Iowa Code; and 4) since they have not been trained, they are more likely to violate citizens constitutional safeguards.

NAC POLICE STANDARD 11.1  
USE OF PROFESSIONAL EXPERTISE

RELATED IOWA STANDARD  
1.9 PROFESSIONAL ASSISTANCE

Every police agency should immediately establish liaison with professionals outside the police service who have expertise that can contribute to effective and efficient performance beyond the capabilities of agency employees. At a minimum, this liaison should implement working relationships, as necessary, with:

1. Medical professionals, particularly those with specific expertise in :

- a. Pathology;
- b. Gynecology;
- c. Psychiatry;
- d. Dentistry and orthodontics;
- e. Traumatic injuries;
- f. Medical laboratory technology; and
- g. Pharmacology

ICJS

Liaison between law enforcement and medical professionals, particularly in the rural areas of Iowa, is usually limited to homicide or suicide investigations. Pursuant to the CODE of IOWA, section 339, law enforcement personnel must notify the county examiner when the cause of death is in the public interest. Aside from these occasions, there is little, if any, formal liaison.

As described in section 339.2, county medical examiners are required to be M.D.'s or D.O.'s. There is little indication that the examiners are specialists, such as pathologists. Consequently, comprehensive autopsies may not always be obtained. Realizing this deficiency the legislature created the position of State medical examiner (see section 749A.5).

To ensure that the county medical examiner/law enforcement function is properly performed throughout the State, the State Medical Examiner is responsible for:

- 1. Providing assistance, consultation, and training to county medical examiners and law enforcement officials.
- 2. Keeping complete records of all relevant information concerning deaths or crimes requiring investigation by the state medical examiner.
- 3. To promulgate rules pursuant to chapter 17A regarding the manner and techniques to be employed while conducting autopsies; the nature, character, and extent of investigations to be made in cases of homicide or suspected homicide necessary to allow a medical examiner to render a full and complete analysis and report; the format and matters to be contained in all reports rendered by medical examiners; and all other things necessary to carry out this chapter. All county medical examiners and peace officers shall be subject to such rules. (Section 749A.6)

Analysis

ICJS practice is similar to NAC Standard

2. Business, trade, and industrial professionals, particularly those knowledgeable in:

- a. Banking;
- b. Bookkeeping and accounting;
- c. Labor relations;
- d. The local economy; and
- e. Local industry, business, and trades.

3. Educational professionals, particularly those with expertise in :

- a. Elementary, secondary, and vocational education;
- b. The physical, natural, and behavioral sciences; and
- c. Research.

4. Behavioral science resources with expertise in :

- a. Personnel selection, vocational assessment, and career counseling;
- b. Teaching, training, and educational programming;
- c. Research;
- d. Management consultation;
- e. Personal problem consulting; and
- f. Specialist consultation.

5. Members of the clergy.

ICJS

As a rule, the more diverse and complex an agency is the greater the reliance upon professional expertise. Available data indicates that, to varying degrees, the larger departments do maintain liaison with civilian professionals. However, such liaison is almost always not an on-going working relationship. Only when problems arise that cannot be solved by agency personnel will professional civilians be contacted.

Many specialized personnel do maintain on-going working relations with certain groups of professionals. For example, juvenile detective will regularly contact local businessmen to secure employment of youths. Local businessmen will also periodically meet with agency specialists to develop crime prevention programs. Police-school liaison officers meet constantly with educators and school officials.

Analysis

ICJS practice is different than NAC Standard

NAC POLICE STANDARD 11.2  
LEGAL ASSISTANCE

RELATED IOWA STANDARD  
1.8 LEGAL ASSISTANCE

Every police agency should immediately acquire the legal assistance necessary to insure maximum effectiveness and efficiency in all its operations.

1. Every police agency should make maximum use of the offices of its city attorney or county attorney, the county prosecutor, and the State attorney general, to acquire the legal assistance it needs. If it is necessary to provide legal assistance supplementary to these sources, a police legal adviser should be employed.

2. Every agency should obtain legal assistance in all agency operations where needed. This assistance may include:

- a. Provision of legal counsel to the police chief executive in all phases of administration and operations;

- b. Liaison with the city or county attorney, the county prosecutor, the State attorney general, the United States attorney, the courts, and the local bar association;
- c. Review of general orders, training bulletins, and other directives to insure legal sufficiency;
- d. Case consultation with arresting officers and review of affidavits in support of arrest and search warrants in cooperation with the prosecutor's office;
- e. Advisory participation in operations where difficult legal problems can be anticipated;
- f. Attendance at major disturbances and an oncall status for minor ones to permit rapid consultation regarding legal aspects of the incidents;
- g. Participation in training to insure continuing legal training at all levels within the agency;
- h. Drafting of procedural guides for the implementation of recent court decisions and newly enacted legislation; and
- i. Provision of legal counsel for ad hoc projects, grant proposal development, and special enforcement problems.

3. Every police agency with 200 or more personnel should establish a police legal unit with at least one attorney as a full-time legal adviser.

- a. The size and composition of the legal unit should be proportionate to the size of the agency and the complexity of the legal assistance task.
- b. One attorney should be designated as the director or administrative head when two or more attorneys are employed.
- c. Adequate secretarial and clerical help should be provided, as well as police officers or law student interns for paralegal work.
- d. Organizationally, the legal unit should be a separate entity, similar to the house counsel of a corporation, reporting directly to the chief executive and readily available to him.
- e. Legal advisers should be civilian attorneys who serve at the request of the police chief executive.

4. Every police agency with fewer than 200 personnel may justify the establishment of a police legal unit with at least one full-time attorney legal adviser. When a full-time attorney legal adviser cannot be justified, and adequate legal advice cannot be obtained regularly by enlargement of the prosecutor's or the city or county attorney's role, the agency should obtain needed legal assistance through:

- a. Employment of part-time and contracted legal advisers; or
- b. Use of the services of a multiagency or a State police legal unit.

5. Every police agency, in determining the need for a legal unit and the size of its staff, should consider at least the following:

- a. Whether the city or county attorney and the county prosecutor are located near police headquarters;
- b. Whether the staffs of the city or county attorney and the county prosecutor are full-time or part-time, and whether they are permitted to engage in private practice;
- c. Whether the city or county attorney and the county prosecutor have effective legislative programs;
- d. Whether the county prosecutor's office can be consulted routinely on planned enforcement actions prior to arrests;
- e. Whether assistant prosecutors discuss pending cases adequately with arresting officers prior to trial;
- f. Whether the county prosecutor's office will draft affidavits for arrest and search warrants and give other legal assistance whenever needed;
- g. Whether the city or county attorney's staff is willing to answer routine questions; how promptly they respond to requests for written opinions; and how detailed and complete such opinions are;
- h. How willingly the city or county attorney files suits on behalf of the agency; how vigorously he defends suits against the agency and its members; and how experienced his staff is in matters of criminal law and police liability;
- i. The educational level of police agency employees, comprehensiveness of preservice training given officers, and the quantity and quality of agency inservice training.

6. Every police agency should set firm minimum qualifications for the position of police legal adviser. These qualifications should require that each candidate for this position:

- a. Be a qualified attorney eligible, except for residence requirement, for admission to the State bar in the State in which he is employed and either licensed in the State or licensed in a State where licensing requires examination. He should become licensed in the State in which he is employed as soon as possible;
- b. Have a wide breadth of professional and practical experiences in criminal justice, preferably in criminal trial work; and
- c. Have attitudes and personality conducive to the development of trust and acceptance by police personnel.

7. Every police agency employing a legal adviser should provide in the assignment of his duties that he not:

- a. Prosecute criminal cases;
- b. Decide what cases are to be prosecuted or what charges are to be brought except by agreement with the prosecutor;
- c. Be assigned tasks unrelated to the legal assistance function that would interfere with performance of that function; nor
- d. Either prosecute infractions of discipline before internal trial boards, or serve as a member of any trial or arbitration board.

8. Every police agency employing a legal adviser who also engages in private practice should insure that he does not represent criminal defendants, bring a claim against a governmental agency he represents, lend his name to or have a financial interest in any law firm that represents criminal defendants, accept private business in an office located in a police station, or represent any police union or agency employee organization.

#### ICJS

Data indicates that most law enforcement agencies are provided with inadequate legal assistance. This is due to poor coordination between the agency and the local prosecutor's office.

#### Analysis

ICJS practice is inconsistent with NAC Standard

### NAC POLICE STANDARD 11.3 MANAGEMENT CONSULTATION AND TECHNICAL ASSISTANCE

Every State should immediately establish a police management consultation service to make technical assistance available at no cost to every police agency within the State.

1. Every State should provide technical assistance teams capable of conducting an evaluation of an entire police agency or of a specific division or operation thereof, analyzing its effectiveness, and making recommendations for improvement.
2. Every State should make this service available only upon the request of the chief executive of the police agency to receive the service.
3. The technical assistance team should submit a written report of its findings together with its recommendations for improvements, to the police chief executive of the agency.

## ICJS

For all intents and purposes, there is no one State agency that functions as a consultation service for local police agencies. In the past, chief executives have had to contract private organizations, i.e., International Association of Chiefs of Police, at great expense to conduct evaluations of the entire department. Occasionally, S.P.A. personnel will perform this service. Technical assistance in specific areas, however, is made available by various State agencies.

Consequently, it is likely that chief executives could obtain free technical assistance in many areas. However, no one organization is available for evaluating an entire department upon request.

## Analysis

ICJS practice is inconsistent with NAC Standard

### NAC POLICE STANDARD 12.1 THE EVIDENCE TECHNICIAN

### RELATED IOWA STANDARD 17.1 EVIDENCE COLLECTION

Every State and every police agency should acknowledge the importance of efficient identification, collection, and preservation of physical evidence; its accurate and speedy analysis; and its proper presentation in criminal court proceedings. These are essential to professional criminal investigation, increased clearance of criminal cases, and ultimately, the reduction of crime. Every agency should insure the deployment of specially trained personnel to gather physical evidence 24 hours a day.

1. Every police agency immediately should consider the use of specially trained regular patrol officers to devote a maximum of 25 percent of their regular duty time to the location, collection, and preservation of physical evidence.

## ICJS

The evidence collection function is served by regular patrol officers, specialists, or B.C.I. specialists. Agencies do not utilize specially trained patrol-technician officers.

## Analysis

ICJS practice is different than NAC Standard.

2. Every police agency with 75 or more personnel should consider immediately the use of specially trained evidence technicians to locate, collect, and preserve physical evidence at crime scenes and to deliver such evidence to the appropriate laboratory facility. These technicians may partially or entirely eliminate the need for deployment of specially trained regular patrol officers in gathering physical evidence.

## ICJS

All agencies with 75 + personnel maintain specialized collection capabilities.

## Analysis

ICJS practice is similar to NAC Standard

3. Every police agency should immediately provide for all incoming sworn personnel a formalized basic training course in evidence-gathering techniques to develop the agency's capacity to retrieve and use any



physical evidence present at the scene of a criminal investigation. Every sworn officer should then be held responsible for evidence collection in cases where an evidence technician or a specially trained patrol officer is not available.

#### ICJS

All law enforcement personnel who have completed the mandatory ILEA 240-hour basic training session have undergone several hours of evidence training; 3 hours of crime scene searches, 4 hours in how to record a crime scene, and 4 hours of photography. All patrol officers who conduct crime scene investigations are probably not responsible for the collection of evidence if specially trained personnel are not available.

#### Analysis

ICJS practice is different than NAC Standard

4. Every police agency with 1,000 or more personnel should immediately maintain a mobile evidence collection van containing equipment for securing and illuminating large crime scene areas and for storing and preserving physical evidence. The van should be staffed by qualified evidence technicians and should be used for major occurrences.

#### ICJS

The only mobile evidence collection van in the State is operated by the B.C.I. There are no police agencies in Iowa with 1,000 or more personnel.

#### Analysis

ICJS practice is similar to NAC Standard

5. Every police agency should be responsible for its own crime scene searches and should immediately insure that all crime scenes are thoroughly examined for physical evidence, and that all evidence collected is submitted to the appropriate laboratory facility for analysis.

#### ICJS

Although all police agencies are responsible for their own crime scene searches, B.C.I. assistance is usually requested by the smaller urban, suburban and rural agencies in instances of major crimes. On occasion, even the largest agencies will request B.C.I. assistance.

#### Analysis

ICJS practice is different than NAC Standard

There are strong indications that many agencies, both large urban and small rural, will not request the assistance of the B.C.I. in order to retain a semblance of autonomy. It is not unusual for the B.C.I. crime scene specialist to be called in days or even weeks after the crime occurs. In these situations, it is impossible to do a meaningful analysis of the crime scene. Under current law there is nothing preventing a rural agency with only 3 sworn officers from conducting a complex homicide investigation entirely by themselves.

6. Every State should, by 1975, provide specialized training for local evidence technicians on a centralized or regional basis in order to achieve a statewide level of proficiency in the collection of physical evidence.

#### ICJS

Specialized evidence collection training has not, as yet, been provided on a regional basis throughout Iowa.

#### Analysis

ICJS practice is different than NAC Standard

#### NAC POLICE STANDARD 12.2 THE CRIME LABORATORY

#### RELATED IOWA STANDARD 17.2 THE CRIME LABORATORY

Every State by 1982 should establish a consolidated criminal laboratory system composed of local, regional, or State facilities capable of providing the most advance forensic science services to police agencies.

1. Every police agency should immediately insure that it has access to at least one laboratory facility capable of timely and efficient processing of physical evidence and should consider use of each of the following:

- a. A local laboratory that provides analysis for high volume, routine cases involving substances such as narcotics, alcohol, and urine; routine analysis and processing of most evidence within 24 hours of its delivery; immediate analysis of certain types of evidence, such as narcotics, where the detention or release of a subject depends upon the analysis; and qualitative field tests and quantitative followup tests of narcotics or dangerous drugs.
- b. a regional laboratory (serving an area in excess of 500,000 population where at least 5,000 Part I offenses are reported annually) that provides more sophisticated services than the local laboratory, is situated within 50 miles of any agency it routinely serves, can process or analyze evidence within 24 hours of its delivery, and is staffed with trained teams of evidence technicians to assist in complex investigation beyond the scope of local agencies.
- c. A centralized State laboratory that provides highly technical analyses that are beyond the capabilities of local or regional facilities.

#### ICJS

Crime laboratory services in Iowa are provided for in the following manner; urban departments who have a fairly constant need for laboratory analysis usually have arrangements with private labs or local hospitals to perform chemical analysis. These labs analyze routine substances such as blood, urine, and simple narcotics.

Analyses done in this manner can be provided to the agency within 24 hours. In cases where the substance is complex and a sophisticated analysis is essential, or when rural agencies are not to analyze a routine substance locally, it is forwarded to the B.C.I. lab in Des Moines.

The B.C.I. Criminalistics laboratory, created in 1971, has assumed the responsibility of providing criminalistics laboratory services to all of the state's law enforcement agencies. In addition to providing crime scene evidence technicians, they analyze all forms of criminal evidence, e.g., handwriting, latent fingerprints, photography, toxicology, drug analysis, and microanalysis.

As a result of a continually increasing workload coupled with under-staffing, there is usually a backlog of substance to be analyzed. However, when critical need is determined, the lab can perform an analysis within 24 hours after delivery of the substance.

#### Analysis

ICJS practice is similar to NAC Standard

2. Every crime laboratory within a police agency should be a part of the organizational entity that includes other support services, and should be directed by an individual who reports only to the agency's chief executive or to a staff authority who reports directly to the chief executive.

#### ICJS

Recognizing that even routine "wet-chemistry" work is performed by private labs or hospitals, those responsible for the analysis usually do not have knowledge of criminalistics. Those few agencies with crime labs can, at best, collect fingerprints, analyze tool marks, and do elementary photography and identification work. These labs are always located within the organizational structure of the agency and, in several agencies, located in the administrative services unit. In those agencies where the lab unit (usually called identification unit) is located within the investigative division, reports are not directly sent to the chief executive (administrative services).

#### Analysis

ICJS practice is different than NAC Standard

3. In maintaining a staff of formally qualified personnel who can provide efficient and reliable assistance in criminal investigations, every crime laboratory should provide that:

- a. Every employee responsible for the completion of scientific analyses or testing hold at least an earned baccalaureate degree in chemistry, criminalistics, or closely related field from an accredited institution, and have thorough working knowledge of laboratory procedures;
- b. Every employee performing supervised basic scientific tests or duties of a nonscientific nature meet the agency's requirements for the employment of regular sworn or civilian personnel;
- c. The laboratory director be familiar with management techniques necessary to perform his administrative functions satisfactorily;
- d. All laboratory personnel be adequately trained and experienced.
- e. Civilian personnel be used regularly so sworn personnel may be more appropriately deployed in other assignments, but provide that qualified sworn personnel be used when their abilities or expertise cannot be found elsewhere;
- f. The working staff be sufficient to meet the demands of the laboratory caseload;
- g. Salaries be commensurate with the specialized duties and qualifications of each position so that well-qualified personnel are attracted to and retained in these positions;
- h. Promotional and career paths for laboratory personnel result in salaries at least equal to those employed in other equivalent laboratories; and
- i. A clerical pool capable of handling all of the clerical needs of the laboratory be maintained.

#### ICJS

Aside from simple identification work conducted by the local agencies, all evidence is analyzed by either local private labs and hospitals or the B.C.I. Criminalists Lab. It must be assumed that the local private and hospital labs employ competent personnel. It is evident that B.C.I. lab personnel are highly qualified.

Personnel in the Criminalistics Laboratory are usually civilians who are graduate chemists. In order to attract qualified individuals, their salaries are commensurate with the position's duties and responsibilities. Furthermore, promotional opportunities are, for the most part, on par with those employed by private laboratories.

Analysis

ICJS practice is similar to NAC Standard

4. Every laboratory that employs more than 10 nonclerical personnel also should establish at least one research position for solving specific laboratory problems and developing new laboratory techniques.

ICJS

While there is no formal research position within the B.C.I. Crime Lab, there is evidence that research is being undertaken.

Analysis

ICJS practice is similar to NAC Standard

5. Every police chief executive should insure that the police laboratory function receives appropriate fiscal support and that the adequacy of its facilities is considered in structuring the agency's annual budget; every laboratory director should be able to assess and control the amount, type, and quality of evidence received by the laboratory.

ICJS

Whereas local agency crime lab/identification units can adequate function without complex equipment, the B.C.I. lab must be provided with sophisticated facilities in order to be efficient and cost-effective.

Analysis

ICJS practice is similar to NAC Standard

6. Every police agency laboratory and every regional laboratory should receive from all agencies using its services partial annual support based on the number of sworn personnel employed by each agency, rather than on case costs.

ICJS

The B.C.I. Lab services all law enforcement agencies in Iowa without charge.

Analysis

ICJS practice is different than NAC Standard

7. Every crime laboratory director should, by 1974, design and implement a reporting system that provides data relative to its involvement in:
  - a. Reported crimes;
  - b. Investigated crimes;
  - c. Suspects identified or located;

- d. Suspects cleared;
- e. Suspects charged;
- f. Prosecutions;
- g. Acquittals; and
- h. Convictions.

8. Every crime laboratory should establish close liaison immediately with:

- a. All other elements of the criminal justice system to insure that laboratory findings are consistent with law enforcement needs and are being effectively used as investigation tools;
- b. The scientific and academic establishments, to insure use of the latest techniques and devices available to the criminalist and the investigator.

#### ICJS

It can be expected that crime lab personnel are cognizant of recent analytical techniques.

#### Analysis

ICJS practice is similar to NAC Standard

#### NAC POLICE STANDARD 12.3 THE PROPERTY SYSTEM

#### RELATED IOWA STANDARD 17.3 THE PROPERTY SYSTEM

Every police agency immediately should establish a system for the secure and efficient storage, classification, retrieval, and disposition of items of evidentiary or other value that come into the custody of the agency.

1. Every police agency should establish a filing system that includes, but is not limited to:
  - a. A chronological record of each occasion when property is taken into police custody;
  - b. A separate itemized list of all items of property that are taken into custody;
  - c. A record that indicates the continuity of the property from its entry into the system to its final disposition. This record should include the name of each person accountable for each item of property at any given time.

#### ICJS

While the larger urban agencies have, out of necessity, a relatively efficient property filing system, the smaller agencies often operate in an informal manner. It is improbable that separate itemized lists of property are maintained by many of the urban departments. Most urban agencies do not maintain "fail-safe" procedures to insure that all property is accounted for at all times.

#### Analysis

ICJS practice is different than NAC Standard

2. Every police agency should conduct regular property inventories and property record audits to insure the integrity of the system. Such measures should be performed by personnel who are not charged with the care and custody of the property, and the results should be reported to the police chief executive.
3. Every police agency should publish written procedures governing the function of the property system. All components of a multicomponent property system should be governed by the same procedures.

ICJS

Only in those agencies with a formal property storage system will there be written procedures governing the function of the property system.

Analysis

ICJS practice is different than NAC Standard

4. Every police agency that uses full-time employees in its property function should assign civilian personnel to all elements of the property system in order to release sworn officers for assignment to those police functions requiring them.

ICJS

Agencies with a formal property system exclusively use sworn personnel in its operation.

Analysis

ICJS practice is inconsistent with NAC Standard

5. Every police agency should assign to the property function only those employees who are trained in the operation of the system.

ICJS

Employee's assigned to the property function are usually patrolmen who only receive on-the-job training.

Analysis

ICJS practice is different than NAC Standard

6. Every police agency should insure that personnel assigned to the property function are not involved in authorizing the booking, release, or disposition of property. Such authorization should be provided by the booking officer, the investigating officer, or another designated sworn employee.

ICJS

According to all available information, personnel assigned to the property function may also be responsible for the booking, release, or disposition of property.

Analysis

ICJS practice is inconsistent with NAC Standard

7. Every police agency should clearly designate the employee responsible for around-the-clock security of the property area and restrict entry of all other personnel into this area.

ICJS

Most agencies do not maintain a special room, or area, for the storage of property; all sworn personnel are able to gain access to the storage area. Generally, officers are not designated as being responsible for the security of the property.

Analysis

ICJS practice is inconsistent with NAC Standard

8. Every police agency should institute close security and control measures to safeguard all money that comes into agency custody.

ICJS

Only those departments which frequently handle money have procedures to prevent its loss. In many agencies, money is handled in an informal manner.

Analysis

ICJS practice is different than NAC Standard

9. Every police agency should institute procedures to facilitate the removal of property from the system as soon as possible.

- a. All identifiable property should be returned as soon as practicable after the rightful owner is located. Prior to disposition, all such property should be checked against stolen property records and all firearms should be compared with gun records to make certain that no "wants" or "holds" exist for such items.
- b. Personnel assigned to locate the owners of identifiable property should not be involved in the arrest or prosecution of the persons accused of crimes involving that property.
- c. When property is no longer needed for presentation in court, and the owner cannot be determined, it should be disposed of promptly.

ICJS

The property system of most intermediate-size and small agencies is inefficient, irregular, and insecure. Property may be retained long after it is needed for investigatory or prosecutorial purposes.

Analysis

ICJS practice is inconsistent with NAC Standard

10. Every police agency should insure that the property room includes;

- a. A sufficient amount of space and facilities for efficient storage of property and records;
- b. Easy access by agency personnel and by the public without lessening security or subjecting property to contamination;
- c. A temporary storage area for perishable property; and
- d. An area that provides an extra measure of security for the storage of narcotics and firearms.

ICJS

It is evident that many local agencies, particularly small rural departments, have insufficient storage capacity. Property is often stored in areas that are easily accessible to all agency personnel. It is unlikely that even the largest departments have the capacity to securely store perishable items. Data does indicate, however, that narcotics and firearms are normally stored in a reasonably secure manner.

Analysis

ICJS practice is different than NAC Standard

## NAC POLICE STANDARD 12.4 THE DETENTION SYSTEM

Every police agency currently operating a detention facility should immediately insure professionalism in its jail management and provide adequate detention services. Every municipal police agency should, by 1982, turn over all its detention and correctional facilities to an appropriate county, regional, or State agency, and should continue to maintain only those facilities necessary for short term processing of prisoners immediately following arrest.

1. Every police agency that anticipates the need for full-time detention employees after 1975 should immediately hire and train civilian personnel to perform its jail functions.
2. Every municipal police agency currently operating its own detention facility should immediately consider using an easily accessible State or county facility for all detention except that required for initial processing of arrestees. Every agency should also consider using State or county facilities for the transfer of arrestees from initial processing detention to arraignment detention.

### ICJS

In Iowa, municipal police departments are not responsible for maintaining detention and correctional facilities (jails).

The jails in the several counties in the state shall be in charge of the respective sheriffs and used as prisons:

1. For the detention of persons charged with an offense and committed for trial or examination.
2. For the detention of persons who may be committed to secure their attendance as witnesses on the trial of a criminal cause.
3. For the confinement of persons under sentence, upon conviction for any offense, and of all other persons committed for any cause authorized by law.
4. For the confinement of persons subject to imprisonment under the ordinances of a city.

The provisions of this section extend to persons detained or committed by authority of the courts of the United States as well as of this state. (Code of Iowa, Sec. 356.1 (1975).)

As a rule, municipal departments' detention cells are only used for processing prisoners immediately after arrest. Only in those counties without adequate facilities for specific categories of inmates, i.e., women, will the municipal facility be used as a long-term detention and/or correctional facility.

While there is evidence that civilians are being employed to serve the municipal detention function, many agencies continue to rely primarily upon sworn personnel.

### Analysis

ICJS practice is similar to NAC Standard

## NAC POLICE STANDARD 13.1 GENERAL POLICE RECRUITING

## RELATED IOWA STANDARD 6.1 PEACE OFFICER RECRUITING

Every police agency should insure the availability of qualified applicants to fill police officer vacancies by aggressively recruiting applicants when qualified candidates are not readily available.

1. The police agency should administer its own recruitment program.
  - a. The agency should assign to specialized recruitment activities employees who are thoroughly



familiar with the policies and procedures of the agency and with the ideals and practices of professional law enforcement;

- b. Agencies without the expertise to recruit police applicants successfully should seek expertise from the central personnel agency at the appropriate level of State or local government, or form cooperative personnel systems with other police agencies that are likely to benefit from such an association: every police agency, however, should retain administrative control of its recruitment activities.

#### ICJS

In nearly all agencies, there is little evidence of active recruitment.

#### Analysis

ICJS practice is different than NAC Standard

2. The police agency should direct recruitment exclusively toward attracting the best qualified candidates. In so doing it:

- a. Should make college-educated applicants the primary targets of all recruitment efforts.
- b. Should concentrate recruitment resources according to the agency's need for personnel from varied ethnic backgrounds.

#### ICJS

Only limited action has been taken to recruit college graduates or minority group members. Generally, these efforts have been unsuccessful.

#### Analysis

ICJS practice is different than NAC Standard

3. Residency should be eliminated as a preemployment requirement.

#### ICJS

Based upon all available data, residency in the hiring agency's city, town, or county is not a preemployment requirement.

#### Analysis

ICJS practice is similar to NAC Standard

4. The police agency should provide application and testing procedures at decentralized locations in order to facilitate the applicant's access to the selection process.

- a. The initial application form should be a short, simple record of the minimum information necessary to initiate the selection process.

#### ICJS

Taking into consideration that there are no metro sized municipalities, all applicants have relatively easy access to testing locations. Municipal and county agencies have only one application and testing location. D.P.S. applicants can apply at any one of the numerous I.H.P. stations located throughout the State.

While the length of the initial application may vary, most agencies are currently using forms that are quite extensive.

Analysis

ICJS practice is different than NAC Standard

5. The police agency should allow for the completion of minor routine requirements, such as obtaining a valid driver's license, after the initial application but before employment.

ICJS

Civil service guidelines vary as to whether or not applicants must meet routine minor requirements before initial application.

Analysis

ICJS practice is different than NAC Standard

6. The police agency, through various incentives, should involve all agency personnel in the recruitment and selection process.
7. The police agency should seek professional assistance--such as that available in advertising, media, and public relations firms to research and develop increasingly effective recruitment methods.

ICJS

Data indicates that police agencies have not sought agency personnel involvement or professional guidance in developing more effective recruitment methods.

Analysis

ICJS practice is different than NAC Standard

8. The police agency should evaluate the effectiveness of all recruitment methods continually so that successful methods may be emphasized and unsuccessful ones discarded.

ICJS

There is little evidence that agencies formally evaluate their recruitment methods.

Analysis

ICJS practice is different than NAC Standard

**NAC POLICE STANDARD 13.2**  
**COLLEGE RECRUITING**

Every police agency that does not have a sufficient number of qualified applicants having appropriate college backgrounds to fill police officer vacancies as they occur should immediately implement a specialized recruitment program to satisfy this need.

1. The police agency should establish permanent liaison with:
  - a. Placement officers and career counselors in colleges and universities within a 50-mile radius of the police agency.

- b. Faculty members and heads of departments that provide a curriculum specifically designed to prepare students for the police service.

#### ICJS

Generally, agencies do not maintain liaison with placement counselors or faculty heads from local academic institutions.

Although agencies do not have liaison with career counselors, they may have informal contact with those faculty members teaching police science courses. This is the case when the faculty member is currently, or has been, an officer on the police force. In addition, the officers enrolled in post-secondary courses may function as informal recruiters.

#### Analysis

ICJS practice is different than NAC Standard

2. The police agency should implement a police student worker program that provides part-time employment for college students between the ages of 17 and 25 who have shown a sincere interest in a law enforcement career. Police student workers:

- a. Should be full-time students carrying a study load of at least 12 units per semester and should work for the police agency no more than 20 hours per week; during school vacations, full-time employment may be appropriate.
- b. Should meet the same physical, mental, and character standards required of police officers; appropriate and reasonable exceptions may be made for height and weight in relation to age.
- c. Should be assigned duties that prepare them for their future responsibilities as regular police officers. Student workers, however, should not have the authority of a regular police officer or be authorized to carry firearms.
- d. Should, after earning a baccalaureate degree, continue in the cadet program until a vacancy occurs on the regular police force.
- e. Should continue in the cadet program for the period of time required to earn the baccalaureate degree, if by age 25 they are 1 academic year away from earning the degree.

#### ICJS

Several departments have implemented "cadet" programs. While they were generally recognized as being worthwhile, several departments had to terminate them due to budgetary limitations.

#### Analysis

ICJS practice is different than NAC Standard

3. The police agency should compete actively with other governmental and private sector employer in recruitment efforts at nearby colleges and universities. The opportunity for a police officer to perform a valuable social service, and the opportunity for a progressive career, should be emphasized in college recruiting.

#### ICJS

Except for what has been noted above, formal police recruiting at local colleges is non-existent.

#### Analysis

ICJS practice is inconsistent with NAC Standard

As noted, most agencies do prefer officers with some college education. Yet, there is very little affirmative action by the agencies.

## NAC POLICE STANDARD 13.3 MINORITY RECRUITING

Every police agency immediately should insure that it presents no artificial or arbitrary barriers--cultural or institutional--to discourage qualified individuals from seeking employment or from being employed as police officers.

1. Every police agency should engage in positive efforts to employ ethnic minority group members. When a substantial ethnic minority population resides within the jurisdiction, the police agency should take affirmative action to achieve a ratio of minority group employees in approximate proportion to the makeup of the population.
2. Every police agency seeking to employ members of an ethnic minority group should direct recruitment efforts toward attracting large numbers of minority applicants. In establishing selection standards for recruitment, special abilities such as the ability to speak a foreign language, strength and ability, or any other compensating factor should be taken into consideration in addition to height and weight requirements.

### ICJS

Due to Civil Service and Pension Board regulations, pre-existing physical requirements for police personnel cannot be altered to accommodate minority group member entrance into the agency. An individual's special abilities cannot compensate for his/her lack of minimum entrance requirements.

### Analysis

ICJS practice is different than NAC Standard

3. Every police agency seeking to employ qualified ethnic minority members should research, develop, and implement specialized minority recruitment methods. These methods should include:
  - a. Assignment of minority police officers to the specialized recruitment efforts;
  - b. Liaison with local minority community leaders to emphasize police sincerity and encourage referral of minority applicants to the police agency;
  - c. Recruitment advertising and other material that depict minority group police personnel performing the police function;
  - d. Active cooperation of the minority media as well as the general media in minority recruitment efforts;
  - e. Emphasis on the community service aspect of police work; and
  - f. Regular personal contact with the minority applicant from initial application to final determination of employability.

### ICJS

Most law enforcement agencies in Iowa with a substantial minority population have taken action to recruit these individuals. Data indicates, however, that many of these efforts have not been wholly successful.

### Analysis

ICJS practice is different than NAC Standard

4. Every police chief executive should insure that hiring, assignment, and promotion policies and practices do not discriminate against minority group members.
5. Every police agency should evaluate continually the effectiveness of specialized minority recruitment methods so that successful methods are emphasized and unsuccessful ones discarded.

#### ICJS

It can be expected that those departments sincere in their desire to attract minority applicants will seek the most effective recruitment methods.

#### Analysis

ICJS practice is different than NAC Standard

#### NAC POLICE STANDARD 13.4

#### STATE MANDATED MINIMUM STANDARDS FOR THE SELECTION OF POLICE OFFICERS

Every State, by 1975, should enact legislation establishing a State commission empowered to develop and enforce State minimum mandatory standards for the selection of police officers. This legislation should provide that the commission represent local government.

1. The majority of this commission should be composed of representatives of local law enforcement agencies to insure responsiveness to local needs. Police practitioners, other members of the criminal justice system, and local government officials should be selected as commission members for a fixed term.

#### ICJS

The Iowa law enforcement academy council was created by the legislature to establish minimum mandatory standards for peace officers in Iowa. (CODE OF IOWA, Sec. 80B) In 1974, the General Assembly revised the membership of the council and it now consists of 12 members each having a four year term. Of these, only 3 members are required to have law enforcement backgrounds; no members are appointed to represent local agencies.

#### Analysis

ICJS practice is different than NAC Standard

2. This commission should insure that standards are met by inspecting for local compliance, and certifying as competent to exercise police authority, only those police officers who have met the mandated standards. The commission should establish minimum standards for:

- a. Age, with consideration given to lowering the present minimum age of 21 and to establishing a maximum recruitment age that reflects the physical demands placed upon a police officer and the retirement liability of police agencies;
- b. Physical health, strength, stature, and ability, with consideration given to the physical demands of police work;
- c. Character, with consideration given to the responsibilities of police officers and the need for public trust and confidence in police personnel;
- d. Personality profile, with consideration given to the need for personnel who are psychologically healthy and capable of enduring emotional stress; and
- e. Education, with consideration given to the mental skills and knowledge necessary to perform the police function properly.

#### ICJS

Minimum requirements have also been established by the I.L.E.A. Council in the following areas: (Iowa Departmental Rules, 1973, p. 609)

1. height
2. weight
3. vision
4. hearing
5. physical, emotional or mental condition

The council requires that all police candidates undergo a fingerprint check and background investigation; not be a felon, conscientious objector, or be addicted to alcohol or narcotics; and be of good moral character.

The candidate must also be able to read and write English and have graduated high school or possess an equivalency certificate.

#### Analysis

ICJS practice is similar to NAC Standard

The current minimum standards established by the council do not truly prevent incompetent individuals from becoming officers. These minimum requirements only screen those who are obviously incompetent and unfit. The NAC suggests that minimum requirements are to be so highly selective as to permit only an exceptional candidate to join a police force.

3. The commission should establish minimum standards that incorporate compensating factors such as education, language skills, or experience in excess of that required if such factors can overcome minor deficiencies in physical requirements such as age, height, or weight.

#### ICJS

The council has not, in its minimum mandatory requirements, authorized the use of compensatory factors. While higher standards are not prohibited, no police candidate can be I.L.E.A. certified unless he/she meets all minimum requirements.

#### Analysis

ICJS practice is inconsistent with NAC Standard

4. Every State should provide sufficient funds to enable this commission:
  - a. To employ a full-time executive director and a staff large enough to carry out the basic duties of the commission; and
  - b. To meet periodically.

#### ICJS

A budget for the council has been provided for by the Legislature, (Section 80B.14) They are required to meet at least 4 times each year.

#### Analysis

ICJS practice is similar to NAC Standard

#### NAC POLICE STANDARD 13.5 THE SELECTION PROCESS

#### RELATED IOWA STANDARD 7.2 THE SELECTION PROCESS

Every police agency immediately should employ a formal process for the selection of qualified police applicants. This process should include a written test of mental ability or aptitude, an oral interview, a physical examination, a psychological examination, and an in-depth background investigation.

1. Every police agency should measure applicants' mental ability through the use of job-related ability or aptitude tests rather than general aptitude tests. These job-related ability tests should meet the requirements of Federal Equal Employment Opportunities Commission guidelines.

2. Every police agency, by 1975, should retain the services of a qualified psychiatrist or psychologist to conduct psychological testing of police applicants in order to screen out those who have mental disorders or are emotionally unfit for police work.

ICJS

Only a few of the larger agencies have police applicants checked for psychological deficiencies. The availability of psychologist is the major factor in determining whether or not such exams will be administered.

Analysis

ICJS practice is different than NAC Standard

3. Every police agency should use the results of psychological testing as a positive predictor of later performance within the police service only when scientific research establishes the validity and reliability of such a predictor.

ICJS

Standardized psychological tests are usually administered only by the larger departments. These exams, for the most part, are not good predictors of future performance and, therefore, are not used for that purpose. Their only purpose is to prevent severely mentally disordered persons from becoming officers.

Analysis

ICJS practice is similar to NAC Standard

4. Every police agency should conduct an indepth background investigation of every police applicant before employment. The policies and procedures governing these investigations at least should insure that:

- a. To the extent practicable, investigations are based upon personal interviews with all persons who have valuable knowledge of the applicant;
- b. The polygraph examination is used where appropriate, but is not allowed to substitute for a field investigation;
- c. The rejection of police applicants is job related; and
- d. Police applicants are not disqualified on the basis of arrest or conviction records alone, without consideration of circumstances and disposition.

ICJS

The comprehensiveness of the background investigation will vary widely between jurisdictions. For the most part, they are superficial if conducted at all.

Analysis

ICJS practice is different than NAC Standard

5. Every police agency should insure that no more than 8 weeks pass from the time of initial application to final determination of employability; that applicants are promptly notified of the results of each major step in the selection process, and that the selection process is cost effective.

#### ICJS

The length of the application/approval procedure may vary from 1 week to several months. In general, applicants will be notified of their employment status approximately two months after written test.

Most civil service commissions do not keep applicants notified during the selection process. Only when the hiring lists have been presented to the police agency will applicants become aware of their status.

#### Analysis

ICJS practice is different than NAC Standard

6. Every police agency should direct, into other temporary employment within the agency, qualified police applicants who because of lack of vacancies cannot be employed immediately in the position for which they have applied.

#### ICJS

The candidates selected by the civil service must wait on the certified list until the agency is able to hire him/her. This list remains in effect until the next test is administered. During this period candidates are not offered temporary employment within the agency because of limited funds.

#### Analysis

ICJS practice is inconsistent with NAC Standard

### NAC POLICE STANDARD 13.6 EMPLOYMENT OF WOMEN

Every police agency should immediately insure that there exists no agency policy that discourages qualified women from seeking employment as sworn or civilian personnel or prevents them from realizing their full employment potential. Every police agency should:

1. Institute selection procedures to facilitate the employment of women; no agency, however, should alter selection standards solely to employ female personnel;
2. Insure that recruitment, selection, training, and salary policies neither favor nor discriminate against women;
3. Provide career paths for women allowing each individual to attain a position classification commensurate with her particular degree of experience, skill, and ability; and
4. Immediately abolish all separate organizational entities composed solely of policewomen except those which are identified by function or objective, such as a female jail facility within a multi-unit police organization.

#### ICJS

Except for clerical positions, which are predominately occupied by females, women serve in very few sworn positions in Iowa's law enforcement agencies. Available data reveals that women have only been employed to serve in sworn positions in local departments and the D.P.S. Traditionally, women have been employed in the larger units specializing in crime prevention work involving offenses by or against women and juveniles. The majority of sworn females, designated as "policewomen" or "matron," function in this capacity. As yet, only a handful of women have been employed to serve in the same capacity as men. These women are referred to as "patrolpersons." While separate patrolwomen divisions do not exist, they are segregated in the criminal investigation division.



Although selection requirements have not been altered for patrolpersons, requirements for patrolwomen and matrons have been altered. Generally, patrolwomen and matrons have less restrictive physical requirements and more restrictive educational and training requirements. At least one agency requires college level courses in social welfare, sociology, and psychology.

Salaries paid to patrolpersons, patrolwomen, and matrons are on par with those paid to their male counterparts.

#### Analysis

ICJS practice is different than NAC Standard

### NAC POLICE STANDARD 14.1 POLICE SALARIES

### RELATED IOWA STANDARD 9.1 PEACE OFFICER SALARIES

Every State and local government should establish and maintain salaries that attract and retain qualified sworn personnel capable of performing the increasingly complex and demanding functions of police work. Every State should set minimum entry-level salaries for all State and local police officers and reimburse the employing agency for a portion of the guaranteed salary. Through appropriate legislation, a salary review procedure should be established to insure the automatic annual adjustment of police salaries to reflect the prevailing wages in the local economy.

1. Every local government should immediately establish an entry-level sworn police personnel salary that enables the agency to compete successfully with other employers seeking individuals of the same age, intelligence, abilities, integrity, and education. The entry-level salary should be at least equal to any minimum entry-level salary set by the State. In setting an entry-level salary which exceeds the State minimum, the following should be considered:

- a. The employment standards of the agency;
- b. The specific police functions performed by the agency;
- c. The economy of the area served by the agency; and
- d. The availability of qualified applicants in the local labor market.

#### ICJS

The state has not established a minimum entry-level salary for sworn officers.

Entry-level salaries throughout the state vary greatly. Dependent upon the jurisdiction's ability to pay for law enforcement, a new officer may receive anywhere between \$7,000 to \$10,300 (approx.) per year. Officers in the larger metropolitan departments generally receive the higher starting salaries. The specific salaries will be arrived at through collective negotiation.

#### Analysis

ICJS practice is different than NAC Standard

2. Every local government should immediately establish a wide salary range within its basic occupational classification, with the maximum salary sufficient to retain qualified personnel by providing them with the opportunity for significant salary advancement without promotion to supervisory or management positions.

3. Every local government should immediately establish a salary review procedure to insure the automatic annual adjustment of police salaries to reflect the prevailing wages in the local economy and to meet the competition from other employers. The criteria applied in this annual salary review procedure should not be limited to cost of living increases, average earnings in other occupations, or other economic considerations which, applied in isolation, can inhibit effective salary administration.

4. Every local government should immediately establish a sufficient salary separation between job classifications to provide promotional incentives and to retain competent supervisors and managers.

#### ICJS

Based upon all available data, it is apparent that no agency offers a wide salary range within the basic occupational classification (patrolman). Even in the more progressive urban departments, a patrolman, after 20 years, may only be making \$2,000 more than recently hired patrolman. After an officer puts in a specified number of years as patrolman and earns "step" increases, he reaches his maximum. When the maximum, which is approximately \$1,500 more than entry-level salary, is reached further employment only yields longevity increases (approx. 1%-2% annually)

Automatic salary adjustment, based upon local condition, may be an issue in collective negotiation. The salary classification plan in most agencies do not provide for adequate salary separations between job classifications.

#### Analysis

ICJS practice is inconsistent with NAC Standard

Although many well qualified, competent, and innovative command-rank officers remain with police departments, they are often compelled to seek other employment due to inadequate salaries. In one relatively high-paying urban department, a captain at his maximum makes only \$1,850 more than a lieutenant. A lieutenant at maximum makes only \$1,300 more than a sergeant. Taking into consideration the increased responsibility and workload, these increases are not sufficient incentives for promotion. It is probable that many competent supervisory officers avoid promotion due to increased responsibility without a commensurate increase in pay.

5. Every local government should immediately provide its police agency's chief executive with a salary that is equivalent to that received by the chief executives of other governmental agencies and by members of the judiciary.

#### ICJS

The salary earned by a police chief is proportionate to the size of the agency as well as the influence and power of the position. Sheriff's salaries will be determined by the county compensataion board.

In those urban areas where the chief is responsible for enforcement, salaries are often approaching those of top government and judicial officials. This is evident in agencies with 125 plus sworn personnel.

#### Analysis

ICJS practice is different than NAC Standard

6. Every local government should immediately establish within its salary structure a merit system that rewards demonstrated excellence in the performance of assigned duties.

#### ICJS

There are no agencies that reward demonstrated excellence with an increase in salary.

#### Analysis

ICJS practice is inconsistent with NAC Standard

Many of Iowa's urban police forces have a "merit-step" pay schedule. The function of this

is to raise the salary of those officers who are performing satisfactorily. It is not based upon "demonstrated excellence." Any officer putting in his time expects his step increases whether or not he has earned it. Denial of the step increase rarely happens and then only in those cases where unsatisfactory performance is evident.

7. Every local government should immediately establish or maintain a police salary structure separate and distinct from that of any other government agency.

ICJS

Approximately one-half of all local governments have established a separate salary schedule for their police agency.

Analysis

ICJS practice is different than NAC Standard

8. Every State should immediately establish a minimum entry-level salary for all State and local sworn police personnel. The minimum salary should be based on the qualifications required for employment in the police service, on State and local economic conditions, and on the recommendations of representatives of local criminal justice elements. It should be reviewed and adjusted annually to reflect prevailing wages within the State.

ICJS

As noted, State mandated minimum salaries for peace officers have not been established.

Analysis

ICJS practice is inconsistent with NAC Standard

9. Every State should, by 1978, reimburse every local police agency which meets the minimum State selection, training, and salary requirements for at least 25 percent of the total funds expended by the agency in payment of all salaries.

ICJS

The State does not reimburse any police agency for officer's salaries.

Analysis

ICJS practice is inconsistent with NAC Standard

NAC POLICE STANDARD 14.2  
POSITION CLASSIFICATION PLAN

RELATED IOWA STANDARD  
9.2 POSITION CLASSIFICATION PLAN

Every State and local government should establish immediately a broad police classification plan based upon the principle of merit. The plan should include few position classifications by multiple pay-grade levels within each classification to enable the agency's chief executive to exercise flexibility in the assignment of personnel. The plan should also provide, within the basic position classification, sufficient career incentives and opportunities to retain qualified generalists and specialists in nonmanagement positions.

1. Every police agency with more than three levels of classification below the chief executive should consider the adoption of three broad occupational classifications for sworn personnel, to permit mobility within each classification and salary advancement without promotion. The three fundamental classifications should include:

- a. A patrolman-investigator classification for the generalist and specialist at the basic rank level;
- b. A supervisor-manager classification for supervisory and midmanagement personnel; and
- c. A command-staff classification for police executives and administrators.

2. Every agency's classification plan should include, within each position classification, several pay grade levels, each of which requires a certain degree of experience, skill, and ability, or which entails the performance of a specialized function. The plan should provide compensation commensurate with the duties and responsibilities of the job performed, and should permit flexibility in the assignment of personnel.

#### ICJS

No agency in Iowa has, as yet, implemented such a classification plan.

#### Analysis

ICJS practice is inconsistent with NAC Standard

3. Every police agency should provide career paths that allow sworn personnel to progress not only as managers but as generalists and specialists as well. Nonmanagerial career paths should provide the incentive necessary to encourage personnel with proven professional and technical expertise to remain within the functions they choose, while continuing to provide efficient and effective delivery of police service.

- a. Nonmanagerial career paths should incorporate progressive career steps for the generalist and specialist; these steps should be predicated on the completion of appropriate levels of education and training, and the achievement of experience and expertise within a professional-technical area. Progression to the end of a nonmanagerial career path should bring a salary greater than that for the first level of supervision.
- b. Managerial career paths should also incorporate progressive career steps, predicated on the completion of appropriate levels of education and training and the achievement of management skills necessary to function satisfactorily at the next level of management.

#### ICJS

Career paths in Iowa's law enforcement agencies are limited to managerial positions via civil service exams. If an officer desires a higher classification and salary, he must enter a managerial position. In virtually all instances, personnel functioning as generalists or specialists will receive a salary lower than their supervisor.

Managerial career paths do not incorporate career steps predicated on the completion of appropriate levels of education and training.

#### Analysis

ICJS practice is inconsistent with NAC Standard

4. Every police agency should insure that the merit principle dominates promotions and assignments. Any existing civil service procedure should apply only to retention in, or promotion to, broad position classifications. Movement between pay-grade levels within such position classifications should remain free from restrictive civil service procedures, but subject to internal controls, to insure placement and corresponding pay on the basis of merit.

- a. Every classification plan that encourages the practices of a "spoils system," or in which the advancement of personnel is not governed by the merit principle, should be corrected or abolished.

- b. Every agency should insure that no civil service system imposes any restriction on the agency's classification plan that would unnecessarily inhibit flexibility in the assignment of personnel or encourage mediocrity in job performance.

#### ICJS

As stated above, police administrators do not have the flexibility to increase an officer's salary. Higher salaries can only be obtained via civil service or merit. Reclassification within civil service classification is strictly limited if not impossible.

#### Analysis

ICJS practice is inconsistent with NAC Standard

#### NAC POLICE STANDARD 15.1 EDUCATIONAL STANDARDS FOR THE SELECTION OF POLICE PERSONNEL

#### RELATED IOWA STANDARD 7.3 MINIMUM EDUCATION REQUIREMENTS

To insure the selection of personnel with the qualifications to perform police duties properly, every police agency should establish the following entry-level educational requirements:

1. Every police agency should require immediately, as a condition of initial employment, the completion of at least 1 year of education (30 semester units) at an accredited college or university. Otherwise qualified police applicants who do not satisfy this condition, but who have earned a high school diploma or its equivalent, should be employed under a contract requiring completion of the educational requirement within 3 years of initial employment.
2. Every police agency should, no later than 1975, require as a condition of initial employment the completion of at least 2 years of education (60 semester units) at an accredited college or university.
3. Every police agency should, no later than 1978, require as a condition of initial employment the completion of at least 3 years of education (90 semester units) at an accredited college or university.
4. Every police agency should, no later than 1982, require as a condition of initial employment the completion of at least 4 years of education (120 semester units or a baccalaureate degree) at an accredited college or university.

#### ICJS

No local law enforcement agency has established post-secondary level educational requirements.

#### Analysis

ICJS practice is inconsistent with NAC Standard

It is evident that there is movement in the larger agencies toward hiring applicants with education beyond the high school level. In just the last 6 years the number of post-high school education recruits has risen dramatically. According to ILEA sources, in 1968 41% of their trainees had not finished high school; in 1974, 40% have had some college education. These figures most likely reflect the change in all of the regional academies.

While no deadlines have been established, either by the ILEA council or local police administrators, it is only a matter of time before some college will be required by all urban departments. Already in at least one agency, Des Moines, some college is needed to take promotional examinations. And though not written civil service policy, college education is a major factor in the promotion decision making process in the larger agencies.

Notwithstanding the recent upsurge in college educated applicants, it is doubtful that Iowa can meet all of the N.A.C. guidelines. It is improbable that by 1978 the job of deputy

sheriff would be able to attract qualified applicants with 3 years of college.

As conditions currently are, many agencies, cannot attract qualified high school applicants. Consequently, prior to raising minimum education requirements, the job itself must be made more attractive.

It must be noted that the vast majority of Iowa's law enforcement agencies are not within easy reach of a community college or vocational school. This is particularly true with I.H.P. officers and the personnel in rural agencies.

**NAC POLICE STANDARD 15.2  
EDUCATIONAL INCENTIVES FOR POLICE OFFICERS**

**RELATED IOWA STANDARD  
13.5 CONTINUING EDUCATION**

Every police agency should immediately adopt a formal program of educational incentives to encourage police officers to achieve a college-level education. Colleges and universities, particularly those providing educational programs expressly for police personnel, should schedule classes at a time when police officers can attend.

1. When it does not interfere with the efficient administration of police personnel, duty and shift assignments should be made to accommodate attendance at local colleges; any shift or duty rotation system should also be designed to facilitate college attendance.

**ICJS**

Data indicates that in the larger departments consideration is given to those officers attending local colleges. Due to limited personnel resources in the smaller agencies, the duty rotation system may not facilitate college attendance.

**Analysis**

ICJS practice is different than NAC Standard

Such consideration can only be given when the agency has sufficient personnel to re-arrange shift assignments.

2. Financial assistance to defray the expense of books, materials, tuition, and other reasonable expenses should be provided to a police officer when:

- a. He is enrolled in courses or pursuing a degree that will increase, directly or indirectly, his value to the police service; and
- b. His job performance is satisfactory.

**ICJS**

Officers taking police-related college courses are usually not reimbursed by their agency. However, most students do receive substantial assistance from LEEP (Law Enforcement Education Programs). Other officers are able to receive additional assistance through veterans programs.

**Analysis**

ICJS practice is different than NAC Standard

While most agencies are in favor of having their officers attend college, they are either unwilling or unable to provide financial support. Without support college education is a financial burden for officers because L.E.E.P. does not pay all costs.

3. Incentive pay should be provided for the attainment of specified levels of academic achievement. This pay should be in addition to any other salary incentive. It should amount to at least 2.5 percent of the employee's current salary for each 30 semester units of college work completed in pursuance of a degree that will lead, directly or indirectly, to service betterment warranting the expense of the salary incentive.

#### ICJS

Officers completing college courses and attaining degrees usually do not receive salary increases. Data indicates that only a few departments offer financial incentives to officers furthering their education.

#### Analysis

ICJS practice is different than NAC Standard

Even in those agencies offering pay incentives, the salary increase may not offset the cost of the education.

Furthermore, since college is not required for promotion many officers feel that further education is a needless expense and a waste of time. In addition, many officers and administrators believe that college will not make them better officers.

4. Colleges and universities, particularly those providing educational programs expressly for police personnel, should schedule classes at hours and locations that will facilitate the attendance of police officers.

- a. Classes should be scheduled for presentation during the daytime and evening hours within the same academic period, semester, or quarter.
- b. When appropriate, colleges and universities should present classes at locations other than the main campus so police officers can attend more conveniently.

#### ICJS

Except for those agencies located in rural areas, most officers are conveniently located in a school offering police-related courses. Each area usually has a community college that offers police courses that lead to an A.A. degree in a law enforcement related field. Since students of the police courses are, in most instances, officers in the local agency, classes are scheduled to facilitate attendance.

#### Analysis

ICJS practice is different than NAC Standard

NAC POLICE STANDARD 15.3  
COLLEGE CREDIT FOR THE COMPLETION  
OF POLICE TRAINING PROGRAM

RELATED IOWA STANDARD  
12.9 ACADEMIC CREDIT FOR TRAINING

Every police agency should pursue the affiliation of police training programs with academic institutions to upgrade its level of training and to provide incentive for further education.

1. All police training courses for college credit should be academically equivalent to courses that are part of the regular college curriculum.
2. Every member of the faculty who teaches any course for credit in the police training curriculum should be specifically qualified to teach that course.

- a. The instructor in a police training course, for which an affiliated college is granting credit, should be academically qualified to teach that course.
- b. Police personnel not academically qualified to teach a course in the regular college curriculum may, if otherwise qualified, serve as teaching assistants under the supervision of an academically qualified instructor.

#### ICJS

Most Post-secondary schools award academic credit for law enforcement training, While some institutions have strict guidelines on honoring training, other schools grant academic credit outright.

#### Analysis

ICJS practice is inconsistent with NAC Standard

#### NAC POLICE STANDARD 16.1 STATE LEGISLATION AND FISCAL ASSISTANCE FOR POLICE TRAINING

#### RELATED IOWA STANDARD 12.1 STATE MANDATED TRAINING

Every state, by 1975, should enact legislation establishing mandatory minimum basic training for police, a representative body to develop and administer training standards and programs for police, and financial support for mandated training for police on a continuing basis to provide the public with a common quality of protection and service from police employees throughout the State. By 1978, every State should certify all sworn police employees.

1. Every State should enact legislation that mandates minimum basic training for every sworn police employee prior to the exercise of authority of his position.

#### ICJS

There is currently no legislation that requires minimum basic training for peace officers before functioning in that role. However, the I.L.E.A Council has the statutory authority (chapter 80B) to require such training prior to serving in a sworn position.

#### Analysis

ICJS practice is similar to NAC Standard

It is anticipated that when all current officers have received basic training, the I.L.E.A. Council will require that all officers would have to undergo basic training prior to serving.

2. Every State should enact legislation establishing a State commission to develop and administer State standards for the training of police personnel. The majority of this commission should be composed of representatives of local law enforcement agencies. Other members should be from the criminal justice system, local government, and criminal justice education and training centers. The State should provide sufficient funds to enable this commission to meet periodically and to employ a full-time staff large enough to carry out the basic duties of the commission. In addition to any other duties deemed necessary, this commission should:

- a. Develop minimum curriculum requirements for mandated training for police;
- b. Certify police training centers and institutions that provide training that meets the requirements of the State's police training standards;
- c. Establish minimum police instructor qualifications and certify individuals to act as police instructors;
- d. Inspect and evaluate all police training programs to insure compliance with the State's police training standards;



- e. Provide a consulting service for police training and education centers; and
- f. Administer the financial support for police training and education.

#### ICJS

In 1967, the Legislature enacted the "Iowa Law Enforcement Academy and Council Act." The intent of the Act was to "maximize training opportunities for law enforcement officers, to co-ordinate training and set standards for the law enforcement service, all of which are imperative to upgrading law enforcement to professional status." (Section 80B.2)

#### Analysis

ICJS practice is different than NAC Standard

The only difference between the NAC and the ICJS is found in the membership of the academy council. Whereas the NAC requires that the council be composed primarily of local law enforcement agency officials, the council consists of political appointees.

Although such an arrangement could prevent local input into council decision making, there has been a well established rapport between these two groups. Consequently, while local officials may not have formal decision making powers, their concerns and desires have greatly influenced the council members.

3. Every State should reimburse every police agency 100 percent of the salary or provide appropriate State financed incentives for every police employee's satisfactory completion of any State mandated and approved police training program.

#### ICJS

Currently, local agencies are not reimbursed for an officer's salary when that officer attends or completes the required basic training session.

#### Analysis

ICJS practice is inconsistent with NAC Standard

4. Every State, through the police training body, should, by 1978, certify as qualified to exercise police authority every sworn police employee who satisfactorily completes the State basic police training and meets other entrance requirements.

#### ICJS

In accordance with the Act, (Section 11.2) the council is authorized to certify all peace officers in Iowa who have met the minimum requirements. Insofar as that only 1,700 have been trained and certified with 3,000 (figures are approximations based on 1974 data) officers remaining who have not yet had the required training, it will be late 1978 (approx.) before all current officers will be certified. At that time it is anticipated that the council will use their legislated authority and prohibit non-state certified officers from exercising police authority.

#### Analysis

ICJS practice is similar to NAC Standard

NAC POLICE STANDARD 16.2  
PROGRAM DEVELOPMENT

Every police training academy and criminal justice training center should immediately develop effective training programs, the length, content, and presentation of which will vary according to specific subject matter, participating police employees, and agency and community needs.

1. Every police training academy should insure that the duration and content of its training programs cover the subjects every police employee needs to learn to perform acceptably the tasks he will be assigned.
2. Every police training academy should define specific courses according to the performance objective of the course and should specify what the trainee must do to demonstrate achievement of the performance objective.

ICJS

In accordance with the ILEA Act, the academy council has established the minimum basic recruit curriculum for all approved training schools. This curriculum defines specific courses and their duration. In order for a trainee to receive a diploma from any approved academy, he must successfully pass a series of tests. These exams have been designed to measure the trainee's achievement in specific areas. In order to produce officers that can function in all aspects of the police role, a trainee must show mastery in every area.

Analysis

ICJS practice is similar to NAC Standard

3. Every police training academy serving more than one police agency should enable the police chief executives of participating agencies to choose for their personnel elective subjects in addition to the minimum mandated training.

ICJS

Due to the backlog of peace officers who are in need of basic training, the Camp Dodge academy cannot offer special courses during basic training. Trainees attending the regional academies are not offered any elective courses.

Analysis

ICJS practice is different than NAC Standard

4. Every police training academy should insure that its training programs satisfy State standards for police training as well as meet the needs of participating police agencies and that its training is timely and effective. These measures should at least include:
  - a. Regular review and evaluation of all training programs by an advisory body composed of police practitioners from participating agencies;
  - b. Periodic field observation of the operations of participating police agencies by the training staff; and
  - c. Continual critique of training programs through feedback from police employees who have completed the training programs and have subsequently utilized that training in field operations and from their field supervisors.

## ICJS

Being that there are limited number of certified regional academies, and that these academies are under continual inspection by the council, it is improbable that their curriculum does not satisfy the state standards. In some instances, the regional training program greatly exceeds the minimum requirements.

Due to the location and organization of the academies, the training which the officer receives is relevant to the duties he will have to perform. In those larger agencies with their own academies, the training is aimed toward the urban police function.

There is no formal advisory board composed of local law enforcement officials to review and evaluate the training. Furthermore, there is little indication that regional academy personnel periodically observe those officers who were trained at their academy.

In order to best develop training programs, data reveals that academies welcome criticism from those officers who have already completed the program. Even though there is no formal procedure to gather responses, officers are aware that their comments would be appreciated and considered.

## Analysis

ICJS practice is different than NAC Standard

### NAC POLICE STANDARD 16.3 PREPARATORY TRAINING

### RELATED IOWA STANDARD 12.2 PREPARATORY TRAINING

Every police agency should take immediate steps to provide training for every police employee prior to his first assignment within the agency, prior to his assignment to any specialized function requiring additional training, and prior to his promotion. In States where preparatory training is currently mandated by State law, every police agency should provide all such training by 1975; in all other States, every agency should provide all such training by 1978.

1. Every State should require that every sworn police employee satisfactorily complete a minimum of 400 hours of basic police training. In addition to traditional basic police subjects, this training should include:
  - a. Instruction in law, psychology, and sociology specifically related to interpersonal communication, the police role, and the community the police employee will serve;
  - b. Assigned activities away from the training academy to enable the employee to gain specific insight in the community, criminal justice system, and local government;
  - c. Remedial training for individuals who are deficient in their training performance but who, in the opinion of the training staff and employing agency, demonstrate potential for satisfactory performance; and
  - d. Additional training by the employing agency in its policies and procedures, if basic police training is not administered by that agency.

## ICJS

As a result of the current backlog of non-certified peace officers (those officers who have not had the required basic training), the academy council has had to sacrifice the duration of the training session in order to increase output. Rather than the suggested N.A.C. minimum of 400 hours, the council has set 240 hours as the minimum number of basic training hours. Yet, many academies run by local police agencies often exceed this requirement, i.e., the Des Moines sessions take 680 hours to complete.

In addition to establishing minimum training hours, the minimum curriculum and duration of each course of study has also been established by the council. Besides traditional police subjects there are relevant courses in law, psychology, and sociology. The teaching of interpersonal communication is stressed throughout the entire session.

Field trips for the trainees to other criminal justice agents often cannot be made. Those academies located near to civic centers with lengthy training sessions would be more likely to engage in such activities than those academies with the minimum 240-hour session.

Trainees who are deficient in their academy studies will receive remedial help. This help is informal and accomplished through extra sessions held in the evenings and during week-ends. In the past, there has been a low trainee drop-out or failure rate.

After graduation from an academy, an officer may not receive additional training from the hiring agency. The academy training is usually considered adequate and no further training is provided.

Additional training for officers attending other than their own agency's academy is virtually non-existent.

#### Analysis

ICJS practice is different than NAC Standard

It is anticipated that when all current officers have received minimal I.L.E.A. training, the duration of the training sessions will be lengthened. This is expected to occur by 1978.

2. During the first year of employment with a police agency, and in addition to minimum basic police training, every police agency should provide full-time sworn police employees with additional formal training, coached field training, and supervised field experience through methods that include at least:
  - a. A minimum of 4 months of field training with a sworn police employee who has been certified as a training coach;
  - b. Rotation in field assignments to expose the employee to varying operational and community experiences;
  - c. Documentation of employee performance in specific field experiences to assist in evaluating the employee and to provide feedback on training program effectiveness;
  - d. Self-paced training material, such as correspondence courses, to assist the employee in acquiring additional job knowledge and in preparing for subsequent formal training;
  - e. Periodic meetings between the coach, the employee, and the training academy staff to identify additional training needs and to provide feedback on training program effectiveness; and
  - f. A minimum of 2 weeks additional training at the training academy 6 months after completion of basic training and again after 1 year's employment in field duties.

#### ICJS

Except for those few departments that maintain their own training academy, additional training for officers after basic training is rare. Rookie officers generally do not undergo any formal supervision and, if they do, the supervisor has not been certified.

Rotation to new assignments is limited to the larger departments and then only after at least 18 months.

Personnel do not undergo additional basic training at the academy at any time.

Any additional training material is limited in scope and is not supplied by the department.

#### Analysis

ICJS is inconsistent with NAC Standard

3. Every police agency should provide every unsworn police employee with sufficient training to enable him to perform satisfactorily his specific assignment and to provide him with a general knowledge of the police role and the organization of the police agency.

#### ICJS

Training given to unsworn police employees usually only consists of on-the-job training.

#### Analysis

ICJS practice is different than NAC Standard

4. Every police agency should provide every police employee newly assigned to a specialized task the specific training he needs to enable him to perform the task acceptably.

ICJS

Personnel assigned to specialized assignments are usually only provided with informal on-the-job training. Depending upon the nature of the specialized skills, the officer may be required to attend special training sessions.

Analysis

ICJS practice is different than NAC Standard

5. Every police agency should provide sufficient training to enable every newly promoted employee to perform the intended assignment satisfactorily.

ICJS

Recognizing that newly promoted employees usually only receive informal on-the-job training, the value and extent of the training cannot be determined. As noted above, some officers do attend special training sessions.

Analysis

ICJS practice is different than NAC Standard

NAC POLICE STANDARD 16.4  
INTERPERSONAL COMMUNICATIONS  
TRAINING

RELATED IOWA STANDARD  
12.6 INTERPERSONAL COMMUNICATIONS TRAINING

Every police agency should immediately develop and improve the interpersonal communications skills of all officers. These skills are essential to the productive exchange of information and opinion between the police, other elements of the criminal justice system, and the public; their use helps officers to perform their task more effectively.

1. Where appropriate, an outside consultant should be used to advise on program methodology, to develop material, to train sworn officers as instructors and discussion leaders, and to participate to the greatest extent possible in both the presentation of the program and its evaluation.
2. Every recruit training program should include instruction in interpersonal communications, and should make appropriate use of programmed instruction as a supplement to other training.
3. Every police agency should develop programs such as workshops and seminars that bring officers, personnel from other elements of the criminal justice system, and the public together to discuss the role of the police and participants' attitudes toward that role.

ICJS

For all intents and purposes, interpersonal communications training for law enforcement personnel in Iowa is inadequate. Only during an officer's basic training at an academy will he receive such training. These sessions are of short duration and are restricted to classroom sessions, i.e., no seminars or workshops. Upon returning to his agency, the officer is often never exposed to any additional training. Those larger agencies which do have semi-formalized in-service training stress police operations and procedures rather than interpersonal communications.

## Analysis

ICJS practice is inconsistent with NAC Standard

### NAC POLICE STANDARD 16.5 INSERVICE TRAINING

### RELATED IOWA STANDARD 12.3 INSERVICE TRAINING

Every police agency should, by 1975, provide for annual and routine training to maintain effective performance throughout every sworn employee's career.

1. Every police agency should provide 40 hours of formal inservice training annually to sworn police employees up to and including captain or its equivalent. This training should be designed to maintain, update, and improve necessary knowledge and skills. Where practicable and beneficial, employees should receive training with persons employed in other parts of the criminal justice system, local government, and private business when there is a common interest and need.

#### ICJS

In-service training for the vast majority of law enforcement personnel in Iowa is, for all intents and purposes, non-existent. Agencies with fewer than 25 men rarely, if ever, receive such training. Larger departments may only provide inservice training on occasion for specific operational functions.

What training exists consists of lectures by practitioners in specialized law enforcement fields. Many agencies benefit from presentations by the F.B.I., B.C.I., Crime Lab personnel, and other law enforcement agents. These sessions make up the bulk of in-service training.

#### Analysis

ICJS practice is inconsistent with NAC Standard

There are strong indications that all agencies desire some form of in-service training. Agencies do provide such training when they are able to attract, at no expense to themselves, a guest lecturer or special presentation.

The major obstacles preventing in-service training are the inavailability of qualified instructors and facilities, cost, and the agency's inability to maintain police services when the officers are in the training session.

2. Every police agency should recognize that formal training cannot satisfy all training needs and should provide for decentralized training. To meet these day-to-day training needs, every police agency should provide each police station with:

- a. As soon as practicable, but in no event later than 1978, a minimum of one police employee who is a State certified training instructor;
- b. Audio-visual equipment compatible with training material available to the police agency;
- c. Home study materials available to all police employees; and
- d. Periodic 1-day on-duty training programs directed at the specific needs of the police employees.

#### ICJS

In nearly all instances, only those agencies with their own regional academy have state certified instructors. However, nearly all of the larger departments have personnel who could qualify for I.L.E.A. certification.

Several agencies make "training keys" available to their personnel. Each "training key" is a digest of proper police practices, operations, and tactics. They are designed to refresh the officer so as to prevent the officer from forgetting proper procedure. Materials similar to the training keys are supplied to all law enforcement personnel when they graduate from ILEA accredited academies.

#### Analysis

ICJS practice is different than NAC Standard

3. Every police agency should insure that the information presented during annual and routine training is included, in part, in promotion examinations and that satisfactory completion of training programs is recorded in the police employee's personnel folder in order to encourage active participation in these training programs.

#### ICJS

While attendance records are usually kept at the in-service training sessions, there is no indication that attendance is a required condition for promotion.

Data reveals that promotional exams usually will not include in-service training material.

#### Analysis

ICJS practice is inconsistent with NAC Standard

Information presented at the training sessions is not incorporated into promotional exams since these exams are developed, usually in isolation, by the testing agency.

#### NAC POLICE STANDARD 16.6 INSTRUCTION QUALITY CONTROL

#### RELATED IOWA STANDARD 12.5 INSTRUCTION QUALITY CONTROL

Every police training academy and criminal justice training center should develop immediately quality control measures to insure that training performance objectives are met. Every training program should insure that the instructors, presentation methods, and training material are the best available.

1. Every police training academy should present all training programs with the greatest emphasis on student-oriented instruction methods to increase trainee receptivity and participation. Training sessions of 1-hour's duration or longer should include at least one of the following:

- a. Active student involvement in training through instructional techniques such as role playing, situation simulation, group discussion, reading and research projects, and utilization of individual trainee response systems; passive student training such as the lecture presentation should be minimized;
- b. Where appropriate, team teaching by a police training instructor and a sworn police employee assigned to field duty;
- c. The use of audiovisual aids to add realism and impact to training presentations;
- d. Preconditioning materials, such as correspondence courses and assigned readings, made available prior to formal training sessions;
- e. By 1978, self-paced, individualized instruction methods for appropriate subject matter; and
- f. Where appropriate, computer assistance in the delivery of instruction material.

#### ICJS

As a result of having several professional educators on the academy council, several innovative teaching techniques have been incorporated into the training sessions. These techniques include situation simulation, group discussion, and role playing. Audio-visual techniques have also been in use for a period of time and the facility at Camp Dodge has a free film library loan service.

During every training session at Camp Dodge the trainees engage in a full scale situation simulation. The instructors create a mock crime and the trainee must collect evidence, complete all required forms, and appear as witnesses in court.

Those officers who are selected to attend a basic training session receive, prior to the session, the academy's curriculum. This curriculum acquaints the officer with the courses of study but not the subject matter itself.

Throughout the session, all trainees are required to progress at the same rate. There are no provisions for individualized instruction where each officer can achieve at his/her own optimal rate.

Whereas the training sessions conducted at Camp Dodge are of high quality, data reveals that officers attending the regional academies may not receive the best possible training. Although several of the regional academies offer sessions of longer duration, it is not unusual to find inferior facilities and less capable instructors at the regional sessions.

#### Analysis

ICJS practice is different that NAC Standard

2. Every police training academy should, by 1975, restrict formal classroom training to a maximum of 25 trainees.

#### ICJS

The number of officers in each training session varies between academies. At the Camp Dodge facility there are 36 trainees in an average size class. On the other hand, the Ottumwa academy may train only six officers at one time.

#### Analysis

ICJS practice is different that NAC Standard

3. Every police training academy and every police agency should, by 1978, insure that all its instructors are certified by the State by requiring:
  - a. Certification for specific training subjects based on work experience and educational and professional credentials;
  - b. Satisfactory completion of a State-certified minimum 80-hour instructor training program; and
  - c. Periodic renewal of certification based in part on the evaluation of the police training academy and the police agency.

#### ICJS

In accordance with the I.L.E.A. Act (IOWA CODE sec. 80B) the academy council is required to establish minimum qualifications for instructors (80B.11).

All instructors, in order to be certified, must have relevant work experience and/or educational and professional credentials. Restricted certification is available for those officers with experience in only one specific area, i.e., telecommunications.

There is currently no instructor training program which instructions must take to become certified.

In addition to reviewing all instructors every four years, the certification may be revoked, in writing, whenever in the opinion of the academy council or in the opinion of the regional facility director, the certification should be revoked.

#### Analysis

ICJS practice is different than NAC Standard

It is anticipated that the academy council will develop and offer an instructor training program when the current backlog is reduced.



4. Every police training academy should distribute instructional assignments efficiently and continually update all training materials. These measures should include:
- a. Periodic monitoring of the presentations of every police training instructor to assist him in evaluating the effectiveness of his methods and the value of his materials;
  - b. Rotation of police training instructors through operational assignments or periodic assignment to field observation tours of duty;
  - c. Use of outside instructors whenever their expertise and presentation methods would be beneficial to the training objective;
  - d. Continual assessment of the workload of every police training instructor; and
  - e. Administrative flexibility to insure efficient use of the training academy staff during periods of fluctuation in trainee enrollment.

#### ICJS

While there is no formal periodic monitoring of every instructor, the Camp Dodge academy is small enough to ensure beneficial communication between the instructors. In many of the regional academies, however, liaison between instructors may be limited.

There is no indication that certified instructors are rotated to field assignments.

#### Analysis

ICJS practice is different than NAC Standard

5. Every police agency and police training academy should review all training materials at least annually to determine their current value and to alter or replace them where necessary.

#### ICJS

The course material used at Camp Dodge is under continual revision. The instructor himself is chiefly responsible for the updating of his course material. Regional academies are responsible for updating their training materials. Periodically, I.L.E.A. staff will check the regional academy's training material to ensure its appropriateness.

#### Analysis

ICJS practice is similar to NAC Standard

NAC POLICE STANDARD 16.7  
POLICE TRAINING ACADEMIES AND  
CRIMINAL JUSTICE TRAINING CENTERS

RELATED IOWA STANDARD  
12.4 TRAINING FACILITIES

Every State should, by 1978, guarantee the availability of State approved police training to every sworn police employee. Every State should encourage local, cooperative, or regional police training requirements; when these programs cannot satisfy the requirements, criminal justice training centers including police training academies should be established by the State.

1. State certification of a basic police training program should, as a minimum, require the training facility to operate for 9 months a year.

#### ICJS

The academy council does not require an approved academy to remain open at least 9 months each year.

Data reveals that many regional academies only conduct sessions when the local department has a sufficient number of new recruits. It is not unusual for a regional academy to conduct one training session a year.

Analysis

ICJS practice is different than NAC Standard

2. Where appropriate, police agencies should establish cooperative training academies or otherwise combine their resources to satisfy police training standards or other training needs.
3. Every State should establish strategically located criminal justice training centers, including police training academies, to provide training that satisfies State-mandated training standards for all police agencies that are unable to provide it themselves or in cooperation with other agencies.

ICJS

In 1974, the legislature appropriated \$100,000 for training officers at regional academies. These regional academies, in addition to training their own officers, now train officers from other local agencies. Not counting the Camp Dodge facility which was designed to serve only those agencies without their own training facilities, there are approved programs in approximately 8 academies through the State. These include community colleges and vocational schools which have been certified to conduct basic training sessions.

Analysis

ICJS practice is similar to NAC Standard

4. Every State should develop means for bringing mandated or other necessary training to employees of police agencies when it is impracticable or inefficient to bring these employees to the nearest training center or academy.

ICJS

On occasion, specialized training programs are conducted at local agencies. Usually, personnel from adjoining departments attend these sessions.

Analysis

ICJS practice is similar to NAC Standard

5. Every State should encourage police agencies to participate in specialized training offered through academic institutions, government agencies, and professional and business organizations.

ICJS

The academy council has supported agency participation in specialized training offered by other agencies. Personnel are continually attending lectures, conferences, and training sessions offered by other states, federal agencies, and private organizations. In the past, these sessions have dealt with all aspects of the police role including administration, organization, and specialized operations.

Analysis

ICJS practice is similar to NAC Standard

Every police agency should adopt a policy of promoting to higher ranks and advancing to higher paygrades only those personnel who successfully demonstrate their ability to assume the responsibilities and perform the duties of the position to which they will be promoted or advanced. Personnel who have the potential to assume increased responsibility should be identified and placed in a program that will lead to full development of that potential.

1. Every police agency should screen all personnel in order to identify their individual potential and to guide them toward achieving their full potential. Every employee should be developed to his full potential as an effective patrol officer, a competent detective, a supervisor or manager, or as a specialist capable of handling any of the other tasks within a police agency. This screening should consist of one or more of the following:

- a. Management assessment of past job performance and demonstrated initiative in the pursuit of self-development;
- b. Oral interviews; and
- c. Job-related mental ability tests.

2. Every police agency should offer comprehensive and individualized programs of education, training, and experience designed to develop the potential of every employee who wishes to participate. These individualized development programs should be based on the potential identified through the screening process and the specific development needs of the employee. These individualized programs should consist of one or more of the following:

- a. College seminars and courses;
- b. Directed reading;
- c. In-house and out-of-house training classes;
- d. Job rotation;
- e. Internship; and
- f. The occasional opportunity to perform the duties of the position for which an individual is being developed.

3. Personnel who choose to pursue a course of self development rather than participate in the agency-sponsored development program should be allowed to compete for promotion and advancement.

#### ICJS

Except for the chief executive position, the selection of Iowa's law enforcement personnel is under the control of civil service, or Merit, commissions. Their authority applies to inter-agency promotions as well as to entry level selections.

As in the case of entry-level selection, the civil service commission conducts the testing and evaluation of promotional candidates and prepares an eligibility list from which the chief executive, or government officials, can select.

While selection procedures may vary between agencies, the standard format is as follows; 1) the civil service promotion exam is scheduled annually and is open to any interested officer meeting minimum requirements, 2) oral interview by civil service board, 3) a civil service board evaluates applicant's past performance and credentials, i.e., college training, 4) an eligibility list of approximately 3-10 approved candidates is prepared and presented to the agency, and 5) the agency chief executive, sometimes in conjunction with the city manager, other government officials, command level officers, or administrative boards, selects candidates from the civil service list when positions become available. Eligibility lists are active for one year or until the next promotional exam is administered. When lists are dissolved, approved candidates must go through the entire selection again in order to be placed on the new list.

In virtually all instances, the agency does not provide active support for those personnel who desire to be promoted. Those officers who are promoted are selected due to personal initiative. Agencies do not screen and evaluate their personnel in order to guide them to achieving their potential.

Agencies, as a rule, do not offer training programs aimed at preparing the officer for promotion. Furthermore, personnel are not guided or encouraged by their agency to enroll in programs that support personal advancement and promotability.

#### Analysis

ICJS practice is inconsistent with NAC Standard

### NAC POLICE STANDARD 17.2 FORMAL PERSONNEL DEVELOPMENT ACTIVITIES

### RELATED IOWA STANDARD 13.3 DEVELOPMENT ACTIVITIES

Every police agency should immediately implement formal programs of personnel development. Such programs should be designed to further the employee's professional growth and increase his capacity for his present or future role within the agency.

1. Every agency should allow all sworn personnel to participate voluntarily in at least 40 consecutive hours of formal personnel development activity annually, while on duty, and at full pay. Such activity may include:

- a. Forty consecutive hours of in-house or out-of-house classroom training directed toward the development of personal, vocational, conceptual, or managerial skills;
- b. Internship of at least 40 consecutive hours with another police, criminal justice, government, or private organization that can contribute significantly to the professional development of the intern;
- c. The assumption of the position, responsibility, and authority of an immediate superior for a minimum of 40 consecutive hours when such assignment would contribute significantly to the professional development of the subordinate;
- d. Employee participation in administrative and operational research and reporting that would not ordinarily be his responsibility but would contribute significantly to his professional development;
- f. Employee service as a member of or an adviser to management committees and boards on which he would not normally serve, such as fleet safety boards, when such service would contribute significantly to the development of an employee's awareness and understanding of management philosophy and insight.

#### ICJS

In-service training for the vast majority of law enforcement personnel is wholly inadequate. Any training that is conducted is either aimed at solving immediate problems or is supportive of known skills, i.e., firearm practice, first-aid, stop-and-frisk procedure. Training is not directed at furthering the officer's potential growth for a position of increased duties and responsibilities. All evidence indicates that agencies are not making, nor are planning to make, any viable attempts in the way of training programs, educational leaves of absence, internships, or assumption of increased responsibilities to enhance personnel development.

#### Analysis

ICJS practice is inconsistent with NAC Standard

It must be acknowledged that agencies occasionally send supervisory and specialized personnel to extra-agency training schools. While such training sessions are made available to agency personnel, the agency is always very selective in sending officers; low-rank personnel are rarely given the opportunity to attend such sessions. Consequently, while employees may be able to become more skillful at their assigned task, they do not become familiar with those skills needed to function in a higher level position.

2. Every police agency with specialized units for detective, vice, traffic, staff, and other functions should immediately develop a formal system for personnel rotation. This system should be designed to develop generalist, specialist, and managerial resources.

- a. Newly hired personnel should be rotated through geographic areas of varying crime incidence and major functional assignments in order to give them the valuable perspective and professional understanding that only experience in a wide range of agency functions and areas can provide.
- b. Selective and individualized rotation of incumbent personnel should be implemented to develop generalist and specialist expertise or specifically to prepare personnel for promotion and advancement. The movement of incumbent personnel should take into account individual needs for specific work experiences, individual potential and willingness to participate, and agency needs for the development of personnel as well as the potential for a cost-effective return on the investment of time and manpower.
- c. Every agency should regulate personnel rotation so that the agency is continually able to meet its primary service objectives. The rotation of highly specialized personnel, such as a criminalist, should be restricted to avoid serious interference with the delivery of specialized services.

#### ICJS

Data reveals that most personnel, particularly patrol officers, do not get the opportunity to experience various specialized police functions.

In general, a new recruit will be assigned initially to a specific region. Then, to the extent practical, they will be rotated throughout the entire jurisdiction. At all times, however, they will be limited to the patrol function. Only in singular instances would a patrol officers be assigned to a specialized unit, and then only for such short duration as to prevent any meaningful development of specialized skills.

#### Analysis

ICJS practice is inconsistent with NAC Standard

3. Every agency should encourage personnel to pursue development on their own time, as well as on agency time, by attending college courses and seminars and through suggested reading.

#### ICJS

Although administrators may not actively advertise the need for college education, personnel are cognizant of the value of education for advancement and promotions.

#### Analysis

ICJS practice is different than NAC Standard

It is unlikely that personnel in small rural agencies would be encouraged to attend college and engage in other development activities. Several of the causes for this are: 1) lack of promotional opportunities, and 2) lack of educational facilities.

4. Every police agency should fulfill its responsibility to develop personnel by seeking adequate funding for personnel development activities. In so doing, the police agency should consider the availability of financial assistance outside the normal budgetary process.

#### ICJS

Taking into consideration that personnel development programs are not being given priority by police agencies, any extra available resources would probably not be spent in this area.

#### Analysis

ICJS practice is different than NAC Standard

Every police agency should immediately begin a periodic evaluation of all personnel in terms of their potential to fill positions of greater responsibility. The selection of personnel for promotion and advancement should be based on criteria that relate specifically to the responsibilities and duties of the higher position.

1. Every agency periodically should evaluate the potential of every employee to perform at the next higher level of responsibility.

- a. This evaluation should form a part of the regular performance evaluation that should be completed at least semiannually.
- b. Specific data concerning every employee's job performance, training, education, and experience should support the periodic evaluation for promotion and advancement.

#### ICJS

There is little evidence that police personnel are periodically evaluated to determine promotability. While evaluations may be conducted annually, the objective is to ensure performance at present ranking. Thorough evaluations are conducted only when the officer has successfully completed the written promotion exams and are being seriously considered for advancement.

#### Analysis

ICJS practice is inconsistent with NAC Standard

2. Every police agency should use job analyses in the development of job related tests and other criteria for the selection of personnel for promotion and advancement. Selection devices should consist of one or more of the following:

- a. Management assessment of past job performance, performance in the individualized development program, and demonstrated initiative in the pursuit of self development;
- b. Oral interviews; and
- c. Job related mental aptitude tests.

#### ICJS

As stated in the ICJS 17.1(1), the selection of personnel approved for promotion is conducted by the local civil service commissions. (State Merit for D.P.S. personnel) Consequently, the promotional exams prepared by the civil service commission may not be job-related. This occurs when there is a lack of communication or cooperation between the two agencies or when the needs of the police agency are changing more rapidly than the development of relevant exams.

#### Analysis

ICJS practice is different than NAC Standard

3. Every police agency should disallow the arbitrary awarding of bonus points for experience and achievement not related to the duties of the position for which the individual is being considered. Arbitrary awards include:

- a. Bonus points for seniority;
- b. Bonus points for military service;
- c. Bonus points for heroism.

#### ICJS

Most agencies acknowledge that seniority is taken into consideration when selecting personnel for promotion. Factors such as heroism are also considered when an applicant's past performance and experience is being evaluated. There are no indications, however, that arbitrary bonus points are awarded.

#### Analysis

ICJS practice is similar to NAC Standard

4. No agency should use any psychological test as a screening device or evaluation tool in the promotion and advancement process until scientific research confirms a reliable relationship between personality and actual performance.

#### ICJS

No agency uses psychological testing devices for selecting personnel for promotion.

#### Analysis

ICJS practice is similar to NAC Standard

5. Every agency should require that personnel demonstrate the ability to assume greater responsibility prior to promotion or advancement and should continue to observe employee performance closely during a probationary period of at least 1 year from the date of promotion or advancement.

#### ICJS

Agencies do not require a probation period after advancement.

#### Analysis

ICJS practice is inconsistent with NAC Standard

Perhaps the greatest flaw in the promotional system in Iowa's law enforcement agencies, is that, all too often, competent patrol officers are promoted to higher ranks and become incompetent supervisors. As noted, the current selection procedure consists of evaluating the candidate in his present position. While the evaluation may be valid, there is no determination made if the officer can perform at the level he is being promoted to. Furthermore, once the officer is promoted, there are no provisions to demote the officer if it becomes evident that he is hopelessly incompetent in the new position. Another factor is that incompetent or mediocre personnel may be capable of functioning extremely well in a higher rank.

NAC POLICE STANDARD 17.4  
ADMINISTRATION OF PROMOTION AND ADVANCEMENT

RELATED IOWA STANDARD  
13.1 ADMINISTRATION OF PROMOTION

Every police chief executive, by assuming administrative control of the promotion and advancement system, should insure that only the best qualified personnel are promoted or advanced to positions of greater authority and responsibility in higher pay grades and ranks. Agencies that have not developed competent personnel to assume positions of higher authority should seek qualified personnel from outside the agency rather than promote or advance personnel who are not ready to assume positions for greater responsibility.

1. The police chief executive should oversee all phases of his agency's promotion and advancement system including the testing of personnel and the appointing of personnel to positions of greater responsibility. The police chief executive should make use of the services of a central personnel agency when that personnel agency is competent to develop and administer tests and is responsive to the needs of the police agency.

#### ICJS

Law enforcement chief executives are limited in the selection of officers for promotion. Civil service regulations may prevent selection of the officer with the greatest potential.

#### Analysis

ICJS practice is different than NAC Standard

2. The police chief executive should consider recruiting personnel for lateral entry at any level from outside the agency when it is necessary to do so in order to obtain the services of an individual who is qualified for a position or assignment.

#### ICJS

There is no lateral entry into any police agency in the state. The only exceptions would be for civilian employment of the chief executive position.

#### Analysis

ICJS practice is inconsistent with NAC Standard

Aside from current civil service regulations that may prevent lateral entry, selection of extra-agency personnel would seriously disrupt the moral and performance of the agency. For many officers the belief that they may be promoted and receive a salary increase keeps them working in low-paying positions. If promotional opportunities were offered to outsiders, then employees, realizing that they may never be promoted, may resent the agency and be less efficient.

### NAC POLICE STANDARD 17.5 PERSONNEL RECORDS

Every police agency immediately should establish a central personnel information system to facilitate management decisionmaking in assignment, promotion, advancement, and the identification and selection of individuals for participation in personnel development programs.

1. The personnel information system should contain at least the following personnel information:
  - a. Personal history;
  - b. Education and training history;
  - c. Personnel performance evaluation history;
  - d. Law enforcement experience;
  - e. Assignment, promotion, and advancement history;
  - f. Commendation records;
  - g. Sustained personnel complaint history;
  - h. Medical history;
  - i. Occupational skills profile;
  - j. Results of special tests; and
  - k. Photographs.



## ICJS

All available data indicates that the larger police agencies either already have a personnel information system or are in the process of developing one. While there are some notable exceptions, urban departments are able to provide complete personnel files for each officer when promotional decisions are being made.

Personnel records in smaller agencies are usually incomplete or absent.

## Analysis

ICJS practice is different than NAC Standard

2. The personnel information system should be protected against unauthorized access; however, employees should have access to agency records concerning them, with the exception of background investigation data.
3. The system should be updated at least semiannually and, ideally, whenever a significant change in information occurs; and
4. The system should be designed to facilitate statistical analysis of personnel resources and the identification of individuals with special skills, knowledge, or experience.

## ICJS

Personnel files are usually protected against unauthorized access although officers can see their own files.

Data is added to personnel files as new material is received. It is improbable that the files are used to generate statistical data vis-a-vis the availability of specialists.

## Analysis

ICJS practice is different than NAC Standard

While the files are used to locate and select officers with special skills and experiences, the need for statistical analysis is minimal. In most instances, officers with special abilities are known by the appropriate supervisory personnel.

## NAC POLICE STANDARD 18.1 THE POLICE EXECUTIVE AND EMPLOYEE RELATIONS

## RELATED IOWA STANDARD 10.1 EMPLOYEE RELATIONS

Every police chief executive should immediately acknowledge his responsibility to maintain effective employee relations and should develop policies and procedures to fulfill this responsibility.

1. Every police chief executive should actively participate in seeking reasonable personnel benefits for all police employees.

## ICJS

Based upon all available information, it is evident that many police chief executives actively participate in seeking benefits for their personnel. This is accomplished through negotiations with the local governing board.

## Analysis

ICJS practice is similar to NAC Standard

2. Every police chief executive should provide an internal two-way communication network to facilitate the effective exchange of information within the agency and to provide himself with an information feedback device.
3. Every police chief executive should develop methods to obtain advisory information from police employees--who have daily contact with operational problems--to assist him in reaching decisions on personnel and operational matters.
4. Every police chief executive should provide a grievance procedure for all police employees.

#### ICJS

A predominant number of agencies provide channels for internal two-way communications. This network may either be formal or informal depending upon the agency.

An informal network may consist of relying upon the chain of command as the means of communication. Formal networks in the larger agencies consist of grievance committees which meet at regular intervals with the chief. Suggestions boxes have also been used with varying degrees of success.

In those agencies where there are several levels of classification below the chief executive, each division's commanding officer meets at frequent intervals with the chief. At these meetings the command officers provide input into the executive decision making process.

If there is an internal communications network within the agency it can be used by officers to file grievances. If such a network is not available, or if the officer is not satisfied with the handling of his grievances, the officer has the option of going outside the agency to the civil service or to the local government.

An agency's grievance mechanism will most likely be an issue raised during collective negotiation.

#### Analysis

ICJS practice is different than NAC Standard

5. Every police chief executive should have employee relations specialist available to provide assistance in:
  - a. Developing employee relations programs and procedures;
  - b. Providing general or specific training in management-employee relations; and
  - c. Collective negotiations.

#### ICJS

Only a few of the larger police agencies have employee relations specialists available upon request. These specialists are usually called in during collective negotiations.

#### Analysis

ICJS practice is different than NAC Standard

6. Recognizing that police employees have a right, subject to certain limitations, to engage in political and other activities protected by the first amendment, every police agency should promulgate written policy that acknowledges this right and specifies proper and improper employee conduct in these activities.

#### ICJS

Policy in this area is often vague and open to interpretation.

#### Analysis

ICJS practice is different than NAC Standard

7. Every police chief executive should acknowledge the right of police employees to join or not join employee organizations that represent their employment interests, and should give appropriate recognition to these employee organizations.

#### ICJS

In accordance with the "Public Employment Relations Act" (Section 20.10) it is illegal for police chief executives to prevent employees from joining unions. They are also required to give appropriate recognition to employee organizations.

#### Analysis

ICJS practice is similar to NAC Standard

### NAC POLICE STANDARD 18.2 POLICE EMPLOYEE ORGANIZATION

Every police employee organization should immediately formalize written policies, rules and procedures that will protect the rights of all members and insure that they can remain responsible to their oath of office.

1. Every police employee organization should place in writing the scope of its activities to inform all members of their organization's programs and their representatives' activities.
2. Every police employee organization should adhere to rules and procedures designed to insure internal democracy and fiscal integrity. These rules and procedures should include:
  - a. Provisions to protect members in their relations with the police employee organization;
  - b. Standards and safeguards for periodic elections;
  - c. Identification of the responsibilities of the police employee organization officers;
  - d. Provisions for maintenance of accounting and fiscal controls, including regular financial reports;
  - e. Provisions for disclosure of financial reports and other appropriate documents to members, regulating agencies, and the public; and
  - f. Acknowledgment of responsibility to the governmental entity legally charged with regulation of such employee organizations.

#### ICJS

There is total agreement between this standard and the requirements of the "Public Employment Relations Act" enacted by the 1974 legislature (Chapter 20).

#### Analysis

ICJS practice is similar to NAC Standard

### NAC POLICE STANDARD 18.3 COLLECTIVE NEGOTIATION PROCESS

Every police agency and all police employees should be allowed, by 1975, to engage in collective negotiations in arriving at terms and conditions of employment that will maintain police service effectiveness and insure equitable representation for both parties.

1. Legislation enacted by States to provide for collective negotiations between police agencies and public employees should give equal protection for both parties and should include:
  - a. Provisions for local jurisdictions to enact specific rules for the collective negotiation process;
  - b. Procedures to prevent either party from circumventing the collective negotiation process;
  - c. Provisions for police agency retention of certain unrestricted management rights to insure proper direction and control in delivering police services;
  - d. Provisions to prohibit police employees from participating in any concerted work stoppage or job action; and
  - e. Procedures that require adherence to the collective negotiation legislation by all parties.

#### ICJS

Although the "Public Employment Relations Act" (Chapter 20) does not address the issue, it can be assumed that local jurisdictions are permitted to enact special rules for the collective negotiation process if their rules do not violate conditions of the Act.  
All of the NAC's requirements are addressed in the Act.

#### Analysis

ICJS practice is similar to NAC Standard

2. Every police chief executive should insure that he or his personally designated representative is present during all collective negotiations involving the police agency, and that he is allowed to protect the interests of the community, the police agency, and all police employees.

#### ICJS

It is likely that the chief or his representative would be present during the collective negotiation process.

#### Analysis

ICJS practice is similar to NAC Standard

3. Every police agency should insure that all police employees receive training necessary to maintain effective management-employee relations. This training should include:
  - a. Sufficient information to provide all employees with a general knowledge of the management-employee relations process;
  - b. Specific instructions to persons who represent the police agency in the collective negotiation process; and
  - c. Specific instructions to enable every supervisory police employee to perform his duties under any collective negotiation agreement.
4. Every police chief executive should encourage employee organizations to provide training to enable their representatives to represent members in the negotiation process adequately.

#### ICJS

There is no evidence that police agencies require personnel to undergo management-employee relations training.

#### Analysis

ICJS practice is different than NAC Standard

5. Every police chief executive should establish administrative procedures to facilitate the police agency's operation under any collective negotiation agreement.

#### ICJS

It is highly probable that, after collective negotiations, the chief executive will promulgate written policy concerning any change in the agency's operations as a result of the negotiations. In smaller agencies, changes in administrative procedures would be communicated verbally.

#### Analysis

ICJS practice is similar to NAC Standard

6. Every police chief executive should recognize that in the collective negotiations process the problems of unit determination, areawide negotiation, and impasse procedures are largely unresolved and that little guidance is currently available in these essential areas.

#### ICJS

It may be assumed that chief executives are aware of the conflicts arising from unit determination.

#### Analysis

ICJS practice is similar to NAC Standard

#### NAC POLICE STANDARD 18.4 WORK STOPPAGES AND JOB ACTIONS

#### RELATED IOWA STANDARD 10.2 WORK STOPPAGES

Every police chief executive should immediately prepare his agency to react effectively to neutralize any concerted work stoppage or job action by police employees. Any such concerted police employee action should be prohibited by law.

1. Every State, by 1976, should enact legislation that specifically prohibits police employees from participating in any concerted work stoppage or job action. Local legislation should be enacted immediately if State prohibitive legislation does not currently exist.

#### ICJS

Section 736A, IOWA CODE prohibits all public employees from participating in any concerted work stoppage. The legislation does not specifically prohibit work actions by police officers.

#### Analysis

ICJS practice is different than NAC Standard

2. Every police agency should establish formal written policy prohibiting police employees from engaging in any concerted work stoppage or job action.

#### ICJS

As a result of the recent legislation (section 736A) it is unlikely that any chief executive has felt the need to develop written policy prohibiting concentrated work actions.

#### Analysis

ICJS practice is different than NAC Standard

3. Every police agency should develop a plan to maintain emergency police service in the event of a concerted employee work stoppage.

#### ICJS

There is little evidence that police chief executives have formalized plans to maintain emergency police service in the event of a work action.

#### Analysis

ICJS practice is inconsistent with NAC Standard

4. Every police chief executive should consider the initiation of internal disciplinary action, including dismissal, against police employees who participate in a concerted job action or work stoppage. Among the many disciplinary alternatives available to the chief executive are actions against:
  - a. All participating employees for violating prohibitive legislation and policy;
  - b. Individual employees when their individual conduct warrants special action;
  - c. Only those employees who encouraged, instigated, or led the activity; and
  - d. None of the participating employees; however, criminal or civil action may be sought for violations of legislative prohibitions.

#### ICJS

Police chief executives have not, as yet, established specific disciplinary policies and procedures for dealing with employees engaged in an illegal work action.

#### Analysis

ICJS practice is different than NAC Standard

NAC POLICE STANDARD 19.1  
FOUNDATION FOR INTERNAL DISCIPLINE

RELATED IOWA STANDARD  
8.1 FOUNDATION FOR INTERNAL DISCIPLINE

Every police agency immediately should formalize policies, procedures, and rules in written form for the administration of internal discipline. The internal discipline system should be based on essential fairness, but not bound by formal procedures or proceedings such as are used in criminal trials.

1. Every police agency immediately should establish formal written procedures for the administration of internal discipline and an appropriate summary of those procedures should be made public.

#### ICJS

A predominant number of intermediate-sized and larger departments have formal written procedures regarding the administration of internal discipline. In agencies with fewer than 25 sworn officers, written guidelines may not exist.

Formal written procedures are usually found in the agency's policy handbook or disseminated through intra-agency memorandums.

Of those agencies with written policy, only a few disseminate internal discipline procedures to the public. There is little indication that any agency actively informs the public of the internal discipline process.

#### Analysis

ICJS practice is different than NAC Standard

2. The chief executive of every police agency should have ultimate responsibility for the administration of internal discipline.

#### ICJS

Theoretically, every police chief executive has ultimate responsibility for the administration of internal discipline. This is particularly true in the larger agencies. However, in many small towns, internal discipline is usually administered by the mayor or city manager.

#### Analysis

ICJS practice is different than NAC Standard

3. Every employee at the time of employment should be given written rules for conduct and appearance. They should be stated in brief, understandable language.

In addition to other rules that may be drafted with assistance from employee participants, one prohibiting a general classification of misconduct, traditionally known as "conduct unbecoming an officer," should be included. This rule should prohibit conduct that may tend to reflect unfavorably upon the employee or the agency.

4. The policies, procedures, and rules governing employee conduct and the administration of discipline should be strengthened by incorporating them in training programs and promotional examinations, and by encouraging employee participation in the disciplinary system.

#### ICJS

It is probable that only those officers in the larger departments would receive, in writing, rules for conduct and appearance. It is unlikely that these rules and policies are incorporated into training programs and promotional exams.

#### Analysis

ICJS practice is different than NAC Standard

### NAC POLICE STANDARD 19.2 COMPLAINT RECEPTION PROCEDURES

### RELATED IOWA STANDARD 8.2 COMMENDATION AND COMPLAINT RECEPTION

Every police agency immediately should implement procedures to facilitate the making of a complaint alleging employee misconduct, whether that complaint is initiated internally or externally.

1. The making of a complaint should not be accompanied by fear of reprisal or harassment. Every person making a complaint should receive verification that his complaint is being processed by the police agency. This receipt should contain a general description of the investigative process and appeal provisions.

#### ICJS

Complaint reception procedures vary widely among the law enforcement agencies in Iowa. Formal complaint procedures are in existence only in the largest agencies. Citizens in rural towns oftentimes by-pass the department completely and file their complaint with local government officials. Complaint reception in the smaller jurisdictions is somewhat of an informal process.

A receipt acknowledging verification of a received complaint will only be issued in a few of the larger agencies.

#### Analysis

ICJS practice is different than NAC Standard

2. Every police agency, on a continuing basis, should inform the public of its complaint reception and investigation procedures.

#### ICJS

Generally, the public is kept unaware of how to place complaints and how these complaints will be handled. There is little to indicate that police agencies actively publicize these procedures.

#### Analysis

ICJS practice is inconsistent with NAC Standard

3. All persons who file a complaint should be notified of its final disposition; personal discussion regarding this disposition should be encouraged.

#### ICJS

According to the available data, individuals who file a complaint may sometimes be notified of the final disposition. Complainants in urban areas would most likely receive a formal written reply while those in the rural areas would be contacted in person by the police chief executive or another local official.

#### Analysis

ICJS practice is different than NAC Standard

4. Every police agency should develop procedures that will insure that all complaints, whether from an external or internal source, are permanently and chronologically recorded in a central record. The procedure should insure that the agency's chief executive or his assistant is made aware of every complaint without delay.

#### ICJS

Complaints are handled in a formal manner only in intermediate or larger sized agencies. The severity and type of accusation will determine whether or not a formal complaint charge will be filed and recorded. Generally, the chief or his assistant will be kept informed of all formal complaints. In smaller agencies, complaints are made directly to the chief executive or other local government officials. Complaints originating internally are usually handled with lower visibility. The complaining officer normally informs his immediate supervisor, if possible, of the alleged misconduct. Records of such complaints are generally not kept.



Analysis  
ICJS practice is different than NAC Standard

5. Complete records of complaint reception, investigation, and adjudication should be maintained. Statistical summaries of these records should be published regularly for all police personnel and should be available to the public.

ICJS  
Complete records are usually kept only by the largest departments.  
Any statistical summaries derived from this data is kept strictly confidential.

Analysis  
ICJS practice is different than NAC Standard

#### NAC POLICE STANDARD 19.3 INVESTIGATIVE RESPONSIBILITY

#### RELATED IOWA STANDARD 8.3 INVESTIGATIVE RESPONSIBILITY

The chief executive of every police agency immediately should insure that the investigation of all complaints from the public, and all allegations of criminal conduct and serious internal misconduct, are conducted by a specialized individual or unit of the involved police agency. This person or unit should be responsible directly to the agency's chief executive or the assistant chief executive. Minor internal misconduct may be investigated by first line supervisors, and these investigations should be subject to internal reviews.

1. The existence or size of this specialized unit should be consistent with the demands of the work load.

ICJS  
At the present time, only one law enforcement agency in Iowa maintains full-time specialized capabilities.

Analysis  
ICJS practice is different than NAC Standard

2. Police agencies should obtain the assistance of prosecuting agencies during investigations of criminal allegations and other cases where the police chief executive concludes that the public interest would best be served by such participation.

ICJS  
Usually, an investigation into an officer's alleged criminal misconduct will be conducted in-house by agency personnel. Only upon adjudication of criminal guilt will the local prosecuting agency be notified.  
It is evident, however, that in the course of an in-house investigation, if felonious criminal behavior was discovered the local prosecuting agency would be notified.

Analysis  
ICJS practice is similar to NAC Standard

3. Specialized units for complaint investigation should employ a strict rotation policy limiting assignments to 18 months.
4. Every police agency should deploy the majority of its complaint investigators during the hours consistent with complaint incidence, public convenience, and agency needs.

ICJS

Data indicates that strict rotation policies for personnel assigned to internal investigatory functions are inadequate.

Analysis

ICJS practice is inconsistent with NAC Standard

NAC POLICE STANDARD 19.4  
INVESTIGATION PROCEDURES

RELATED IOWA STANDARD  
8.4 INVESTIGATION PROCEDURES

Every police agency immediately should insure that internal discipline complaint investigations are performed with the greatest possible skill. The investigative effort expended on all internal discipline complaints should be at least equal to the effort expended in the investigation of felony crimes where a suspect is known.

1. All personnel assigned to investigate internal discipline complaints should be given specific training in this task and should be provided with written investigative procedures.

ICJS

Officers responsible for internal discipline complaint investigations usually have not undergone specialized training. Investigations are conducted without the benefit of any written agency guidelines.

Analysis

ICJS practice is different than NAC Standard

2. Every police agency should establish formal procedures for investigating minor internal misconduct allegations. These procedures should be designed to insure swift, fair, and efficient correction of minor disciplinary problems.

ICJS

Generally, minor misconduct allegations are conducted informally by the accused employee's immediate supervisor.

Analysis

ICJS practice is similar to NAC Standard

3. Every investigator of internal discipline complaints should conduct investigations in a manner that best reveals the facts while preserving the dignity of all persons and maintaining the confidential nature of the investigation.

4. Every police agency should provide--at the time of employment, and again, prior to the specific investigation--all employees with a written statement of their duties and rights when they are the subject of an internal discipline investigation.

ICJS

Depending upon the agency, employees may be informed of their rights when they are initially employed or are subject to an internal discipline investigation. Notification will be in written form only in a few of the largest departments. In intermediate-size and small departments, officers will be made aware of their rights verbally.

Analysis

ICJS practice is different than NAC Standard

5. Every police chief executive should have legal authority during an internal discipline investigation to relieve police employees from their duties when it is in the interests of the public and the police agency. A police employee normally should be relieved from duty whenever he is under investigation for a crime, corruption, or serious misconduct when the proof is evident and the presumption is great, or when he is physically or mentally unable to perform his duties satisfactorily.

ICJS

As provided for in the IOWA CODE, chief executives can relieve an officer from duty if he is under investigation or if he is incapable of satisfactorily functioning as a result of a mental or physical condition. See section 365.19 (municipal). See section 19A; Iowa Departmental Rules-Merit Employment - 11.2 (D.P.S. sworn personnel). See section 341.A (deputy Sheriffs).

Analysis

ICJS practice is similar to NAC Standard

6. Investigators should use all available investigative tools that can reasonably be used to determine the facts and secure necessary evidence during an internal discipline investigation. The polygraph should be administered to employees only at the express approval of the police chief executive.

ICJS

Data reveals that agencies having access to a polygraph machine will administer an examination only with the chief's approval.

Analysis

ICJS practice is similar to NAC Standard

7. All internal discipline investigations should be concluded 30 days from the date the complaint is made unless an extension is granted by the chief executive of the agency. The complainant and the accused employee should be notified of any delay.

ICJS

In nearly all agencies there is no time limit on the duration of the investigation.

Analysis  
ICJS practice is different than NAC Standard

NAC POLICE STANDARD 19.5  
ADJUDICATION OF COMPLAINTS

RELATED IOWA STANDARD  
8.5 ADJUDICATION

Every police agency immediately should insure that provisions are established to allow the police chief executive ultimate authority in the adjudication of internal discipline complaints, subject only to appeal through the courts or established civil service bodies, and review by responsible legal and governmental entities.

1. A complaint disposition should be classified as sustained, not sustained, exonerated, unfounded, or misconduct not based on the original complaint.
2. Adjudication and--if warranted--disciplinary action should be based partially on the recommendation of the involved employee's immediate supervisor. The penalty should be at least a suspension up to 6 months, in severe cases, removal from duty.

ICJS

Generally, there is great discretion in the classification of complaint dispositions. Chief executives have several classification options ranging from charge sustained to charge unfounded.

Data indicates that the accused officer's immediate supervisor has substantial input during the adjudicatory and disciplinary stages.

Most agencies have not established minimum disciplinary penalties in cases of serious misconduct.

Analysis  
ICJS practice is different than NAC Standard

3. An administrative factfinding trial board should be available to all police agencies to assist in the adjudication phase. It should be activated when necessary in the interests of the police agency, the public, or the accused employee, and should be available at the direction of the chief executive or upon the request of any employee who is to be penalized in any manner that exceeds verbal or written reprimand. The chief executive of the agency should review the recommendations of the trial board and decide on the penalty.
4. The accused employee should be entitled to representation and logistical support equal to that afforded the person representing the agency in a trial board proceeding.

ICJS

Except in a couple of the largest departments, formal administrative trial boards are not used during the adjudication phase. In cases of serious misconduct, the chief executive will seek the advise of his command level personnel. Chief executives of small agencies may either act in isolation or seek the assistance of local officials.

During the adjudicatory phase accused officers are generally awarded the opportunity to present supportive evidence. It is unlikely that they will be provided with counsel. In those agencies with administrative trial boards, they may be allowed to select one member of the board.

It must be recognized that, in virtually all agencies, adjudication is a semi-formal meeting between the chief executive, command level personnel, and the accused officer.

#### Analysis

ICJS practice is different than NAC Standard

5. Police employees should be allowed to appeal a chief executive's decision. The police agency should not provide the resources or funds for appeal.

#### ICJS

In accordance with civil service and merit legislation in the CODE, all officers can appeal the chief executive's decision (See chapters 365.20, 19A, 341A.)

No agency provides funds for an employee's appeal.

#### Analysis

ICJS practice is similar to NAC Standard

6. The chief executive of every police agency should establish written policy on the retention of internal discipline complaint investigation reports. Only the reports of sustained and - if appealed - upheld investigations should become a part of the accused employee's personnel folder. All disciplinary investigations should be kept confidential.

#### ICJS

Depending upon agency policy, unsustained complaints may be noted in the officer's personnel file.

As can best be determined, those departments with a formalized internal discipline system will not permit unsustained complaints to be permanently recorded in the officer's file. Agencies which operate on an ad hoc basis include all complaints.

Depending upon the agency, attempts are made to keep investigations confidential.

#### Analysis

ICJS practice is different than NAC Standard

7. Administrative adjudication on internal discipline complaints involving a violation of law should neither depend on nor curtail criminal prosecution. Regardless of the administrative adjudication, every police agency should refer all complaints that involve violations of law to the prosecuting agency for the decision to prosecute criminally. Police employees should not be treated differently from other members of the community in cases involving violations of law.

#### ICJS

Although nearly all agencies will notify the local prosecutor if an officer has committed a serious criminal offense, the case will not be referred until the officer has been discharged or suspended. It is highly unlikely that criminal allegations against officers would be referred to the local prosecutor if the chief executive decided that the charge was unsustained.

#### Analysis and Commentary

ICJS practice is inconsistent with NAC Standard

NAC POLICE STANDARD 19.6  
POSITIVE PREVENTION OF POLICE MISCONDUCT

RELATED IOWA STANDARD  
8.6 POSITIVE PREVENTION OF MISCONDUCT

The chief executive of every police agency immediately should seek and develop programs and techniques that will minimize the potential for employee misconduct. The chief executive should insure that there is a general atmosphere that rewards self-discipline within the police agency.

1. Every police chief executive should implement, where possible, positive programs and techniques to prevent employee misconduct and encourage self-discipline. These may include:

- a. Analysis of the causes of employee misconduct through special interviews with employees involved in misconduct incidents and study of the performance records of selected employees;
- b. General training in the avoidance of misconduct incidents for all employees and special training for employees experiencing special problems;
- c. Referral to psychologists, psychiatrists, clergy, and other professionals whose expertise may be valuable; and
- d. Application of peer group influence.

ICJS

Special programs or techniques to minimize police misconduct are nonexistent in Iowa's law enforcement agencies. There is little indication that innovative programs incorporating peer-group influence have been implemented.

Analysis

ICJS practice is different than NAC Standard

NAC POLICE STANDARD 20.1  
ENTRY-LEVEL PHYSICAL AND PSYCHOLOGICAL EXAMINATION

RELATED IOWA STANDARD  
7.2 THE SELECTION PROCESS

Every police agency should require all applicants for police officer positions to undergo thorough entry-level physical and psychological examinations to insure detection of conditions that might prevent maximum performance under rigorous physical or mental stress.

1. Every agency, by 1975, should furnish and require, as a condition of employment, that each applicant pass a thorough physical and psychological examination. This examination should:

- a. Be designed to detect conditions that are likely to cause nonjob-related illnesses, inefficiency, unnecessary industrial accidents, and premature retirement;
- b. Be conducted under the supervision of a licensed, competent physician; and
- c. Include a psychological evaluation conducted under the supervision of a licensed, competent psychologist or psychiatrist.

ICJS

All agencies require applicants to undergo a relatively comprehensive physical examination by a licensed physician, yet very few conduct psychological testing procedures. Psychological exams that are given usually consist of written tests rather than oral interviews.

Analysis

ICJS practice is different than NAC Standard

NAC POLICE STANDARD 20.2  
CONTINUING PHYSICAL FITNESS

RELATED IOWA STANDARD  
9.5 PHYSICAL FITNESS

Every police agency should establish physical fitness standards that will insure every officer's physical fitness and satisfactory job performance throughout his entire career.

1. Every agency should immediately establish realistic weight standards that take into account each officer's height, body build, and age.
2. Every agency should, by 1975, require for each officer a physical examination administered biannually, annually, or semiannually to determine the officer's level of physical fitness. The frequency of the examinations should increase with the officer's age. If the officer fails to meet the predetermined standards, a program should be prescribed to improve his physical condition.

ICJS

While most agencies have established physical fitness (weight) requirements for initial-entry, none have established standards for maintenance of a proper weight/height/age ratio. Data reveals that no law enforcement agency in the state requires or administers periodic physical exams.

Analysis

ICJS practice is inconsistent with NAC Standard

3. Every agency should, by 1975, provide or make available facilities and programs that enable every officer to maintain good physical condition, to monitor his condition, and to meet predetermined physical standards through program enforcement measures. Consideration should be given to intramural athletics, exercise, weight reduction, and other physical fitness programs.

ICJS

Only a few of the urban departments have gymnastic facilities or programs available for their personnel.

Analysis

ICJS practice is different than NAC Standard

NAC POLICE STANDARD 20.3  
EMPLOYEE SERVICES

RELATED IOWA STANDARD  
9.3 EMPLOYEE SERVICES

Every police agency should, by 1978, establish or provide for an employee services unit to assist all employees in obtaining the various employment benefits to which they and their dependents are entitled.

1. The employee services unit should be responsible for at least the following specific employee service functions:
  - a. Employee services unit personnel thoroughly informed on employee benefits should inform fellow agency employees of these benefits and the means for taking advantage of them.
  - b. In the event an officer is injured, the employee services unit should insure that the resulting needs of the officer and his family are cared for, with a minimum of inconvenience to the officer or his family.

- c. In the event an officer is killed, the employee services unit should assist survivors in settling the officer's affairs.
2. Every agency with 150 or more personnel should assign at least one full-time employee to the employee services unit.
3. Every agency with fewer than 150 personnel should join with other local agencies to appoint a regional coordinator for employee services and, where appropriate, should establish a regional police employee services organization.

#### ICJS

Currently, no law enforcement agency in Iowa has an employee services unit. This function is normally served by the supervisors, personnel officer, or the jurisdiction's personnel unit.

#### Analysis

ICJS practice is different than NAC Standard

### NAC POLICE STANDARD 20.4 HEALTH INSURANCE

Every police agency should, by 1982, make available a complete health care program for its officers and their immediate families to insure adequate health care at minimum cost to the agency and the employee.

1. Every police agency should establish a health care program that provides for the particular health care needs of its employees and their immediate families.
  - a. The health care program should provide at least (1) surgery and related services; (2) diagnostic services; (3) emergency medical care; (4) continuing medical care for pulmonary tuberculosis, mental disorders, drug addiction, alcoholism, and childbirth; (5) radiation, inhalation, and physical therapy; (6) ambulance service; (7) nursing care; (8) prescribed medication and medical appliances; (9) complete dental and vision care; (10) hospital room; and (11) income protection.
  - b. Every agency should pay all or a major portion of the cost of the health care program to insure that the highest available quality and quantity of medical services are provided under its plan. These controls should include a system of record handling that facilitates swift, efficient provision of services and feedback of employee reaction to the program.
2. Every police agency should insure that an officer or his beneficiaries are allowed to continue as members of the health care program after the officer's retirement, and that benefit and cost change under these circumstances are reasonable.

#### ICJS

While nearly all law enforcement personnel are able to purchase health insurance through their department, the coverage varies widely. Data reveals that most agencies only offer a basic insurance plan to their employees. This insurance is paid for, in part (50%), by the agency. It is unlikely that any peace officer in Iowa can obtain complete health insurance, i.e., dental and vision care, for themselves and their immediate family at a reasonable cost. Furthermore, retired officers or beneficiaries may not be able to maintain health insurance in a predominant number of agencies.

#### Analysis

ICJS practice is different than NAC Standard



Every State should, by 1982, provide an actuarially sound statewide police retirement system for all sworn personnel employed within the State. This system should be designed to facilitate lateral entry.

1. Local agency membership in the retirement system should be voluntary.
2. The system should be designed to accommodate diverse salary schedules of members agencies and to insure equitable distribution of costs and benefits within the system.
3. The system should require a minimum of 25 years of service for normal retirement and a mandatory retirement age of 60 for all police personnel.
4. Reciprocal agreements should be formulated between independent, local, State, and interstate police pension systems to allow any police officer to accept any law enforcement position available and still retain his accrued retirement benefits.

#### ICJS

Two separate retirement systems exist for local law enforcement personnel in Iowa. Chapter 97B, CODE of IOWA, establishes the Iowa Public Employee Retirement System (IPERS) which provides that all employees of "...the State of Iowa, the counties, municipalities and public school districts therein, and all the political subdivisions thereof, and all their departments and instrumentalities..." are subject to IPERS, unless specifically excluded.

Chapter 411 of the Code establishes a mutually exclusive retirement system for law enforcement personnel (and firemen) in municipalities with over a 15,000 population.

As a result of these two retirement systems, sheriff's deputies, and municipal police in towns with fewer than 15,000 people belong to IPERS. Municipalities with over a 15,000 population must provide their own retirement system.

D.P.S. sworn personnel are covered under the "Public Safety Peace Officers' Retirement, Accident and Disability System (Chapter 97A). This system is substantially similar to the Chapter 411, retirement system vis-a-vis minimum years of service required, retirement age, retirement pay scale. Because these two systems are basically the same, the (D.P.S.) Chapter 97A system will be considered a Chapter 411 system in the following commentary.

#### Analysis

ICJS practice is inconsistent with NAC Standard

Neither retirement system, IPERS nor Chapter 411, can be considered statewide police retirement system.

Each system contains certain elements that are fundamental to a statewide system. Key elements to a statewide system are 1) coverage for all law enforcement personnel; 2) reciprocity between all agencies to enable personnel to move from agency to agency without losing retirement benefits; 3) a minimum numbers of years in law enforcement for normal retirement benefits; 4) mandatory retirement age (ideally at 60); and 5) retirement pay based upon the final 5 years salary.

Neither system is designed to provide coverage for all law enforcement personnel - the plans are mutually exclusive. Personnel can only retain retirement benefits if they maintain employment in IPERS agencies; officers leaving a municipal system (covered under chapter 411) before the minimum required number of years lose all benefits. Only the municipal (chapter 411) system requires a minimum of 22 years of service before normal retirement. Whereas IPERS provides for normal retirement at 65, chapter 411 provides full benefits at the preferred age of 55. Chapter 411 bases normal retirement pay upon the officer's salary upon his final 5 years of employee, IPERS has no such provision.

Although the retirement system provided by chapter 411 is better suited for law enforcement personnel than IPERS, it is evidently deficient in those areas noted above.

To comply with the NAC, new legislation is needed to create a statewide law enforcement retirement system incorporating key elements from both IPERS and chapter 411.

NAC POLICE STANDARD 21.1  
POLICE UNIFORMS

RELATED IOWA STANDARD  
19.1 PEACE OFFICER UNIFORMS

Every police chief executive should immediately develop and designate complete standard specifications for apparel and equipment to be worn by every agency employee when performing the duties of a uniformed police officer. To deter criminal activity, uniformed police officers should be highly visible, easily identifiable and readily distinguishable from other uniformed persons. Every officer's appearance should reflect favorably on his agency and profession; however, to insure maximum efficiency, this should not be accomplished at the expense of physical comfort.

1. Every police chief executive should consider seasonal changes and climate when developing the agency's standard police uniform.
2. Every police chief executive should insure that the agency's police uniform identifies the wearer by name and agency, and makes him plainly recognizable as a police officer. Such items should be visible at all times.

ICJS

In accordance with 1974 legislation (chapter 337A) all sheriff's and deputies uniforms are to be standardized throughout the state by January 1, 1977. These uniforms, currently under design, will ensure easy identification of the officer's name and county.

In municipalities, the ability to recognize officers will vary. Most chief executives have not standardized uniforms. This permits personnel to wear whatever attire they want.

Analysis

ICJS practice is different than NAC Standard

3. Every police executive should insure that the uniforms of agency employees other than police officers--such as civilian traffic control, parking control, and security officers--are, by color, design, and items of identification, plainly distinguishable from those of police officers.

ICJS

Non-sworn agency employees are usually not recognizable as non-sworn personnel.

Analysis

ICJS practice is different than NAC Standard

4. Every State should enact legislation fixing the color and style of uniforms worn by private patrolmen or security guards to insure that they are readily distinguishable from police uniforms.

ICJS

There is, currently, no legislation fixing the color and style of uniforms worn by private patrolmen or security guards.

Analysis

ICJS practice is inconsistent with NAC Standard

5. Every police agency should conduct daily uniform inspections to insure that every officer's appearance conforms to agency specifications and reflects favorably on the agency and the law enforcement profession.

ICJS

Only in the urban departments where the officers must attend roll-call briefing sessions are there daily uniform inspections. The Iowa Highway Patrol conducts both formal inspections daily and, at frequent intervals, on-the-road inspections.

Analysis

ICJS practice is different than NAC Standard

NAC POLICE STANDARD 21.2  
FIREARMS AND AUXILIARY EQUIPMENT

RELATED IOWA STANDARD  
19.2 FIREARMS AND AUXILIARY EQUIPMENT

Every police chief executive should immediately specify the type of firearms, ammunition, and auxiliary equipment to be used by the agency's police officers. To enhance police efficiency, personal equipment items should be interchangeable among all officers of the agency. Once established, these specified standards should be maintained by frequent, periodic inspections and appropriate disciplinary action when agency regulations are violated.

1. Every police agency should establish written specifications for agency-approved sidearms and ammunition to be carried by officers on uniformed duty, or plainclothes duty, or off duty. The specifications should include the type, caliber, barrel length, finish, and style of the sidearms, and the specific type of ammunition.

ICJS

Very few chief executives have promulgated written specifications for agency-approved sidearms and ammunition.

Analysis

ICJS practice is inconsistent with NAC Standard

2. Every police agency should insure that the officers of every automobile patrol unit are equipped with a shotgun and appropriate ammunition. An easily accessible shotgun receptacle that can be locked should be permanently installed in every vehicle.

ICJS

Most probably every patrol car in the state is equipped with a shotgun.

Analysis

ICJS practice is similar to NAC Standard

3. Every police agency should designate all items of auxiliary equipment to be worn or carried by its uniformed officers. To insure intra-agency uniformity, the approved type, size, weight, color, style, and other relevant variables of each auxiliary equipment item, along with the position on the uniform or belt where it is to be worn or carried, should be specified in writing.

ICJS

Very few chief executives have promulgated written specifications for agency-approved auxiliary equipment.

Analysis

ICJS practice is different than NAC Standard

4. Every police agency should initiate a program of frequent, regular equipment inspections to insure that personal equipment items conform to agency specifications and are maintained in a presentable and serviceable condition. To insure that each officer's weapon functions properly, firearm practice should be required for all officers at least monthly, and all firearms should be examined at regular intervals by a qualified armorer.

ICJS

Few, if any, departments maintain a comprehensive firearms program.

Analysis

ICJS practice is inconsistent with NAC Standard

NAC POLICE STANDARD 21.3  
AGENCY PROVISION OF  
UNIFORMS AND EQUIPMENT

RELATED IOWA STANDARD  
19.3 AGENCY PROVISION OF  
UNIFORMS AND EQUIPMENT

Every police agency should immediately acquire the funds necessary to provide and maintain a full uniform and equipment complement for every police officer. This will facilitate the agency's efforts to insure conformance to uniform and equipment standards.

1. Every police agency should determine the minimum uniform requirements for its police officers, including alternate items of apparel for warm, cold, and foul weather. The agency should furnish all required items at no cost to officers. Continuing conformity to uniform standards and appearance should be insured by regular replacement of uniforms or a uniform allowance.

2. Every police agency should furnish and replace at no cost to officers the sidearm, ammunition, and auxiliary personal equipment specified by the agency.

ICJS

Generally, the larger the department the greater the chance that uniforms and equipment would be provided.

Analysis

ICJS practice is different than NAC Standard

NAC POLICE STANDARD 22.1  
TRANSPORTATION EQUIPMENT UTILITY

RELATED IOWA STANDARD  
20.1 TRANSPORTATION EQUIPMENT

Every police agency should annually evaluate the tasks performed within the agency and the transportation equipment which may be utilized by the agency to determine how the proper application of transportation equipment can improve the agency's ability to accomplish its objectives.

1. Every police agency should, prior to submitting its annual budget, evaluate all existing and potential transportation equipment applications within the agency. The evaluation should include the examination of all tasks which may facilitate the objectives of the agency to determine if new or different equipment will result in:

- a. More effective use of human resources; and
- b. Improved police service that is cost-effective.

2. Every police agency should, prior to submitting its annual budget, evaluate the potential usefulness and limitations of each type of transportation equipment in order to select the appropriate tools for the specific police tasks of the agency. New and existing transportation equipment should be evaluated.

ICJS

Transportation evaluations are usually limited to comparing one brand or style of automobile to another.

Analysis

ICJS practice is inconsistent with NAC Standard

NAC POLICE STANDARD 22.2  
TRANSPORTATION EQUIPMENT  
ACQUISITION AND MAINTENANCE

RELATED IOWA STANDARD  
20.1 TRANSPORTATION EQUIPMENT

Every police agency should acquire and maintain police transportation equipment necessary to achieve agency objectives in a manner which is most cost-effective for the agency.

1. Every police agency acquiring ground vehicles should determine whether the acquisition should be made by purchasing, leasing, or reimbursing for officer-owned vehicles. This determination should be based upon the following considerations;

- a. Maintenance requirements;
- b. Control problems;
- c. Financing; and
- d. Overall cost-effectiveness.

2. Every police agency acquiring aircraft should determine the most advantageous form of acquisition by considering the maintenance and service requirements, the availability of the equipment when it will be needed, pilot-training and insurance costs, the availability of auxiliary police equipment, and the cost per hour of:

- a. Purchase by the agency;
- b. Leasing;
- c. Purchasing jointly with other agencies;
- d. Renting; and
- e. Acquiring surplus military aircraft.

ICJS

Decisions regarding how police vehicles will be acquired are usually made by the chief executive in conjunction with local government officials.

Analysis  
ICJS practice is different than NAC Standard

NAC POLICE STANDARD 22.3  
FLEET SAFETY

RELATED IOWA STANDARD  
20.2 FLEET SAFETY

Every police agency should implement a fleet safety program to insure the safety of its employees and the public, minimize unnecessary expenditure of public funds, and increase agency efficiency.

1. Every agency fleet safety program should include:
  - a. A driver training program for all employees who operate agency vehicles;
  - b. Procedures for problem-driver detection and retraining;
  - c. Procedures insuring employee inspection of agency vehicles prior to use; and
  - d. A maintenance program which will minimize the hazard of malfunctioning equipment.
2. Every agency fleet safety program should emphasize the personal involvement of employees in meeting the objectives of the program through:
  - a. Peer group involvement in the classification of employee accidents;
  - b. Recognition for safe driving; and
  - c. An education program with emphasis on the personal benefits to be derived from safe driving.

ICJS

An agency's fleet safety program will usually only consist of periodic vehicle maintenance.

Analysis  
ICJS practice is inconsistent with NAC Standard

NAC POLICE STANDARD 23.1  
POLICE USE OF THE TELEPHONE SYSTEM

RELATED IOWA STANDARD  
21.2 THE TELEPHONE COMPONENT

Every police agency should develop as a subsystem of its overall communications system a telephone communications component designed to reduce crime through rapid and accurate communication with the public. This design may require an upgraded physical plant and supportive equipment, and procedures to shorten the time of the internal message handling.

1. Every police agency should immediately implement a full-time telephone service sufficient to provide prompt answering of calls for service.
  - a. Emergency telephone calls should be answered within 30 seconds, and nonemergency telephone calls should be answered within 60 seconds.
  - b. Procedures should be adopted to control the quality of police response to telephonic requests for service and information.
2. Every police agency should immediately install a sufficient number of emergency trunk lines, in addition to and separate from business trunk lines, to insure that an emergency caller will not receive a busy signal during normal periods of peak activity, excluding catastrophic or unusual occurrences.
3. Every police agency should immediately insure that any misdirected emergency telephone call for police, fire, or other emergency service is promptly accepted and that information obtained from such calls is immediately relayed to the appropriate public safety emergency agency.

#### ICJS

Telephone service provided by law enforcement agencies throughout the state vary greatly. Whereas a few urban departments currently have 911 capability, most agencies maintain multi-purpose trunk lines for both emergency and nonemergency calls.

It is assumed that those agencies with 911 service would be able to answer telephones in a timely manner. In any agency with multi-functional trunk lines, emergency calls will only be answered in 30 seconds if, 1) a trunk line is open, and 2) the police operator is available. While most urban departments can, under normal conditions, respond within 30 seconds, in many suburban and rural departments the police dispatcher must serve several functions, i.e., desk clerk, secretary. Consequently, phones may be left unanswered for long periods of time.

Under the provisions of the Iowa State Telecommunications Plan, "the comm. center dispatch functional unit must provide an emergency request answering delay (either telephone or radio) of less than fifteen (15) seconds and an emergency action response to that request in less than two (2) minutes at least ninety percent (90%) of the time." See Volume II, Section 2, requirement 8.

Requirement six (6) of the Plan "provides adequate numbers of emergency telephone lines for emergency requests from the public and for telecom (telephone and data) linkages to affiliated agencies.

Provisions for handling misdirected emergency phone calls have also been established. Section 2.2.3.3 "provides telecommunication links between the Comm. center in an area and the agencies of law enforcement, emergency medical, and fire departments served by its functions. These links shall be provided in sufficient number to meet all the criteria for request response time and provide a minimum in action delay."

#### Analysis

ICJS practice is different than NAC Standard

4. Every police agency with a full-time telephone service should, by 1976, acquire and operate fail-safe recording equipment that will allow endless or continuous recording of all incoming complaint calls and instantaneous playback of those calls.

#### ICJS

According to the survey made by LEATAC, "Recorder equipment for recording emergency calls...exists at 9% of the agencies. Thus, unless comm. center implementation begins immediately, most agencies (approx. 85-90%) will not have equipment to record incoming complaint calls by 1976.

Section 2.2.2.13 of the Plan specifies that, "Comm. centers provide facilities for recording and playback of the radio and emergency telephone channels.

#### Analysis

ICJS practice is different than NAC Standard

5. Every police agency with a full-time telephone service should, by 1982, operate that service from facilities designed to be reasonably secure from physical attack and sabotage. This security should extend to overhead telephone trunk line drop-wires running between aerial cables and the full-time telephone service facility.

#### ICJS

Generally, communication facilities for law enforcement agencies are not secure from physical attack and sabotage. As noted in the Plan (vol. II, p. 26):

Adequate facility security was found to be lacking predominately in the small city (20,000 or less). It was especially a problem where the dispatcher had other functions such as city clerk or desk sergeant. For the surveyed facilities, 17% have the antenna tower protected from intrusion and 43% indicated having Comm. Center security. In any event, it is estimated that actually less than a third have satisfactory security for the equipment and antenna structure.

Comm. centers will be required to meet stringent physical facility security guidelines. The areas in which the telecommunications equipment is located and operated will be facilities designed to be reasonably secure from physical attack and sabotage. This security will extend to telephone trunk lines running to the telephone service facility and to the radio transmission line running between the transmitter/receiver and the antennas.

#### Analysis

ICJS practice is different than NAC Standard

6. Every police agency should, by 1982, obtain single universal emergency telephone service, and the cost of such service should be borne by the private telephone subscriber.
7. Pilot Automatic Number Identification Universal Emergency Telephone Systems should be installed to assess technical feasibility, cost-effectiveness for police, and public acceptance.

#### ICJS

Approximately six agencies currently have incorporated single universal emergency telephone service (911) into their telecommunications network. Many other agencies are either implementing or considering such a system.

The Telecommunications Plan acknowledges that 911 implementation "will require passage of time and that interim methods for operations of emergency request transfer will be necessary (Section 2.2.3.4)." Provisions have been made to require all comm. centers to maintain sufficient physical space to provide for 911 equipment when it is made available for implementation.

Although not afforded the priority of 911 services, Pilot Automatic Number Identification Universal Emergency Telephone Systems (PANUETS) is also being considered.

#### Analysis

ICJS practice is different than NAC Standard

#### NAC POLICE STANDARD 23.2 COMMAND AND CONTROL OPERATIONS

#### RELATED IOWA STANDARD 21.3 DISPATCH CONTROL

Every police agency should acknowledge that the speed with which it can communicate with field units is critical; that it affects the success of agency efforts to preserve life and property; and that it increases the potential for immediate apprehension of criminal suspects. Therefore, rapid and accurate communications capability should be developed.

1. Every police agency should immediately install a 24-hour two-way radio capability providing continuous communication between a communications center and field units. Agencies too small to maintain a full-time communications center should immediately arrange for that service to be provided by the nearest full-time communications center of a neighboring public safety emergency agency or a public safety emergency agency operating by the next highest political subdivision in the State.



## ICJS

In agencies responding to a survey conducted by LEATAC, "...full-time availability of dispatch was found forty percent (40%) deficient. It is also observed that many having 24-hour dispatch may well be providing it under financial stress e.g. should be sharing the cost with other agencies in similar straits. Joint usage of law enforcement base station communication facilities is presently found in 82 counties. (Volume II, p. 25)."

As explained in Foreword 23.1, the Telecommunications Plan supports the use of county - and multi-countywide communication centers that will provide 24-hour telecommunications for all law enforcement agencies within the center's jurisdiction.

## Analysis

ICJS practice is different than NAC Standard

2. Every police chief executive should immediately insure that delay time--the elapsed time between receipt of a complaint emergency call and the time of message radio transmission--in the case of an emergency call does not exceed 2 minutes, and in the case of a nonemergency call, does not exceed 6 minutes. By 1978, communications center delay time in cases of emergency calls should not exceed 1 minute and in cases of nonemergency calls should not exceed 4 minutes.

## ICJS

As a result of inefficient dispatch and congested radio frequencies, many departments are unable to transmit emergency radio calls with sufficient speed. As noted in the Plan (Vol. II, p. 25):

Action response time is not recognized generally by most agencies as a problem. However, with channels having severe interference and high traffic density (i.e. 37. 10MHz) there is good reason to conclude that responses in excess of 2 minutes may be expected. Furthermore, there is additional delay for mobile operators who must wait for channel traffic and interference to clear before transmitting for they will not be heard at their base station.

Recognizing the importance of action response time, LEATAC requires that Comm. centers must "provide emergency action response to the request in less than two (2) minutes at least ninety percent (90%) of the time." (Requirement 2.2.2.8) To meet this objective, Comm. centers will have an adequate number of channels and control dispatchers.

## Analysis

ICJS practice is different than NAC Standard

The present Telecommunications Plan does not require Comm. centers to maintain one minute emergency response time. Although the Comm. centers would be capable of meeting this goal, the Plan only requires a two (2) minute response time.

3. Every agency should, by 1975, acquire and operate fail-safe recording equipment which will allow continuous recording of every radio transmission and recording equipment designed to allow instantaneous playback of field unit radio transmission.

## ICJS

As noted in ICJS: 23.1 (.4), approximately 9% of all agencies operate recording equipment which continuously records all radio transmissions. All agencies will be provided with such capabilities being that the Plan (Section 2.2.2.13) requires facilities for recording and playback of the radio and emergency telephone channels.

## Analysis

ICJS practice is different than NAC Standard

4. Every police agency should immediately seek action by the appropriate legislative or regulatory body to regulate private agencies that provide central-station alarm service. Appropriate steps should be taken to minimize field-unit response to the location of any alarm not caused by a criminal attack.

ICJS

Data reveals that attempts have not been made by police administrators to seek legislation which would regulate central-station alarm service.

Analysis

ICJS practice is different than NAC Standard

5. Every agency operating a full-time communications center and employing 15 or more persons should, by 1975, install suitable equipment to provide access to local, State, and Federal criminal justice information systems. The minimum suitable equipment should be a teletypewriter capable of being connected to a data base.

ICJS

In accordance with the TRACIS Master Plan, this standard has already been met.

Analysis

ICJS practice is similar to NAC Standard

6. Every police agency having a full-time communications center should, by 1978, operate from facilities designed to be reasonably secure from physical attack and sabotage.

ICJS

As noted in ICJS 23.1 (.5), less than one-third of all currently operating law enforcement telecommunication facilities have adequate security.

Analysis

ICJS practice is different than NAC Standard

NAC POLICE STANDARD 23.3  
RADIO COMMUNICATIONS

RELATED IOWA STANDARD  
21.1 COMMUNICATIONS

Every police agency should immediately insure that its radio communications system makes the most efficient use of its radio frequency.

1. Every State should immediately establish common statewide police radio frequencies for use by State and local law enforcement agencies during periods of local disaster or other emergencies requiring interagency coordination.

2. Every agency should, by 1978, have a base station, mobile, and portable radio equipment capable of two-way operation on a common statewide police radio frequency.

3. Every agency should, by 1978, acquire and operate multichannel mobile and portable radio equipment capable of two-way operation on operational frequencies, daily car-to-car tactical frequencies, joint public safety tactical frequencies and statewide tactical frequencies.

#### ICJS

Since the most serious deficiency in the current telecommunications network is congested radio frequencies, the Telecommunication Plan will have its greatest impact in the radio communications subsystem. As noted in the Plan, the present network is deficient for the following reasons:

1. Interference of agency radio communications due to the state-wide common usage of a single frequency (37.10 MHz); and
2. Uncoordinated usage of three available frequency bands has reduced intra-agency communications. When one agency operates in one band communications are not possible with agencies utilizing another band. Specifically, the larger cities have implemented new radio systems in the UHF frequency and the Iowa Highway Patrol is constructing a state-wide integrated system utilizing the high-band VHF. Certain smaller cities and a few counties have changed frequency usage from low-band to UHF or high-band. The result is that adjacent counties and cities lose communications with those which change.

Upon implementation, the Plan will ensure that all law enforcement agencies in Iowa can meet or exceed the NAC Standards. In accordance with the Plan, all communications centers will, "provide a sufficient number of channels to assure command and control operation and for transferring information requests for data and responsive data summaries, to provide tactical communications between agency units and between the vehicles of the several agencies, and to allow for the transmission between mobiles and portable radio units and from these to appropriate agencies command and control centers."

Every uniformed officer will be supplied with multi-channel transceivers which are capable of operating on tactical, mutual aid, operational, and state-wide emergency frequencies. In the event of an emergency all law enforcement personnel in Iowa will be able to communicate from any location in the state.

#### Analysis

ICJS practice is different than NAC Standard

4. Every agency should, by 1978, equip every on-duty uniformed officer with a portable radio transceiver capable of providing adequate two-way communications and capable of being carried with reasonable comfort on the person.

#### ICJS

While the telecommunications plan does not require that all officers be equipped with a portable transceiver capable of being carried on the person, it is recommended.

#### Analysis

ICJS practice is different than NAC Standard

Every police agency should establish procedures that will insure simple and efficient reporting of criminal activity, assist in criminal investigations, and provide complete information to other components of the criminal justice system.

1. Every police agency should immediately publish the circumstances which require an officer to complete a report, and should provide printed forms for crime, arrest, and other reports. Such forms should have enough appropriately headed fill-in boxes and companion instructions to assist the officer in obtaining and reporting all necessary information.

- a. There should be a forms control procedure which subjects every departmental form to initial approval and periodic review to determine if the form's use is appropriate and the information called for is necessary.
- b. Field reports should be as simple as possible to complete, and their design should permit systematic collection of summary and management data.

#### ICJS

Most chief executives have promulgated policy regarding reporting. The quality and comprehensiveness of the forms will vary widely among departments.

#### Analysis

ICJS practice is different than NAC Standard

2. Every agency should immediately consider adopting policies that allow reports of misdemeanors and miscellaneous incidents to be accepted by telephone when:

- a. No field investigation appears necessary; and
- b. The efforts of the patrol force would otherwise be diverted from higher priority duties.

3. Where the volume of calls for service dictates, every agency should free its patrol units immediately for priority calls by assigning other personnel to one-man units whose primary function is preliminary investigation and the subsequent completion of reports.

#### ICJS

Except during an unusual occurrence, one-man preliminary investigation units in lieu of patrol officers would not be cost-effective in any agency.

#### Analysis

ICJS practice is similar to NAC Standard

4. Every State should, by 1975, enact legislation requiring that, at the time arrest warrants are issued or recalled, notification be made to the State or other State designated agency by the court that issues such warrants. Every police agency should insure that, when it contacts or arrests an individual named in want or warrant information generated by any criminal justice agency, it notifies that agency of the contact or arrest within 3 hours. To insure that the right person is arrested, police agencies should provide sufficient identifying data to courts issuing warrants. This data should include, at least, the offender's;

- a. Name;
- b. Residence address;
- c. Sex;
- d. Color of hair and eyes;
- e. Height and weight; and
- f. Date of birth.

## ICJS

As yet, there has been only minimal legislation governing arrest warrant procedures. Warrant issuing agencies are not required to notify any State agency when the warrant is issued or recalled. Notification, when it occurs, usually consists of placing such data into TRACIS.

The Code does not specify the maximum time permitted between apprehension of the defendant and notifying the issuing agency.

## Analysis

ICJS practice is different than NAC Standard

5. Every state should, by 1975, require every police agency to report to a State or other designated agency information necessary for:

- a. The identification of persons known to have been armed, considered dangerous, or known to have resisted arrest;
- b. The identification of unrecovered stolen vehicles;
- c. The identification of vehicles wanted in connection with the investigation of felonies or serious misdemeanors;
- d. The identification of unrecovered stolen Vehicle Identification Number (VIN) plates and serially identified engines and transmissions;
- e. The identification of unrecovered stolen or missing license plates;
- f. Identification of serially numbered stolen or lost weapons; and
- g. The identification of serially numbered stolen property items.

## ICJS

While the Code does not specifically require police agencies to supply the above-noted data to the D.P.S., section 749.1 does state that:

The sheriff of each county and the chief of police of each city shall furnish to the department criminal identification records and other information as directed by the commissioner of public safety.

Currently, D.P.S. does not require agencies to submit this data. Local chief executives have full discretion in reporting to D.P.S.

## Analysis

ICJS practice is different than NAC Standard

It is the general understanding that a department having access to a TRACIS terminal will voluntarily report this information.

## NAC POLICE STANDARD 24.2 BASIC POLICE RECORDS

## RELATED IOWA STANDARD 22.2 THE BASIC RECORDS SYSTEM

Every police agency should immediately establish a records system that collects crime data and records operational activities so crime conditions and the effects of agency operations can be systematically evaluated.

1. Every police agency should develop and maintain a "reportable incident file" based on agency needs, that contains documentation on all crimes; essential noncriminal incidents such as missing persons, lost and found property, suicides, and accidental deaths; and, where appropriate, traffic incidents.

## ICJS

For the most part, record systems in Iowa's law enforcement agencies are severely deficient. As noted in the **1975 criminal justice plan**:

Although a complete survey has not been completed, it has been determined by Commission staff through numerous contacts with local law enforcement agencies that many local records systems are vastly inadequate. At least one major police department operates with an inadequate records system as do numerous intermediate sized departments. Records system in many small city and county agencies are nearly non-existent.

## Analysis

ICJS practice is different than NAC Standard

2. Every State should require every police agency within the State to contribute to, and maintain access in, a summary dossier file maintained by a designated agency. Summary dossier files should contain an FBI fingerprint card, State and Federal individual record sheets, and accurate and up-to-date arrest disposition records, photographs, booking forms, arrest reports, and requests from other agencies for notification of arrest.

## ICJS

In accordance with the CODE of IOWA, section 749, the B.C.I. is responsible for the collection and dissemination of criminal history data. All sheriff's departments and municipal agencies (serving 10,000 + population) are required to submit to the B.C.I. a fingerprint card (includes name, aliases, offense) of any suspects held for the commission of a felony. If charges are dropped, or if defendant is acquitted, the fingerprint card is expunged.

## Analysis

ICJS practice is different than NAC Standard

## NAC POLICE STANDARD 24.3 DATA RETRIEVAL

## RELATED IOWA STANDARD 22.3 DATA RETRIEVAL

Every police agency should establish a cost-effective, compatible information system to collect, store, and retrieve information moving through the agency. The use of such a system should be directed toward crime reduction without sacrificing local autonomy.

## Foreword:

TRACIS (Iowa Traffic Records and Criminal Justice Information System) is a computer assisted information system which collects data from a number of state agencies including criminal justice agencies. Its purview is limited to traffic records and criminal justice information. TRACIS provides the mechanism for standardizing collection and dissemination procedures and the protection of privacy and security of information maintained by the State of Iowa in these areas.

TRACIS consists of two separate but interrelated systems, one for traffic records and the other for criminal justice (police-courts-corrections). Each of these two major systems is comprised of a number of files and records that may be queried by any authorized user in the state.

The network has access to Department of Public Safety Traffic records, the Iowa Criminal Justice data bases as well as the National Crime Information Center (NCIC) the ALECS Network and with proposed inclusion to the National LETS Teletype System.

**CONTINUED**

**3 OF 4**

1. Every police agency should, by 1975, have the capability to retrieve statewide criminal information and provide it to field personnel within 3 minutes of the time requested for noncomputerized systems and within 30 seconds for computerized systems. This capability should at least include information on:
  - a. Individuals who are the subject of an arrest warrant for a felony or serious misdemeanor;
  - b. Individuals known to have been armed, considered dangerous, or known to have resisted arrest;
  - c. Unrecovered stolen vehicles;
  - d. Vehicles wanted in connection with the investigation of felonies or serious misdemeanors;
  - e. Unrecovered stolen Vehicle Information Number plates and serially identified engines and transmissions;
  - f. Unrecovered stolen or missing license plates;
  - g. Serially identified stolen or lost weapons; and
  - h. Serially numbered stolen property items.

#### ICJS

The Iowa criminal justice data base currently consists of wanted persons, stolen vehicles, stolen guns, stolen articles, stolen securities, and stolen boat files data.

Upon implementation of the Iowa Telecommunications Plan, all police agencies will have direct access to a TRACIS terminal. All Communication centers will, as proposed, be provided with a TRACIS terminal and requests for criminal information data can be responded to within 2 minutes (data can be obtained within 30 seconds).

According to available data, the Telecommunications Plan will not be fully implemented until, at the earliest, 1979-1980. In the interim, all law enforcement agencies without a terminal will have access to TRACIS via communication links between base stations. Subsequently, delays of five (5) minutes or more for information requests are possible.

#### Analysis

ICJS practice is different than NAC Standard

Of the above list of obtainable information, only data on "individuals known to have resisted arrest" is not currently on-line in TRACIS. Such criminal history data has been construed as being intelligence data and is thereby prohibited from being placed within a computer data storage system (IOWA CODE, see Chapter 794B).

2. Every police agency using, or planning to use, a computer-based information system should take immediate steps to insure that the primary objective of such a system is rapid response to the information needs of field units. Agencies developing or operating a computer-based information system should immediately identify critical information groups and assign priorities to them according to the requirements of the system user. Critical information groups should include at least:
  - a. Information on wanted persons;
  - b. Abstract data on criminal convictions, parole status, penitentiary releases, and vital criminal record information;
  - c. Information that forewarns an officer of persons known to have been armed, and other potential dangers; and
  - d. Information on stolen property and vehicles.

#### ICJS

Information groups have been established for the law enforcement subsystems. Law enforcement personnel can obtain from TRACIS, upon request, the following:

1. **Criminal history data** - includes suspect's name, social security number, fingerprint classification, criminal history case number, correctional institution number, case number.
2. **Wanted persons** - includes suspect's name, fingerprint classification, criminal history case number, license plate number.
3. **Crime reports** - suspect's name, fingerprint classification number, license plate number.
4. **Stolen property** - license plate number, title number, vehicle identification number, case or serial number.



As noted in 24.3(1), TRACIS does not currently contain data on persons known to be armed and considered dangerous. Such information is considered intelligence data and prohibited from being stored in a computer (Chapter 794B).

#### Analysis

ICJS practice is different than NAC Standard

3. Every agency developing or operating a computer-based information system should immediately establish advisory user groups consisting of field policemen, police managers, computer technicians, and hardware engineers. User groups should be charged with the responsibility for system implementation and operating strategies.

#### ICJS

The TRACIS Management Group, established in 1971 by Executive Order, is responsible for developing and establishing policy for TRACIS. This Group is composed of the following:

Iowa Crime Commission, Executive Director  
Department of Social Services, Commissioner  
Department of Public Safety, Commissioner  
Iowa State Highway Commission, Director  
Office for Planning and Programming, Director  
Office of the Attorney General, Attorney General  
Office of the State Comptroller, State Comptroller

In addition, the Executive Order requested the cooperation and participation of the Chief Justice or other members of the Iowa Supreme Court as a member of the TRACIS Management Group.

#### Analysis

ICJS practice is different than NAC Standard

### NAC POLICE STANDARD 24.4 POLICE TELECOMMUNICATIONS

Every agency should coordinate its information system with those of other local, regional, State, and Federal law enforcement agencies to facilitate the exchange of information.

1. Every police agency should develop and maintain, by 1974, immediate access to existing local, State, and Federal law enforcement telecommunications networks.
2. Every agency operating a full-time communications center and employing 15 or more persons should install, by 1975, a basic telecommunications terminal capable of transmitting to and receiving from established national, State and local criminal justice information systems. The telecommunications network should provide network switching compatible with computer-based information systems.

#### ICJS

The Iowa Telecommunications Plan (see Foreward 23.1) which is currently being implemented will establish Communications Centers with TRACIS terminals enabling all law enforcement agencies direct access to national, state, and local criminal justice information systems. Agencies with fifteen or more full-time sworn personnel are supplied with a terminal. All other law enforcement agencies can gain access to TRACIS via base station-to-base station radio communication.

Analysis

ICJS practice is similar to NAC Standard

END