

## **MEMORANDUM**

TO: President Fethke  
President Geoffroy  
President Allen

FROM: Vice President Doug True  
Vice President Tom Schellhardt  
Vice President Warren Madden  
Charles Green, Assistant Vice President and Director of Public Safety  
David Zarifis, Director of Public Safety  
Jerry Stewart, Director of Public Safety

DATE: June 1, 2007

SUBJECT: ARMING OF REGENTS SWORN AND CERTIFIED POLICE OFFICERS

### **RECOMMENDATION**

After reviewing all of the enclosed information, the current safety and security circumstances on the campuses, the national circumstances and best practices followed by our peers and most other public universities, the Vice Presidents and Directors of Public Safety recommend that sworn and certified police officers employed by the police divisions at the University of Northern Iowa, Iowa State University and the University of Iowa be authorized to carry firearms as standard equipment when serving as a police officer, subject to stringent training and firearms recertification requirements. If the Presidents concur with our recommendation, we ask that you transmit this request and accompanying rationale to the Board of Regents, State of Iowa, for its review and action.

The campuses of the Regents' institutions are larger than many of Iowa's communities. They include the work place for many faculty and staff, the learning environment for thousands of students on each campus, the residential living spaces for thousands as well as visitors and thousands of spectators at events. Today's university communities experience all of the problems that exist in society at large. Firearms are present on all of the campuses daily as well as when city, county, state and private law enforcement and security services are on the campuses conducting their day-to-day responsibilities. The Department of Public Safety's sworn and certified officers are as well trained, understand the university community and can respond more rapidly and react to the circumstances they face if they are equipped with all of the tools that are available to other law enforcement officers. In addition to our recommendation, carrying firearms is supported by local, state and national law enforcement agencies.

## **HISTORY/BACKGROUND**

In the 1960s, university security officers, as they were then called, carried firearms on a routine basis. In the 1960s during a period of campus unrest, at the time of the Viet Nam war, the use of firearms was suspended for philosophical reasons unrelated to any specific event at the Regents universities. The Board of Regents, State of Iowa established the current arming policy in 1969. The State Legislature granted the Board authority to allow Regent's universities to commission special security officers as peace officers. Subsequently, each of the Regent's universities transformed the departments from security operations into professional law enforcement agencies.

Almost all other higher education institutions of the size and complexity of the Regents' institutions are well aware of the inherent risks and extreme dangers faced by police officers in the daily, routine execution of their law enforcement duties, and have thus elected to equip their campus police officers with firearms. The Regents universities in Iowa are the only universities in their respective conferences and among other benchmarked universities that do not allow their police officers to carry firearms as standard equipment (see appendix A. UI, ISU and UNI-Comparison Institutions). A recent review indicates there is not another comparable university or college in the United States that follows a practice of not authorizing certified police officers to carry firearms as standard equipment.

The Board of Regents policy 4.20 currently states:

### **4.20 Special Security Officers**

The Board may authorize any institution under its control to commission one or more of its employees as special security officers pursuant to Iowa Code 262.13.

To effect the above action, the following pertains:

Designated special security officers shall be permitted to carry firearms only upon express authority of the president or the president's designated authority in assignments of extreme danger.

Section 262.13 of the Code of Iowa provides for the Board of Regent's authority to commission one or more of its employees as special security officers with full peace officer powers; it reads:

#### **“262.13 SECURITY OFFICERS AT INSTITUTIONS AS PEACE OFFICERS.**

The board may authorize any institution under its control to commission one or more of its employees as special security officers. Special security officers shall have the powers, privileges, and immunities of regular peace officers when acting in the interests of the institution by which they are employed. The board shall provide as rapidly as practicable for the adequate training of such special

security officers at the Iowa law enforcement academy or in an equivalent training program, unless they have already received such training.”

Special Security Officers are also defined as peace officers in the Iowa Code Section 801.4(11) which states:

***“Peace officer”, sometimes designated “law enforcement officers”, include:***

- a. Sheriffs and their regular deputies who are subject to mandated law enforcement training.
- b. Marshals and police officer of cities.
- c. Peace officer members of the department of public safety as defined in chapter 80.
- d. Parole officers acting pursuant to section 906.2.
- e. Probation officers acting pursuant to section 602.7202, subsection 4, and section 907.2.
- f. Special security officers employed by the board of regents universities as set forth in section 262.13.
- g. Conservation officers as authorized by section 456A.13.
- h. Such employees of the department of transportation as are designated “peace officers” by resolution of the department under section 321.477.
- i. Employees of an aviation authority designated as “peace officers” by the authority under section 330A.8.
- j. Such persons as may be otherwise so designated by law.

All law enforcement officers at the three Regent universities are “peace officers” and must meet the same standards and receive the same training and certification as all other law enforcement officers in the State of Iowa; this includes firearms training.

The Police officers at the three Regent universities are responsible for providing protection and security for the respective university campus communities and properties just as the “armed” Iowa State Troopers are tasked with providing security and protection for the State Capitol complex and other buildings as information on their website describes below:

*“The Iowa State Patrol District 16 Troopers are assigned the additional responsibility of executive protection, including the protection and security of Terrace Hill, the official residence of the Governor of Iowa.*

*The district maintains a highly visible security presence at the State Capitol and surrounding complex including the grounds of Terrace Hill. This is accomplished by utilizing multiple tools including patrolling the grounds by foot, bicycle and vehicle. This mission is aided by the use of a video surveillance system in some areas.”*

\* \* \*

In 1990 the departmental title, "Security", was changed at the Regent universities to the Department of Public Safety and thus sworn officers were called "public safety officers." In 2002 the Board of Regents authorized the universities to change the name of the appropriate divisions within their public safety departments to Police Division and to change the working title of officers to Police Officers. At that same time (2002) the Board authorized public safety departments at the University of Northern Iowa, Iowa State University and the University of Iowa to include air taser stun guns (Tasers) among the equipment that can be assigned and carried on a police officer's duty belt on a routine basis.

### **PROVISIONAL ARMING**

There is currently a provision for Regent university presidents (or their designees) to authorize the arming of university officers in assignments of "extreme danger." Authorized, provisional arming of university police has and continues to be utilized at all three universities. This includes situations when university police are serving with other police agencies on joint operations such as the county drug task force, bomb squads and when collaborating with other armed law enforcement agencies to work special assignments due to acute criminal activity. However, the policy of arming officers only in situations involving readily foreseeable extreme danger fails to recognize that peace officers routinely function in an environment with the potential for extreme danger. The dangers inherent in routine police contacts can seldom be specifically foreseen and must be presumed to always be present. This includes responding to burglar/intrusion alarms in the early morning hours, panic alarms, stopping motor vehicles for numerous reasons, threats of assault including death threats against specific officers, and responding to calls where there is a likelihood of violence including domestic situations. There are an increasing number of requests to provide armed officers during visits by a variety of dignitaries, public officials and candidates. This expectation exists in all of the communities that are sites for public events.

Provisional arming does not allow for effective responses to immediate and/or rapidly developing threats involving suspects who possess a weapon. At each of the Regent universities, it is preferred to have police officers who are most familiar with the university environment and trained in the collegial approach demanding sensitivity to students, faculty and staff, and visitors through regular and continuous contact with the entire university community. Officers encountering suspects with weapons cannot reasonably be expected to remove themselves from the situation to request authorization, and then if authorized, obtain a firearm to defend against and stop a deadly threat. These situations are too dynamic and dangerous to be allowed to continue for any length of time. When Regent officers encounter weapons and retreat is *not* possible, they will attempt to talk their way out of the situation, relying on the suspect's probable assumption the officers are armed or they can use existing less-than-lethal options if all else fails.

National law enforcement standards recommend officers engage a suspect immediately and with overwhelming force (including firearms when necessary) so that either the person surrenders or the threat is stopped as soon as possible. In a position statement authored by the International Association of Campus Law Enforcement Administrators concerning the arming of campus based police agencies, it reads:

*“Arming — The decision whether or not to arm campus officers is one related to program. If the campus provides a full service law enforcement agency to members of the campus community, the officers should be armed.*

*Campus law enforcement personnel who are provided any defensive weapon should be trained to the standards required for public-sector law enforcement personnel within the political sub-division. Campus law enforcement or security personnel provided with weapons should meet the standards established for use of those weapons as determined by the state or province in which the community is located. Clear policy statements should be implemented establishing such weapons as defensive weapons.”*

Regent police divisions are full service law enforcement agencies. Regent universities respond to multiple situations as does any municipal police officer with the expectation they will protect the citizens of the respective university communities to threats known as well as the unknown.

## **DEPARTMENT QUALIFICATIONS AND TRAINING**

With the exception of not being allowed to carry firearms as standard equipment, police officers employed at the Regent universities are no different than other law enforcement officers in the State. All peace officer candidates must meet certain requirements in order to become certified peace officers.

During the application and hiring process for the Regents Public Safety Departments, the following steps must be completed:

- Screening of applications to ensure compliance with state requirements of all peace officers
- Physical agility testing
- Aptitude testing for writing, math and reading skills
- Thorough background investigation of each candidate
- Oral interviews
- Medical evaluation which must meet the minimum standards as outlined by the Iowa Law Enforcement Academy regulations and State Standards
- Psychological evaluation
- Completion of the Iowa Law Enforcement Academy, 520 hours of basic training, and then certified as a peace officer by the State of Iowa. Regent

- police officers attend the thirteen week academy with other law enforcement officers from various parts of the state
- Completion of Field officer Training Program prior to working solo

In addition to the initial recruit training, Regent police officers are required to complete in-service training on an annual basis to maintain educational units for certification.

The training and educational levels of officers employed at the Regent universities equals or surpasses many municipal and county counterparts in law enforcement. All three Regent departments have greatly increased the number of police officers who have obtained two or four year degrees in a variety of disciplines.

The Police Division of each Regent institution has comprehensive policies addressing all law enforcement functions. Included are policies regarding the use of force, authorized weapons, and training. The use of force, including deadly force, is restricted to circumstances authorized by law and to the degree minimally necessary to accomplish a lawful task. Written policies establish strict departmental control over all weapons that officers are allowed to carry and use during the performance of official duties (see attached firearm training requirements for each department).

## **HIRING AND RETENTION**

Outside law enforcement agencies are competing with our universities to attract and retain a shrinking supply of qualified candidates in the workforce. A national trend has resulted in fewer people choosing law enforcement as a career. In a 2004 research report by the U.S. Department of Justice - Office of Justice Programs – National Institute of Justice it stated:

### ***“Finding qualified applicants***

*The supply of good police recruits was down throughout the Nation during the summer of 2000. More than half of small agencies (those serving populations of under 50,000) and two-thirds of large agencies (those serving populations of 50,000 or more) with recent vacancies reported that a lack of qualified applicants caused difficulties in filling those slots. Many agencies reported staffing problems caused by unanticipated vacancies. Agencies that had difficulty filling open positions had roughly one unfilled vacancy for every three that were filled.*

***Recruiting and retaining officers.*** *It is hard to say how long the current hiring crunch will continue. The Nation’s new concern with security is likely to create new personnel needs for all levels and law enforcement (Federal, State, and local) and private security. Many police recruiters and managers will need to assess the effectiveness of other recruiting methods and find ways to make working in their agencies more attractive. Strategies might include improving pay and benefits, recruiting officers with the right skills for community policing,*

*changing job roles to enhance officers' satisfaction, improving career development, changing residency requirements, and creating incentives for retirement-eligible officers to remain with the agency”.*

The above report assumes that all police officers are armed. Because Regent university agencies are not armed, it places them at a disadvantage in the area of hiring and retention. The reasons why officers choose to leave Regent university departments are varied. They certainly include issues such as pay, location and following spouses/partners to other areas; however, when they choose to leave the university for another law enforcement agency, invariably, one of the reasons is due to the lack of a firearm and the perception their personal safety needs and ability to respond to some circumstances are given less consideration.

In order to compete with law enforcement neighbors, the universities must be able to offer prospective candidates a package that includes the tools to accomplish their duties; in the law enforcement profession that certainly includes firearms. Additionally, due to fewer applicants, modest or shrinking budgets and ever increasing special assignments, law enforcement agencies are pooling their resources including personnel and equipment to meet these challenges.

### **RATIONALE FOR RECOMMENDATION**

Regent police officers have with prior authorization, performed specified law enforcement duties while armed over the past several years on and off campus. Some of these assignments have required joining forces with other law enforcement agencies and responding to multiple locations simultaneously. They have without exception performed those (armed) duties professionally and in full accordance with the law.

Although armed *municipal* law enforcement agencies are nearby, there may not be sufficient time or opportunity to call for assistance if a weapon is unexpectedly and suddenly introduced. The following situations involving police officers from the Regent universities are illustrative:

- Four officers responded to an “assist-call” at family housing; the call came in as a husband requesting assistance to get his wife to the hospital. When the officers arrived on the scene they found the couple arguing and was informed by the wife that the husband had three semi-automatic handguns, two of which were loaded, and several knives.
- Two officers stopped a car for a traffic violation and approached the car only to discover the driver had a handgun under the seat and there was an arrest warrant for the passenger.
- Officers were called to a residence hall with a report of a student holding a knife to another student’s throat. The university police waited outside for back-up from armed city police. Eventually, the unarmed university police went into the residence hall without armed backup.

- Responding to vehicle burglaries, university officers apprehended a suspect who was in possession of two loaded handguns.
- Officers responded to a medical call and upon arrival a man attempted to attack one of the officers with a large knife.
- Officers stopped a car for OWI and the driver had a loaded .45 caliber handgun under the driver's seat.

In the above accounts, with one exception, Regent university police officers were unaware of the danger and were not armed and did not call for armed city police officers. The one exception when officers were aware of the weapon, the city police could not respond and the university police officers went into the building without a firearm.

Part of the justification often heard for not arming the Regent police officers is that municipal police officers can be called when arms are needed. While it is true that municipal officers can respond and handle some situations, it is not always the case. In some incidents, municipal law enforcement agencies have requested armed assistance from university police, or could not remain for the entire event because of other community law enforcement demands. For situations involving *armed* Regent university police officers, see appendix B. Situations Requiring Armed Regent Police Officers.

Mutual aid is an accepted, efficient, and effective practice among governmental entities; agreements help ensure a timely response to persons in crisis. Because they do not carry firearms, university police officers are currently unable to provide adequate assistance to municipal, state, county, and federal agencies unless it is within the narrow definitions of the current “extreme danger” policy and prior administrative approval is granted.

Provisional arming, arming certified police officers only when you believe they are likely to encounter firearms or other weapons, would not receive support from law enforcement professionals in the U.S. In fact, the respective municipal and county law enforcement agencies support the arming of Regent police officers and consider the current policy inadequate and potentially dangerous not only to Regent police officers but to their officers and the communities they serve.

Our students, staff and faculty expect adequate and timely protection when faced with potentially dangerous situations. The University of Iowa has the added responsibility of providing law enforcement services for UIHC. Although UIHC has an internal security force, they are not certified police officers and do not carry weapons of any kind. Every university that employs an armed campus based police force and also has a university based hospital has the benefit of a committed police force fully equipped to respond to the needs of the hospital as well.

The Iowa State University police officers provide coverage for outlying farms and other university facilities in the Ames area, many at remote locations where assistance from other agencies may not occur in a timely fashion placing the officers and others at unnecessary risk.

The number of requests for officers to standby when a university faculty or staff member is dealing with a potentially violent individual has most certainly increased during the past several years. These situations can involve either students as well as faculty/staff. Often it is related to employment. Parents also expect us to provide protection and safety for their children on and off university property – that is where the integration with local law enforcement officers is most important to achieve the desired results. Federal, state and local authorities specifically want assurances that university police officers are trained, equipped, and able to appropriately respond to a variety of emergency situations.

The world and our communities are changing and this has also affected universities and colleges nationwide. Even prior to 9/11, colleges and universities have witnessed acts of violence on their campuses including the use of firearms resulting in death. The Regent universities want to be as prepared as possible to avoid these circumstances and to respond should potential violence arise.

The responsibility for providing law enforcement and a safe overall environment for Regent universities rests with the respective public safety departments. Included in this mission is the responsibility for police officers to enforce federal, state and local laws. Regent police officers perform the same duties as any police officer employed by a municipal or county law enforcement agency. They respond in complex communities to domestic calls, reports of suspicious and dangerous individuals, make traffic stops, execute felony warrants and investigate all manner of crimes including those involving violent acts. Performing the duties of a police officer are inherently dangerous, unpredictable and can certainly be life threatening. Without the proper equipment, including firearms, Regent officers cannot offer full protection to those they have sworn to protect and serve within the university communities.

After considering all of the information that is included in the attached report, we are recommending to the Presidents that the Board of Regents, State of Iowa modify its current policy to authorize sworn and certified police officers to carry firearms as standard equipment when serving as a police officer. If the Presidents concur with our recommendation, we ask that you transmit this request and rationale to the Board of Regents, State of Iowa, for its review and action.

## APPENDIX A.

### UI, ISU and UNI-COMPARISON INSTITUTIONS

<b>Institution</b>	<b>Campus Police Dept.</b>	<b>Armed</b>
<b>IOWA COMPARISON LIST</b>		
University of Illinois, Urbana	YES	YES
Indiana University, Bloomington	YES	YES
University of Michigan, Ann Arbor	YES	YES
Michigan State University, Main Campus	YES	YES
University of Minnesota, Twin Cities	YES	YES
Northwestern University	YES	YES
Ohio State University, Main Campus	YES	YES
Penn State University, Main Campus	YES	YES
Purdue, Main Campus	YES	YES
University of Wisconsin, Madison	YES	YES
Notre Dame	YES	YES
UCLA	YES	YES
Univ. of Arizona	YES	YES
Univ. of Texas-Austin	YES	YES
University of North Carolina	YES	YES
<b>UNIVERSITY OF IOWA</b>	<b>YES</b>	<b>NO</b>
<b>IOWA STATE COMPARISON LIST</b>		
University of Texas at Austin	YES	YES
Texas A&M University	YES	YES
University of Colorado	YES	YES
University of Kansas	YES	YES
University of Nebraska	YES	YES
Texas Tech University	YES	YES
University of Missouri	YES	YES
University of Oklahoma	YES	YES
Kansas State University	YES	YES
Oklahoma State University	YES	YES
Baylor University	YES	YES
University of California-Davis	YES	YES
University of Illinois	YES	YES
University of Wisconsin	YES	YES
University of Minnesota	YES	YES
Ohio State University	YES	YES
Michigan State University	YES	YES
Purdue University	YES	YES
North Carolina State University	YES	YES
Texas A&M University	YES	YES
<b>IOWA STATE UNIVERSITY</b>	<b>YES</b>	<b>NO</b>

### **NORTHERN IOWA COMPARISON LIST**

California State University, Fresno	YES	YES
University of Minnesota, Duluth	YES	YES
Ohio University, Athens	YES	YES
University of North Carolina, Greensboro	YES	YES
University of North Texas	YES	YES
Central Michigan University	YES	YES
Indiana State University, Terre Haute	YES	YES
Illinois State University	YES	YES
Northern Arizona University	YES	YES
University of Wisconsin, Eau Claire	YES	YES
<b>UNIVERSITY OF NORTHERN IOWA</b>	<b>YES</b>	<b>NO</b>

## **APPENDIX B.**

### **SITUATIONS REQUIRING ARMED REGENT UNIVERSITY POLICE**

- In 2006 on the U of I campus, an individual telephoned and threatened to kill several in an office he had visited. A check by university police revealed the man had a criminal history that included firearms. It was necessary to provide protection for the threatened employees as well as initiate a search for the suspect at two different locations, on and off campus. The Iowa City Police did not have sufficient numbers to be at several locations and they were not familiar with the University buildings. Additionally, the city police insisted that the UI Police officers accompany them when they approached the suspect's residence off campus. Because the UI Police are not routinely armed, it was necessary for the officer to leave the building and the threatened employees until the officer could get the needed authorization from University administration and return equipped with firearms. Because the UI Police had to respond to three different locations to find the suspect, Iowa City Police officers could not be present at all three locations. UI officers were also armed when they confronted the subject at his office in a separate building.
- On several occasions, the Ames Police have made request of the ISU Police to cover their calls in the city due to shortages or because their patrol officers were busy handling other calls. Without firearms, this places the ISU officers at risk as well as those they may be called upon to protect.
- In 2005, ISU Police arrested a subject for public intoxication and interference with official acts; the subject struggled with officers and made threats against them. He provided false identification and his true identity was not determined until after he had been booked, held and released. A check revealed that he was wanted for flight from a correctional facility out of state; the suspect had been detained following charges of first degree murder and arson and subsequently escaped from the facility. ISU and Ames police officers located the subject at his residence. With Ames officers present, ISU officers identified the subject and were the first to confront him. ISU officers were armed during this event.
- In a 2001 incident, ISU officers were asked to standby during the termination of a professional and scientific employee with a significant history of volatility. The department head had discovered notes (apparently written by the subject) that contained lists of people to kill. Officers monitored the termination and escorted the employee from the premises; ISU officers were armed during this assignment.
- Another recent incident (2007) occurred at the University of Iowa, specifically at University Hospitals and Clinics (UIHC). University of Iowa police received a report from another county that an individual was traveling to UIHC in a stolen vehicle to kill his girlfriend and take their two children housed at UIHC. U of I police had dealt with this individual in a previous encounter and confiscated a

weapon from him. A check revealed a lengthy criminal record that included violence and assault. Three UIPD officers and three Iowa City police officers were dispatched to the hospital; after receiving administrative authorization, the U of I police were given permission to arm. The reporting county was at least two hours away and the municipal police department was too busy to send officers to check the suspect's residence to verify if he indeed was absent. After awhile, the Iowa City officers had to leave the hospital leaving the UI police to stand by. The UI police had to remain at the hospital until they received reliable information that the suspect was not traveling to University Hospitals and Clinics.

- UNI police officers have been involved in a lengthy investigation of the Gilchrist Hall arson case. When required to work off-campus in Fort Dodge, West Des Moines and Cedar Falls, officers were given permission to carry firearms. This included the dates when the suspects were arrested.

**BOARD OF REGENTS  
STATE OF IOWA  
REGENT MERIT SYSTEM**

**Class Title:** Public Safety Patrol Officer

**Class Code:** 7511

**Pay Grade:** 312

**GENERAL CLASS DESCRIPTION:**

Under general supervision, patrols the university campus and outlying property in order to protect life and property. Responds to calls while on foot, on bicycle, or in a motor vehicle in order to prevent and detect law violations and apprehend violators. Maintains order in the university community through enforcement of policies of the Board of Regents and the universities. Exercises judgment in interpreting laws, ordinances, policies, and procedures. Promotes and maintains favorable university-community relations.

**CHARACTERISTIC DUTIES AND RESPONSIBILITIES:**

1. Patrols assigned zone by motor vehicle, bicycle, or on foot to prevent, discover, and deter the commission of crime; to enforce criminal and traffic laws and university rules and regulations; and to check the security of buildings, functioning of outdoor lighting and traffic signals, and road conditions. Monitors and directs vehicular and pedestrian traffic as required.
2. Responds to radio dispatched calls for a variety of services including investigation of alarms, animal control, assistance to motorists, building maintenance problems, domestic problems, thefts, and other acts against persons or property.
3. Investigates, reports, and records traffic violations and accidents by interviewing witnesses, measuring distances, sketching diagrams, taking photographs and conducting field sobriety tests to determine cause and fault.
4. Investigates harm, damage or threats of potential harm or damage to persons or property by interviewing witnesses and conducting visual or audio surveillance or searches; detects and collects evidence; travels to other jurisdictions to investigate crimes that occurred on university property as necessary.
5. Arrests violators or suspects by using minimum force. Processes arrested persons by taking photographs, obtaining fingerprints, and writing arrest reports; transports violators to jail.

The tasks listed under the heading of Characteristic Duties and Responsibilities are examples of the variety and general nature of duties performed by employees in positions allocated in the class. The list is descriptive only and should be used for no other purpose. It is not intended that any position include every duty listed nor is it intended that related duties cannot be required.

**Class Title: Public Safety Patrol Officer**

**Class Code: 7511**

**Pay Grade: 312**

6. Determines appropriate action to be taken by weighing evidence and applying knowledge of law to solve the problem and administer justice; prepares and processes documents such as citations, complaints, affidavits, and warrants.
7. Records information at scene of crime or accident by sketching diagrams, taking photographs, or taking notes. Prepares reports for use by department, university or social service agency, in court testimony or for insurance claims.
8. Testifies in court or by deposition to present information accumulated at scene and to give professional opinions for criminal justice and insurance purposes.
9. Performs rescue functions at accidents, emergencies and disasters to include directing traffic for long periods of time, administering first responder level service at the medical model level; lifting, dragging, and carrying people away from dangerous situations; and securing buildings and evacuating occupants.
10. Responds to fire and ambulance calls to direct traffic, escort fire and ambulance vehicles, and prevent crime.
11. Inspects and maintains law enforcement equipment by observing and cleaning to keep the equipment in reliable operating condition.
12. Transfers deposits between the university and banks by personal pick up and delivery to maintain security of funds.
13. Determines content for various public safety programs such as crime prevention, personal safety, playground safety, bike safety, and provides delivery to the university or community.
14. Assists other agencies in serving warrants by delivering and serving in person for timely disposition of cases, and any other assigned duties.
15. Provides advice and general information to students, staff, and campus visitors.

**KNOWLEDGE, SKILLS, AND ABILITIES:**

1. Knowledge of state criminal and traffic code and city ordinances; and university and departmental policy and operating procedures.
2. Knowledge of patrol, investigative, and arrest procedures.
3. Knowledge of the location of buildings and facilities, including fire and environmental emergency panels of the university and city.
4. Knowledge of location and services of various university departments and community agencies.
5. Knowledge of legal documents and processing procedures.

**Class Title: Public Safety Patrol Officer**

**Class Code: 7511**

**Pay Grade: 312**

6. Skill in oral communications as demonstrated by effective ability to provide general information and directions, mediate disputes, interview witnesses and suspects, testify as a witness in court, and make program presentations.
7. Skill in written communications to produce reports and documents in the English language with clearly organized thoughts using proper sentence structure, format, punctuation, and grammar.
8. Skill in administering first aid and cardiopulmonary resuscitation.
9. Skill in reconstructing accidents from interviews and physical evidence.
10. Skill in operating vehicles both day and night in emergency situations involving speeds in excess of posted limits, in congested traffic, and in unsafe conditions due to such factors as fog, smoke, rain, ice, and snow.
11. Skill in operating radios and other law enforcement equipment.
12. Skill in analyzing situations and using judgment to make appropriate decisions.
13. Ability to communicate effectively and coherently over law enforcement radio channels while initiating and responding to radio communications.
14. Ability to patrol on foot or bicycle; remain in standing or sitting position for long periods of time; pursue fleeing suspects; and perform rescue operations which may involve entering and exiting vehicles quickly, lifting, carrying or dragging heavy objects, climbing over and pulling oneself over obstacles, jumping down from elevated surfaces, climbing through openings, jumping over obstacles, ditches and streams, crawling in confined areas, balancing on uneven or narrow surfaces, and using bodily force to gain entrance through barriers.
15. Ability to use sufficient physical force in apprehension of law violators.
16. Ability to work and remain calm in stressful situations.
17. Ability to work outside in extreme weather conditions.
18. Ability to hear and see acutely during day and night time conditions.
19. Ability to enter and retrieve data from a computer terminal, personal computer or other keyboard device.

**MINIMUM ELIGIBILITY REQUIREMENTS:**

Possession of certification from the Iowa Law Enforcement Academy as a Law Enforcement Officer.

	<b>University of Northern Iowa Department of Public Safety</b> Policy & Procedure <span style="float: right;"><b>1-3</b></span>
<b>Category:</b> OPERATIONS	<b>Number: 1-3</b> <b>Page 1 of 8</b>
<b>Subject:</b> Use of Force	<b>Effective Date:</b> 1/11/89 <b>Revision Date:</b> 8-10-02

**INTRODUCTION:**

Each agency should have a written policy that clearly defines what constitutes reasonable or unreasonable use of force. Written policy should provide for a force continuum and address the following: policy guiding statements; liability and application; incident documentation; review requirements; delivery of first aid; variables to be considered; training provisions and procedures for removal from line-of duty assignment. The department shall hold the highest regard for the dignity of all persons. Any use of force shall be restricted to circumstances authorized by law and to the degree minimally necessary to accomplish a lawful task.

**PURPOSE:**

The purpose of this policy is to establish departmental procedures governing the use of force by on-duty officers.

**PROCEDURE:**

**A. Scope of Policy**

1. This policy shall not be intended to enlarge the civil or criminal liability of the department, individual officers, University of Northern Iowa or the State of Iowa beyond that which is already imposed by applicable state statutes and constitutional law.
2. Violations of this policy shall only form the basis of a complaint with the non-judicial, administrative setting of the Department.
3. The procedures contained in the policy shall not be intended to create any standard of safety or care with respect to torts or other claims by third parties against the department, individual officers, University of Northern Iowa or the State of Iowa.

	<b>University of Northern Iowa Department of Public Safety</b> Policy & Procedure <span style="float: right;"><b>1-3</b></span>
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<b>Subject:</b> Use of Force	<b>Effective Date:</b> <b>Revision Date:</b>

**B. General Provisions**

1. For purposes of this policy, physical force shall mean any physical contact applied by an officer that significantly restricts or alters the actions of another and compels compliance with issued demands or instructions.
2. Use of force by officers shall be justified in, but not limited to, the following situations: to protect themselves or others from physical harm; to control arrestees or potentially violent persons; to restrain or subdue resistant individuals; to prevent the commission of a public offense and to bring unlawful situations safely and effectively under control.
3. Officers shall use only the force necessary to accomplish lawful objectives. Any use of physical force shall be restricted to circumstances authorized by law and to the degree minimally necessary to effect a lawful task.
4. Before using force, officers should consider the following: the actions a person has displayed or threatened; the seriousness of the crime or situation and the immediacy required.
5. Once an officer determines that physical force is necessary, the degree used shall be dependent upon: the officer's perception of resistance; the danger of that resistance and whether or not the resistance is placing the officer or another person in jeopardy of serious injury or death.
6. Each officer's perception of the levels of danger and resistance will be based upon the officer's prior training, experience and knowledge of physical control techniques. The following variables should be considered: officer and subject size; environmental conditions; totality of the circumstances and reaction time.
7. An officer, while making a lawful arrest, shall be justified in the use of any force, which the officer reasonably believes to be necessary to effect the arrest or to defend any person from bodily harm.
8. Officers shall be accountable for any type of force used. Officers may not apply excessive or unnecessary force as summary punishment or for vengeance.

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9. At least annually, each officer shall receive in-service training regarding the agency’s use of force policies.

**C. Force Options**

1. Under normal circumstances, only the methods or instruments included in this policy may be used by an officer to apply force. It is not necessary that officers use each of the options before escalating to the next. Good judgment and prevailing circumstances shall dictate the degree of force used.
2. The department’s use of force options, shall include the following: officer presence; verbal persuasion; physical strength; chemical agent; impact weapon; less than lethal weapon, deadly force and retreat. Officers shall be required to carry a chemical agent, impact weapon and taser on their person. The following shall serve as clarification for the use of force associated with each option.
  - a. Officer presence may be sufficient to maintain order or control. Officers shall ensure they have the legal right to be present before proceeding with any action.
  - b. Verbal persuasion may be used to resolve the majority of situations. Utilizing good communication skills and patience may prevent verbal confrontations from escalating to more serious incidents.
  - c. Physical strength may be employed when a person fails to respond to verbal direction or resists in a passive or defensive manner.
  - d. Chemical agents may be used when there is active or threatened resistance. Once a person, or crowd, is under control the use of chemical agents shall no longer be justified. Chemical agents shall not be used for the following: to coerce a person to comply with an officer’s verbal order when no physical violence is imminent; to elicit information from any person or as a means of retaliation for physical or verbal abuse. Officers will be required to carry a chemical agent on their person.

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- e. **Impact weapons may be used to control persons when deadly force is not justified. Impact weapons shall not be used to strike persons who are under control or as a means of retaliation for physical or verbal abuse. Impact weapon strikes should generally be delivered to muscle mass areas. Intentional strikes to the head, neck, throat and clavicle should not be employed unless the use of deadly force is justified. Officers will be required to carry an impact weapon upon their person.**
  
- f. **Retreating, as an option, may be considered when an officer determines that their training, personnel support or equipment is not sufficient to safely effect an arrest or to defend themselves or another person.**
  
- g. **Less than lethal weapons are to be considered a defensive weapon. Such less than lethal weapons may include bean bag shotguns, guns that fire rubber bullets and air tasers. A less than lethal weapon may be used by an officer for the following:**
  - (1) **to protect themselves or another from physical harm;**
  - (2) **to restrain or subdue a resisting person;**
  - (3) **to bring a situation safely and effectively under control;**
  - (4) **to effect a lawful arrest as a certified law enforcement officer.**
  
- h. **While considered a less than lethal weapon, such weapons may inflict a lethal strike under certain circumstances. Therefore, such weapons shall not be used under the following conditions:**
  - (1) **on a person who is under restraint or subdued;**
  
  - (2) **on women who are known by the officer to be pregnant unless the pregnant woman is threatening her life, the life of a citizen or the life of the officer;**
  
  - (3) **in flammable or combustible environments;**
  
  - (4) **in riots, demonstrations or other major civil disorders unless directed by the Director or designee unless there is an emergent need for the immediate protection of an officer or civilian;**

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(5) if the use of such a weapon presents a greater hazard.

h. Deadly force shall only be used when all other levels have failed or are not practical. Such force shall be strictly controlled by departmental directives, state statute and constitutional law.

**D. Reasonable Force**

1. For the purpose of this policy, reasonable force shall mean that force and no more which a reasonable person, in like circumstances, would judge to be necessary to prevent an injury or loss.
2. Any force applied shall be reasonable. Reasonable force may include deadly force if it is reasonable to believe that such force is necessary to avoid injury or risk to one's life or safety or the life or safety of another or if it is reasonable to believe that such force is necessary to resist a like force or threat.
3. Reasonable force, including deadly force, may be used even if an alternative course of action is available if the alternative:
  - a. entails a risk to one's life or safety;
  - b. entails a risk to another person's life or safety;
  - c. requires an officer to abandon their duty as a peace officer.
4. An officer shall be justified in using reasonable force when the officer reasonably believes that such force is necessary to defend oneself or another from any imminent use of unlawful force.

**E. Deadly Force**

1. For purposes of this policy, deadly force shall mean any of the following: force used for the purpose of causing serious injury; force which the officer knows, or reasonably should know, will create a strong probability that serious injury will occur.

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2. For purposes of this policy, reasonable belief shall mean that which an ordinary and prudent person in the same or similar circumstance would believe, based upon his or her knowledge of the facts surrounding the event as they existed at the time of the event.
3. For purposes of this policy, serious physical injury shall mean disabling mental illness, or bodily injury, which creates a substantial risk of death or which causes permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.
4. An officer may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer’s own life, or in defense of any person in immediate danger of serious physical injury.
5. The use of deadly force against a fleeing felon must meet the conditions required by state statute, constitutional law and departmental directives. A fleeing felon shall not be presumed to pose an immediate threat to life.
6. When deadly force is required, weapons shall be used to stop or incapacitate and not warn. Officers shall not draw or display a weapon except for legal use, training or inspection.
7. Deadly force may be required to destroy a dangerous animal or one that requires a humanitarian measure to prevent further suffering when other dispositions prove impractical. Such action shall require prior supervisory approval.
8. The firing of warning shots shall be prohibited. Verbal warnings should be utilized whenever possible unless their utterance would compromise the safety of the officer or others.

**F. Rendering Medical Aid**

1. Officers shall immediately render appropriate medical aid after using lethal or less-than-lethal weapons, impact weapons, chemical agents or whenever any person is injured or complains of pain following the use of force. Such aid may include: summoning emergency medical personnel to the scene;

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performing basic life support functions; controlling bleeding; treating for shock; transporting injured persons to an appropriate medical facility and flushing affected areas with water after using chemical agents.

2. Persons sprayed with a chemical agent may require emergency medical personnel be summoned to the scene or transported to a medical facility for treatment and observation. Those suffering from ambient effects of the spray should be treated and/or transported as deemed necessary.
3. Should medical treatment be required, officers should document the following: the type of weapon used, complaints of pain, signs of injury, specific aid rendered and notification or refusal of medical services.

**G. Removal From Line-Duty**

1. Any employee whose actions or use of force results in a serious injury or death shall be removed from line-duty assignment pending administrative review of the incident.
2. Employees involved in a critical or traumatic incident may be removed from line-duty status depending upon existing circumstances.
3. Employees shall remain in paid status during any administrative review period.
4. The purpose of line-duty removal shall be twofold: to shield officers who have not exceeded their scope of authority from possible confrontations with the community and to protect the community's interest when officers have exceeded their scope of authority through action or use of force.
5. During the period of paid administrative leave, post-incident debriefing or counseling shall be provided for involved employees as deemed necessary. The employee's family may also require assistance in some critical incidents.

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**H. Reports and Review Requirements**

1. A shift supervisor shall be immediately notified and summoned to the scene when a use of force incident results in, or is alleged to have resulted in, injury or death to any person. Administrative personnel shall be contacted based upon the severity of the incident.
2. An investigation of any use of force incident which results in serious injury or death shall be initiated immediately. The investigation may include: interviewing and obtaining statements from witnesses, suspects and officers; photographing and/or videotaping the scene and injuries; diagramming the scene; obtaining medical or autopsy evidence; contacting other agencies or gathering other information as the Director may deem necessary.
3. A written report shall be submitted whenever an officer discharges a firearm for other than training purposes, takes an action that results in, or is alleged to have resulted in, injury or death of another person, applies force through the use of lethal or less-than-lethal weapons or applies physical force which results in, or is alleged to have resulted in, injury or death.
4. An Incident Report shall be used to document all pertinent details, to include: date; time and location of the incident; arrestee or persons involved; witness and suspect information; actual resistance encountered; force used by the officer to overcome the resistance; weapons used; actual or alleged injuries to either the officer or suspect and pictures or other documentary evidence of any injuries received. Incident and Injury Reports shall be completed as necessary and reviewed by supervisory personnel and forwarded to the Director through the chain of command.
5. The Associate Director shall be responsible for conducting an annual analysis of all use of force reports. Such review may reveal patterns or trends which could indicate training needs or policy modifications.

<u>This procedure is to be used in conjunction with all relevant existing Departmental Policies, Rules, and Regulations.</u>
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**DEPARTMENT OF PUBLIC SAFETY - IOWA STATE UNIVERSITY - AMES, IOWA**

**DIRECTIVE TYPE:** GENERAL ORDER  
**SUBJECT:** USE OF FORCE  
**ISSUED BY:** J. D. STEWART, DIRECTOR  
**EFFECTIVE DATE:** 05/06/05  
**DIRECTIVE NUMBER:** 1-3



**INTRODUCTION:**

Each agency should have a written policy that clearly defines what constitutes reasonable or unreasonable use of force. Written directives should provide for options in the implementation of force and address the following: policy-guiding statements; liability and application; incident documentation; review requirements; delivery of first aid; variables to be considered; training provisions; and procedures for removal from line-duty assignment.

**PURPOSE:**

The purpose of this directive is to establish departmental procedures governing the use of force by on-duty officers.

**POLICY:**

The department shall hold the highest regard for the dignity of all persons. Any use of force shall be restricted to circumstances authorized by law and to the degree minimally necessary to accomplish a lawful task.

## **PROCEDURE:**

### **Scope of Directive**

The following procedures shall clarify the scope of this directive with regard to liability and application:

- The material presented in this general order is designed for internal purposes only. Any subsequent violation shall only form the basis of a complaint within the non-judicial, administrative setting of the department.
- This general order shall not be intended to enlarge the civil or criminal liability of the department, individual officers, Iowa State University or the State of Iowa beyond that which is already imposed by applicable state statutes and constitutional law.
- The procedures contained in this general order shall not be intended to create any standard of safety or care with respect to torts or other claims by third parties against the department, individual officers, Iowa State University or the State of Iowa.

### **General Provisions**

The following procedures shall generally govern the use of force by departmental officers:

- For purposes of this directive, weaponless physical force shall mean any physical contact applied by an officer that significantly restricts or alters the actions of another and compels compliance with issued demands or instructions.
- Use of force by officers shall be justified in, but not limited to, the following situations: to protect themselves or others from physical harm; to control arrestees or potentially violent persons; to restrain or subdue resistant individuals; to prevent the commission of a public offense; and to bring unlawful and/or potentially inflammatory situations safely and effectively under control.
- Personnel shall use only the force necessary to accomplish lawful objectives. Any use of physical force shall be restricted to circumstances authorized by law and to the degree minimally necessary to effect a lawful task.
- Officers shall be accountable for any type of force used. Any officer who applies excessive or unnecessary force as summary punishment or for vengeance may face criminal, civil, and departmental sanctions.
- Officers shall only draw or openly display a departmentally-authorized weapon for the following: intended use; in-service training; inspection; storage; or public presentations approved by the Director or designee.
- Before using force, officers should consider the following: the actions a person has displayed or threatened; the seriousness of the crime or situation; and the immediacy required.
- Once an officer determines that physical force is necessary, the degree used shall be dependent upon: the officer's perception of resistance; the danger of that resistance; and whether or not that resistance is placing the officer or another person in jeopardy of serious injury or death.
- Each officer's perception of the levels of danger and resistance shall be based upon his or her prior training, experience and knowledge of physical control techniques.
- The following variables should be considered when judging danger and resistance levels: officer and subject size; environmental conditions; totality of the circumstances; and reaction time.
- An officer, while making a lawful arrest, shall be justified in the use of any force which the officer reasonably believes to be necessary to effect the arrest, or to defend any person from bodily harm.
- At least annually, each officer shall receive in-service training regarding the agency's use of force policies.

## **Force Options**

The following shall describe and govern the department's approved force options:

- The department's approved force options shall be as follows: officer presence; verbal persuasion; chemical agent; conducted energy weapon; physical strength; impact weapon; and deadly force.
- Under normal circumstances, only the methods or instruments listed below may be used by an officer to apply force. Good judgment and prevailing circumstances shall dictate the degree and/or type of force used by officers.
- Officer presence may be sufficient to maintain order or control. Officers shall ensure they have the legal right to be present before proceeding with any action.
- Verbal persuasion may be used to resolve the majority of situations. Fear and anger must be diffused before the person is able to understand the officer's commands. Utilizing good communication skills and patience may prevent verbal confrontations from escalating to more serious incidents.
- Chemical agents and/or conducted energy weapons may be used when there is active or threatened resistance. Once a person or crowd is under control, their use shall no longer be justified. Conducted energy weapons shall not be intentionally targeted at the head or neck. Chemical agent and/or conducted energy weapons shall not be used for the following: to coerce a person to comply with an officer's verbal order when no active resistance is imminent; to elicit information from any person; or as a means of retaliation for physical or verbal abuse. Uniformed officers shall be required to carry conducted energy weapons on their persons. Officers shall not be required to carry chemical agents on their persons.
- Physical strength may be used when there is active or threatened resistance or when a person fails to respond to verbal direction or resists in a passive or defensive manner.
- Impact weapons may be used to control persons when other measures are insufficient or inappropriate. Such weapons should be used with the intent of temporarily disabling a person rather than causing permanent injury. Impact weapons shall not be used on persons who are under control or as a means of retaliation for physical or verbal abuse. Intentional baton strikes to the head, neck, and clavicle should not be employed unless the use of deadly force is justified. Uniformed officers shall be required to carry impact weapons on their persons. Plainclothes officers shall carry such weapons on their persons as deemed appropriate for their assigned duties.
- Deadly force shall only be used when all other levels have failed or are not practical. Such force shall be strictly controlled by departmental directives, state statute and constitutional law.

## **Reasonable Force**

The following procedures shall govern officer actions as they relate to the use of reasonable force:

- For purposes of this directive, reasonable force shall mean that force and no more which a reasonable person, in like circumstances, would judge to be necessary to prevent an injury or loss.
- Any force applied shall be reasonable. Reasonable force may include deadly force if it is reasonable to believe that such force is necessary to avoid injury or risk to one's life or safety or the life or safety of another, or if it is reasonable to believe that such force is necessary to resist a like force or threat.
- Reasonable force, including deadly force, may be used even if an alternative course of action is available if the alternative entails a risk to life or safety, or the life or safety of a third party, or requires one to abandon or retreat from one's dwelling or place of business or employment. A person shall be justified in using reasonable force when the person reasonably believes that such force is necessary to defend oneself or another from any imminent use of unlawful force.

## **Deadly Force**

The following procedures shall govern the use of deadly force by departmental officers:

- For purposes of this directive, deadly force shall mean any of the following: force used for the purpose of causing serious injury; force which the actor knows, or reasonably should know, will create a strong probability that serious injury will occur; the discharge of a firearm in the direction of some person with the knowledge of the person's presence there, even though no intent to inflict serious physical injury can be shown; and the discharge of a firearm at a vehicle in which a person is known to be.
- For purposes of this directive, reasonable belief shall mean that which an ordinary and prudent person in the same or similar circumstances would believe, based upon his or her knowledge of the facts surrounding the event as they existed at the time of the event.
- For purposes of this directive, serious physical injury shall mean disabling mental illness, or bodily injury which creates a substantial risk of death or which causes permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.
- An officer may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in imminent danger of serious physical injury.
- The use of deadly force against a fleeing felon must meet the conditions required by state statute, constitutional law and departmental directives. A fleeing felon shall not be presumed to pose an immediate threat to life.
- When deadly force is required, weapons shall be used to stop or incapacitate and not warn. No distinction shall be made as to the age of the intended target.
- Deadly force may be required to destroy a dangerous animal or one that requires a humanitarian measure to prevent further suffering when other dispositions prove impractical. Such action shall require prior supervisory approval.
- The firing of warning shots shall be prohibited. Verbal warnings should be utilized whenever possible unless their utterance would compromise the safety of the officer or others.

## **Medical Aid**

The following shall specify procedures for ensuring the provision of appropriate medical aid after use of lethal or less-than-lethal weapons, or other use of force as defined by the agency:

- Officers shall ensure that appropriate medical aid is immediately provided after using lethal or less-than-lethal weapons, or whenever any person is injured or complains of pain following the use of physical force. Such aid may include: summoning emergency medical personnel to the scene; performing basic life support functions; controlling bleeding; treating for shock; transporting injured persons to an appropriate medical facility; and flushing affected areas with water after using chemical agents.
- Persons sprayed with a chemical agent or subjected to an impact and/or conducted energy weapon shall be transported to a medical facility for treatment and observation whenever feasible. Trained medical personnel may be summoned to a scene or law enforcement facility to treat such persons when deemed appropriate. Those suffering from ambient effects of chemical spray should be treated as deemed necessary.
- Should medical treatment be required, officers should document the following: the type of weapon or force used; complaints of pain; signs of injury; specific aid rendered; and notification or refusal of medical services.
- Responding medical personnel should immediately be informed of the emergency aid rendered, along with any other pertinent information.

### **Removal from Line-Duty**

The following procedures shall govern removal from line-duty assignment following certain use of force incidents:

- Any employee whose actions or use of force results in a death or serious injury shall be removed from line-duty assignment, pending administrative review of the incident.
- Employees involved in a critical or traumatic incident may be removed from line-duty status, depending upon existing circumstances.
- Employees shall remain in paid status during any administrative review period.
- The purpose of line-duty removal shall be twofold: to shield officers who have not exceeded their scope of authority from possible confrontations with the community; and to protect the community's interest when officers have exceeded their scope of authority through action or use of force.
- During the period of paid administrative leave, post-incident debriefing or counseling shall be provided for involved employees as deemed necessary. In some instances, the employee's family may also require assistance.
- The removal process may have a detrimental effect on employees involved if not properly understood. A review of this procedure shall therefore be routinely conducted during in-service training sessions.

### **Report and Review Requirements**

The following procedures shall govern reporting and reviewing requirements associated with incidents during which force was either used or alleged to have been used:

- A shift supervisor shall be immediately notified and summoned to the scene when a use of force incident results in, or is alleged to have resulted in, injury or death to any person. Administrative personnel shall be contacted based upon the severity of the incident.
- An investigation of any use of force incident shall be initiated immediately. The investigation may include: interviewing and obtaining statements from witnesses, suspects, and officers; photographing and/or videotaping the scene; diagramming the scene; conducting background investigations; and notifying other agencies as the Director or designee deems necessary.
- A written report shall be submitted whenever an employee: discharges a firearm for other than training or recreational purposes; takes an action that results in, or is alleged to have resulted in, injury or death of another person; applies force through the use of lethal or less-than-lethal weapons; or applies weaponless physical force at a level as defined by the agency.
- An incident report shall be used to document all pertinent details, to include: date, time and location of the incident; arrestee, witness and suspect information; actual resistance encountered; force used by the officer to overcome the resistance; weapons used; actual or alleged injuries to either the officer or suspect; and pictures or other documentary evidence of any injuries received. Injury reports shall be completed as necessary, reviewed by supervisory personnel and forwarded to the Director through the chain of command.
- All reports documenting the use of force shall be reviewed by supervisory and administrative personnel. Such reviews shall be conducted to determine whether policy, training, weapon/equipment, or disciplinary issues need to be addressed. A special board may be convened to review use of force incidents as deemed necessary. Investigative findings shall be submitted in writing to the Director through the chain of command.
- The Director shall be responsible for conducting a documented annual analysis of use of force reports. Such analyses may reveal patterns or trends which indicate a need for training or policy modification.



**DEPARTMENT OF PUBLIC SAFETY - IOWA STATE UNIVERSITY - AMES, IOWA**

**DIRECTIVE TYPE:** GENERAL ORDER  
**SUBJECT:** AUTHORIZED WEAPONS  
**ISSUED BY:** J. D. STEWART, DIRECTOR  
**EFFECTIVE DATE:** 01/16/06  
**DIRECTIVE NUMBER:** 1-4



**INTRODUCTION:**

Civil rights litigation has made it abundantly clear that law enforcement agencies have a responsibility to ensure officers are adequately trained in the use of all weapons which they are permitted to carry on and off-duty. Administrators, departments, and parent jurisdictions may be held liable for officers' actions should they be unable to verify that appropriate and adequate training has been received. It is essential that law enforcement agencies provide responsive training and that all related records are accurately maintained.

**PURPOSE:**

The purpose of this directive is to establish departmental procedures governing authorized weapons.

**POLICY:**

The department shall establish strict control over all weapons and ammunition it allows officers to carry and use during the performance of official duties.

## **PROCEDURE:**

### **Authority to Carry and Use Weapons**

The following defines the authority to carry and use weapons by agency personnel in the performance of their duties:

- Pursuant to Code of Iowa section 724.6, agency personnel may be issued a professional permit to carry weapons when reasonable justification for arming exists. An issued permit shall authorize that peace officer to go armed anywhere in the state at all times. Current board of regents rules prohibit on-duty officers from possessing firearms under less than emergency circumstances. The Director or designee must therefore provide approval before on-duty officers may possess or use such weapons.
- Off-duty officers shall not be authorized to carry or use any departmentally-owned weapon or ammunition, except when commuting directly to or from on-duty status. An off-duty officer armed with a personal weapon shall be considered a private citizen.

### **Weapons and Ammunition Specifications**

The following describes the types and specifications of all weapons and ammunition approved for use:

- Only weapons and ammunition authorized by the agency shall be used by agency personnel in law enforcement responsibilities. The department shall be responsible for the purchase, issuance, and repair of such equipment.
- The Sig Sauer P229 .40 caliber Smith and Wesson semi-automatic handgun shall be the department's authorized sidearm. Federal brand .40 caliber Smith and Wesson 180 grain "hydra-shok" jacketed hollow point bullets shall be the authorized duty ammunition for such weapons.
- The Remington Model 870 shall be the department's authorized pump-action shotgun. Approved 12 gauge 00 buck (9 pellet) and 12 gauge slug shells shall be the authorized duty ammunition for such weapons.
- The Def-Tech 37mm gas gun shall be the department's authorized chemical agent launching device.
- The ASP expandable metal baton shall be the department's authorized straight baton. Baton length shall be determined by individual officer preference.
- The Manadnock 26" polycarbonate baton shall be the department's authorized crowd control baton.
- The M26 and/or X26 Advanced Taser shall be the department's authorized conducted energy weapon.
- An Oleoresin Capsicum (OC) spray shall be the department's authorized chemical agent for use by officers.

### **Maintenance and Inspection**

The following procedures shall govern the review, inspection, approval, and removal of all authorized weapons:

- A qualified weapons instructor or armorer shall review, inspect, and approve all weapons intended for use by each employee in the performance of duty, prior to carrying. Weapons inspections shall be conducted at least annually, during in-service training. Such inspections shall be performed in accordance with ongoing, documented line and staff processes. Each weapon shall be identified, meet departmentally-established criteria, and be in safe, good working order. Any unsafe, deficient, or malfunctioning weapon shall be immediately reported and removed from service. If the condition cannot be promptly corrected, a replacement shall be issued. Malfunctions, deficiencies, and repairs should be appropriately documented on departmental forms.

- All authorized departmental weapons shall be properly and safely stored to prevent unauthorized access by a third party. Firearms shall be maintained in locked containers or secured with appropriate trigger-lock devices when not under continuous officer control.

### **Records Maintenance**

The following procedures shall govern the maintenance of records pertaining to authorized weapons:

- A complete record shall be maintained on each weapon approved by the department for official use. Such records shall be updated as necessary and list the following: type; description; model; serial number; issue date; and owner/assignee.
- Proficiency records shall be maintained on each weapon approved by the department for official use. Such records shall be updated as necessary and list the following: officer; instructor; course; and dates of written or practical evaluations. Authorization to use departmental weapons shall be conditional upon established periodic qualifications.
- All weapons-related records shall be maintained by the Support Services Lieutenant or designee.

### **Training and Proficiency**

The following procedures shall govern weapons-related training and proficiency requirements:

- Only employees demonstrating proficiency in the use of agency-authorized weapons shall be approved to carry such weapons.
- Demonstrated proficiency for authorized weapons shall include: achieving qualifying scores on a prescribed course; attaining and demonstrating a knowledge of the laws concerning the use of authorized weapons; displaying a thorough knowledge of departmental policy regarding the use of force, escalating force and deadly force; and being familiar with recognized safe-handling procedures.
- Qualification and proficiency shall be on a pass/fail system, based on the current state-recommended or other reasonable professional standard.
- Courses used for firearms qualification shall be approved by the Iowa Law Enforcement Academy.
- At least annually, all agency personnel authorized to carry weapons shall be required to receive in-service training on the agency's use-of-deadly force policies and demonstrate proficiency with all approved lethal weapons that the employee is authorized to use. In-service training for less-than-lethal weapons shall occur at least biannually.
- Proficiency training shall be monitored by a certified weapons instructor.
- Training and proficiency shall be documented. Such records shall be maintained by the Support Services Lieutenant or designee.
- Those employees who are unable to qualify with an authorized weapon shall receive remedial training prior to resuming official duties in which carrying the weapon is required. An employee failing to demonstrate proficiency with a weapon shall not be returned to duty with that weapon until such time as proficiency is demonstrated and documented. Training shall be provided by a certified instructor in a timely manner. Remedial training should be structured to identify and correct deficient behavior in a positive, constructive manner; specialized or individualized instruction shall be provided when deemed necessary and appropriate.
- The department shall not allow the use of neck restraints or similar weaponless control techniques that have a potential for producing serious injury. Defensive tactics training shall be provided at least biannually by certified instructors; related principles shall be included in the annual in-service use of force curriculum.

- All agency personnel authorized to carry lethal and less-than-lethal weapons shall be issued copies of, and be instructed in, use of force policies before being authorized to carry a weapon. The issuance and instruction shall be documented through training and directive transmittal records.

DEPARTMENT OF PUBLIC SAFETY – UNIVERSITY OF IOWA		
<b>OPERATIONS MANUAL</b>		
<b>SUBJECT:</b>	<b>USE OF FORCE</b>	
<b>SECTION:</b>	<b>112.00</b>	

**112.01 Policy.** In any discussion of force it should be understood that there are different levels of force ranging from the officer’s mere presence, non-deadly force, to the most extreme level, deadly force. When considering what course of action to take, reasonable force shall always be considered. This Department recognizes and respects the value of each human life. When vesting police officers with the lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required. Therefore, it is the policy of this Department that its police officers will use any force which is reasonable and necessary to effectively stop a threat or bring an incident under control.

**112.02 Authorization to Use Force.** Police officers are authorized to use department-approved force techniques and issued or authorized equipment for resolution of incidents, as follows:

- 1) To protect themselves or another from physical harm; or,
  - 2) To restrain or subdue a resisting person; or,
  - 3) To bring a situation safely and effectively under control; or,
  - 4) To effect a lawful arrest.
- B. Authority for the use of force can be found in Chapters 704 and 804 of the Code of Iowa; all UI Police Officers are required to read and understand these Chapters.
- C. A peace officer, while making a lawful arrest, is justified in the use of any force which the peace officer reasonably believes to be necessary to effect the arrest or to defend any person from bodily harm while making the arrest. However, the use of deadly force is only justified when a person cannot be captured any other way and either:
- 1) The person has used or threatened to use deadly force in committing a felony, or
  - 2) The peace officer reasonably believes the person would use deadly force against any person unless immediately apprehended.
- D. A peace officer making an arrest pursuant to an invalid warrant is justified in the use of any force which the peace officer would be justified in using if the warrant were valid, unless the peace officer knows the warrant is invalid.

**112.03 Guidelines for Use of Force.**

The use of force options are designed to provide an overview and visual representation of the force options available to officers in the Department. It is a fluid instrument which attempts to embody the dynamics of a confrontation.

The Department recognizes that building into an officer's determination of the appropriate use of force is advisable and acceptable – if not essential – given that the standard for evaluating an officer's use of force claims is reasonableness under the facts and circumstances known to the officer at the time. This is an affirmative stance by the Department designed to provide additional confidence and needed support to officers in making their decisions regarding the use of force in the field.

A number of factors are taken into consideration when an officer selects force options, and when evaluating whether the officer has used reasonable force. The Department recognizes that officers are expected to make split second decisions and that the amount of time available to evaluate and respond to a situation may impact the officer's decision. By establishing a policy that includes use of force options, the Department hopes to provide additional guidance to officers making those split second decisions. Examples of factors which affect an officer's force selection include, but are not limited to:

- Officer/subject factors (age, size, relative strength, skill level, injury/exhaustion, number of officers versus number of subjects)
- Influence of drugs or alcohol
- Proximity to weapons
- Availability of other options
- Seriousness of the offense in question
- Other exigent circumstances.

Finally, it is important to note that an officer need not attempt to gain control over an individual by use of the lowest level of force option when reason dictates and the officer can articulate that a higher level of force is reasonable. Likewise, the skipping of steps may be appropriate given the resistance encountered.

Simply put, force options should be viewed as an elevator, not a ladder; an officer may go to any force option provided that the force selected is reasonable. Note that the category descriptions below are non-exclusive and are intended to serve as illustrations of actions, which fall within the various levels.

**Actions of Subject(s):** (As reasonably perceived by the officer or based on the officer's reasonable perceptions.)

**Cooperative:** Subject is cooperative and complies with verbal commands or other directions.

**Non-responsive or Uncooperative:** Subject is uncooperative when taken into custody, or fails to respond to verbal commands or other directions.

**Passive Resistance or Aggression:** Subject is passively or defensively resisting an officer's authority and direction. Includes verbal and physical cues of non-compliance.

**Active Resistance or Aggression:** Subject is attempting to interfere with the officer's actions by inflicting pain or physical injury to the officer without the use of a weapon or object.

**Assault or Threat of Assault:** Subject assumes a fighting stance, charges an officer or verbally or physically indicates an intent to commit an assault.

**Life Threatening Assault or Assault Likely to Cause Great Bodily Harm:** Subject commits an attack using an object, a weapon, or an empty hand assault, wherein the officer reasonably believes that the assault will result in serious physical injury and/or death.

#### **Other Response Options:**

##### ***Presence, Verbalization, and Empty Hands:***

Includes display of authority as a peace officer and such non-verbal means of communication as body language, demeanor, and manner of approaching. Verbalization involves the directions and commands given to the subject.

Empty Hands includes restraining and detaining; an officer laying hands on a subject with the intention of gaining control of the subject. Examples include the use of a firm grip, escort position or grappling types of techniques designed to hold a subject down by using the weight of an officer's body. Also included in this level would be pressure points and the application of temporary restraining devices such as handcuffs and leg restraints.

##### ***Compliance Techniques:***

Includes joint manipulations, take-down type techniques and the use of intermediate weapons in control type configurations. This includes the air taser and chemical agents.

##### ***Physical Contact, Impact Device:***

Includes the use of an impact weapon in an impact mode, personal weapons such as hands, feet, elbows and knees to strike a subject.

##### ***Lethal Force:***

Includes any force which has a reasonable likelihood of causing death or serious physical harm.

### **112.04 Specific Regulations.**

#### **A. Chemical Agent**

- 1) Chemical agent is to be considered a defensive weapon and thus shall not be used indiscriminately or in mere anticipation of violence or resistance.
- 2) It shall not be used on a person who is under restraint and *no longer a credible threat.* (revised 2/24/04)
- 3) It is recommended that the chemical agent be applied to persons at a range of three (3) feet or more.
- 4) Law enforcement officers shall not expose an individual to chemical agent for longer than absolutely necessary to establish control. Persons shall be removed as quickly as possible from any confined area in which it has been used.
- 5) Chemical agent shall not be used in riots, demonstrations, or other major civil disorders unless directed by the Director of Public Safety or a designee unless in the case of the immediate protection of an officer or civilian.

#### **B. Air Taser**

- 1) The air taser is to be considered a defensive weapon and thus shall not be used indiscriminately or in a mere anticipation of violence or resistance. It shall not be used on a person who is under restraint and *no longer a credible threat.* (revised 2/24/04)
- 2) When using this weapon, if circumstances permit, attempt to use verbal commands to gain compliance.
- 3) When discharging the weapon, aim for center mass (chest or back area), avoid aiming at the face. This weapon can also be used in its stun feature.
- 4) Law enforcement officers shall not expose an individual to the air taser for longer than absolutely necessary to establish control. The application lasts approximately 5 seconds; however, the officer can turn the weapon off at any time once control has been established.
- 5) The air taser shall not be used in riots, demonstrations, or other major civil disorders unless directed by the Director of Public Safety or a designee unless in the case of the immediate protection of an officer or civilian.
- 6) Do not use on women who are known by the officer to be pregnant unless it is necessary to use deadly force pursuant to Chapter 804.8 of the Code of Iowa.

7) Do not use in known flammable environments.

#### B. Riot Baton or Expandable Baton

- 1) These instruments shall not be used indiscriminately or in mere anticipation of violence or resistance. They shall never be used as a striking implement against a person who is under restraint and *no longer a credible threat. (revised 2/24/04).*
- 2) Blows shall not intentionally be delivered to a person's head, face, neck, or throat unless there are life threatening circumstances.
- 3) These instruments may be used to:
  - a) Prevent death or bodily harm to the law enforcement officer, another person, or
  - b) Prevent an arrest from being defeated when the person is being arrested, or another person is resisting that arrest.

#### C. Canine Unit

- 1) Only that force necessary to effect an arrest should be used. Whenever possible, the K-9 handler shall verbally give the suspect an opportunity to surrender or halt before using the dog.
- 2) When use of force **Should** be considered by a K-9 handler:
  - a) Protection of the handler
  - b) Fleeing suspects after refusing to halt
  - c) Hiding suspect that refuses to come out
  - d) Hiding suspect that is not visible to the K-9 handler or
  - e) When the dog is assaulted.
- 3) Unless authorized by a supervisor, a K-9 unit will **NOT** be utilized in the following instances if the suspect is **KNOWN** to be a **JUVENILE** OR where there is a reasonable belief that suspect is a **Non Known** juvenile or adult where:
  - a) The crime is of a misdemeanor nature (OR)
  - b) The crimes are non-violent felonies, (**other than forcible felonies**), and no other information is know that aggravates the incident, e.g., the suspect was possibly armed. Examples of non-violent felony include fraud, auto burglary, forgery, auto theft, willful injury, sexual abuse 3<sup>rd</sup> degree, or sexual exploitation by a counselor.
  - c) Forcible Felony: is any felonious child endangerment, assault, murder, sexual abuse, kidnapping, robbery, arson in the first degree, or burglaries in the first degree. (See Iowa Code 702.11)

- d) There is little likelihood of escape (Note: A decision to use a K-9 Unit may be authorized by a supervisor, based on extenuating circumstances that would indicate that public safety would be best served by using the K-9 Unit in the given situation. Other options available should be considered to apprehend a suspect prior to using the K-9.

#### **112.05 Follow-up Procedure**

- A. Persons in police custody who have had the air taser, chemical agent, riot baton, or expandable baton applied to them shall be checked by University Hospitals Emergency Clinic for first aid treatment. If chemical agent has been applied, the officer will render assistance by decontaminating the sprayed area prior to transporting.
- B. Transportation shall be provided as expeditiously as possible. Ordinarily, the time between application and arrival at University Hospitals should not exceed 45 minutes.
- C. Persons in police custody who claim injury shall be transported to the University Hospitals Emergency Clinic where they will either refuse treatment or be medically cleared by a staff physician.

#### **112.06 Reporting Use of Force.** When any of the following occurs, information concerning the use of force must be documented by the officer. The officer must notify their immediate supervisor in the following situations:

- A. When a use of force results in injury, complaint of injury, or death;
- B. When less than lethal force is used on a person. **Less than lethal force shall include the use of the following:**
  - 1) Air Taser
  - 2) Baton (Baton shall include expandable baton and riot baton)
  - 3) Chemical Irritants (Oleoresin Capsicum/O.C.)
  - 4) Other Bodily or Mechanical Force (such as the use of hand blows)

#### **112.07 Officers using reportable force shall:**

- A. Render first aid to the suspect as circumstances dictate;
- B. Notify a supervisor immediately;
- C. Transport the subject to a medical facility for examination and clearance before booking if signs of trauma or complications are observed or suspected;
- D. Describe in the police report the circumstances which led to the use of force. The report will detail:
  - 1) justification for the use of physical force;
  - 2) the type of force applied (specify non-lethal weapon, if applicable);
  - 3) the effect the force had upon the person;

- 4) the subsequent actions taken by the officer;
  - 5) photograph any observable physical injury sustained by the officer or individual..
- E. Officers shall utilize those “use of force” tactics, techniques and weapons approved for use by the Department.
- F. Whenever a chemical agent, riot or expandable baton, or air taser is used, the shift commander shall notify a DPS administrator.

**112.08 Deadly Force Incident.** When a police officer’s use of force results in the death of, or serious injury to, a human being:

- A. The officer shall be placed on administrative leave after he/she has completed all internal investigative requirements;
- B. The Department will direct that an internal investigation and a criminal investigation of the incident be conducted;
- C. Officer(s) who use force which results in a death or a life threatening injury will have a sample of their blood and/or urine taken by medical personnel as soon after the incident as possible and within time limits that would make the sample useful for determining chemical levels at the time of the incident.
- D. Prior to an officer’s return to duty, an examination conducted by a medical professional(s) will be required to determine fitness.

DEPARTMENT OF PUBLIC SAFETY – UNIVERSITY OF IOWA	
<b>OPERATIONS MANUAL</b>	
<b>SUBJECT:</b>	<b>DEPARTMENTAL RULES</b>
<b>SECTION:</b>	<b>115.00</b>
<b>REVISED:</b>	<b>AUGUST 1, 2005</b>



## **115.00 FIREARMS**

### **115.01 AUTHORIZATION TO CARRY FIREARMS ON DUTY**

Firearms issued by the department shall not be carried on duty unless authorized by the Director of Public Safety or his designee under the guidelines provided by University Administration or when the officer is engaged in firearms practice in the presence of an ILEA certified firearms instructor.

### **115.02 INITIAL ISSUANCE**

- (a) Prior to initial issuance, weapons shall be reviewed, inspected and approved. On an on-going basis, qualified instructors shall conduct inspections of individual weapons. The date of the inspection and name of the inspector shall be recorded and forwarded to Associate Director in charge of weapons.
- (b) If a weapon is determined to be unsafe, the instructor or armorer shall remove it from use pending repair, record the malfunction, cause repair to be made, and provide a replacement to the employee as soon as practical.
- (c) The departmental armorer shall record the serial number of the firearm and issue to the officer:
  - 1. the firearm,
  - 2. three magazines,
  - 3. holster,
  - 4. magazine holder.
- (d) All officers shall be issued duty ammunition approved by the department. This ammunition is the only ammunition that will be loaded in the firearm when the officer is authorized for on-duty carry.
- (e) Department issued firearms shall only be used for law enforcement purposes.

### **115.03 WEAPONS QUALIFICATION**

- (a) All on-duty sworn personnel, whether in uniform or non-uniform, shall maintain firearms qualification with a departmentally issued duty handgun.  
Exception:  
Sworn on-duty personnel with non-uniform administrative assignments while performing that assignment. Personnel in this category are not authorized to carry a weapon unless they meet departmental qualification standards.
- (b) Firearms qualification includes:
1. Day handgun qualification – twice a year
  2. Night handgun qualification – once a year
  3. Shotgun qualification – once a year
- (c) During each qualification opportunity the lead range instructor will record all qualification scores, whether passing or not, and maintain a record of all other training at each session.
- (d) Remedial training shall be required of those officers who fail to achieve the minimum scores or levels of proficiency that are required by the Department.
1. Remedial training shall continue until the officer meets the standard, or upon a third failed attempt to qualify, the Firearms Instructor shall notify the officer's supervisor, Associate Director in charge of Police Operations, and the Director of Public Safety.
  2. Failure to meet the standard will result in immediate notification to the Associate Director in charge of Police Operations, and the Director of Public Safety and may result in temporary reassignment to administrative duties that do not require the use of a firearm. This may continue until the standard is met, but will not exceed five (5) duty days without administrative review.
  3. Continued failure to meet the standard may result in disciplinary action being taken against the officer.

#### **115.04 GENERAL FIREARMS REGULATIONS**

- (a) All firearms are to be treated as loaded at all times.
- (b) All department issued firearms shall be stored, handled, and / or maintained in such a manner as to prevent the firearm from accidentally discharging.
- (c) Officers shall not carry any firearm under the following circumstances:

1. The officer is on suspension or is directed not to do so by the Director of Public Safety or his designee.
  2. The officer has not successfully met proficiency and qualification levels as set forth by the Department.
  3. While under the influence of alcoholic beverages or medications that impair physical or mental ability.
- (d) Department owned firearms shall not be carried or utilized for any non-law enforcement activity without the express written permission of the Director of Public Safety or designee.
- (e) No officer shall display or provide any weapon to a private person to inspect examine or otherwise handle unless authorized by the Director of Public Safety or designee.

#### **115.05 METHOD OF CARRY**

- (a) When authorized, sworn on duty personnel will carry the firearm in a holster issued and approved by the department. The firearm will only be removed from the holster:
1. When circumstances dictate there is an imminent threat to the life of officer or others, and there is reasonable expectation a deadly force may need to be used.
  2. When the officer is going off or on duty, or is transferring to an “authorized” arming status to an “unauthorized” arming status or vice versa.
  3. When a maintenance issue exists, the officer will return to the Departmental of Public Safety headquarters and return the firearm to its locked container and contact the armorer for repair.
  4. When at a firing range for the purposes of training and qualification under the supervision of a law enforcement instructor.
- (b) Magazines will be loaded with ammunition approved by the department and placed in magazine holder approved by the department. The magazines will only be removed:
1. When circumstances dictate there is an imminent threat to the life of officer or others, and there is reasonable expectation a deadly force may need to be used.

2. When the officer is going off or on duty, or is transferring to an “authorized” arming status to an “unauthorized” arming status or vice versa.
  3. When a maintenance issue exists with the firearm. The officer will return to the Departmental of Public Safety headquarters and unload the magazine and contact the armorer for repair.
  4. When at a firing range for the purposes of training and qualification under the supervision of a law enforcement instructor.
- (c) Non-uniformed on-duty personnel carrying a firearm in an unconcealed manner must be readily identifiable as a police officer by insuring their badge is visible and adjacent to the weapon.
- (d) While on-duty, officers shall carry their handgun fully loaded with one round in the chamber and all magazines loaded to capacity.
- (e) Only magazines authorized by the department may be used in a firearm.
- (f) When loading or unloading a firearm in the Police Department, the unloading / loading shall occur using the bullet trap provided by the department.

#### **115.06 STORAGE**

- (a) When the firearm is at the Department of Public Safety it shall be kept in the locked locker or other secured container with the magazines loaded with duty ammunition at all times. When in storage, a round will not be chambered in the weapon.
- (b) The departmentally issued holster, magazine holder, and all other equipment shall be immediately available to the officer at all times in case the authorization to carry firearms on duty occurs.
- (c) Shift commanders are expected to conduct regular spot checks to insure officers are able to comply with a weapon authorization order issued by the Director or his designee.
- (d) All department authorized weapons shall be stored consistent with Iowa Code Chapter 724.22 (7):

*It shall be unlawful for any person to store or leave a loaded firearm which is not secured by a trigger lock mechanism, placed in a*

*securely locked box or container, or placed in some other location which a reasonable person would believe to be secure from a minor under the age of fourteen years, if such person knows or has reason to believe that a minor under the age of fourteen years is likely to gain access to the firearm without the lawful permission of the minor's parent, guardian, or person having charge of the minor, the minor lawfully gains access to the firearm without the consent of the minor's parent, guardian, or person having charge of the minor, and the minor exhibits the firearm in a public place in an unlawful manner, or uses the firearm unlawfully to cause injury or death to a person. This subsection does not apply if the minor obtains the firearm as a result of an unlawful entry by any person. A violation of this subsection is punishable as a serious misdemeanor.*

### **115.07 MAINTENANCE**

- (a) The departmental armorer shall maintain a record for each firearm approved by the Department for use under official color of duty which shall include:
  - 1. Initial date of service,
  - 2. Description,
  - 3. Manufacturer and Caliber,
  - 4. Serial number,
  - 5. Repair, service and modification history,
  - 6. Officer and date approved.
- (b) A copy of the firearm record shall be provided to the Associate Director in charge of weapons.
- (c) Officers shall maintain all firearms issued to them, or approved for use by the Department, in proper working order. Officers shall not disassemble any Department issued or Department approved personally owned firearm beyond field stripping, as per the manufacturer recommendations for proper maintenance and cleaning.
- (d) All other disassembly shall be conducted by the manufacturer, manufacturer authorized center, or department approved armorer.
- (e) Each repair or service transaction shall be documented and recorded.
- (f) All department issued firearms shall not be modified from the manufacturer's specifications, except those conducted by the manufacturer, manufacturer authorized service center, or department approved armorer.

## **115.08 OFF DUTY PRACTICE**

- (a) Departmentally issued firearms may be taken from the Department of Public Safety for off-duty practice under the following conditions:
1. The officer must notify their immediate supervisor and give them the dates that the weapon will be removed from headquarters.
  2. If approved, the supervisor will notify the Associate Directors of the name of the officer and dates the weapon will be removed from the Department of Public Safety.
  3. The officer will comply with the storage requirements required by departmental policy and the Code of Iowa at all times.
  4. The officer agrees to personally assume the risks and responsibilities associated with firearms use.
  5. The weapon is to be fired only with practice ammunition issued or approved by the department.
  6. The officer is responsible to make sure the firearm and the associated equipment are available at all times in the event of an authorization to arm is declared by the Director of Public Safety or his designee.

FAMILIARIZATION AND QUALIFICATION WITH THE  
SIG SAUER P229 DAK SEMI-AUTOMATIC PISTOL

UNIVERSITY OF IOWA POLICE

TIME ALLOTTED: 2 DAYS

METHOD OF INSTRUCTION: LECTURE AND RANGE

INSTRUCTORS:  
ASSOC. DIRECTOR DAVID A. VISIN  
LT. IAN SCOTT  
LT. SHAWN SHARP  
UNIVERSITY of IOWA POLICE

## STATEMENT OF OBJECTIVES

GOALS: To familiarize and qualify University of Iowa Police Officers on SIG SAUER P229 DAK .40 cal semi-automatic pistol to ILEA standards.

### OBJECTIVES:

1. The student will understand apply the University of Iowa Police use of force policy
2. The student will know and practice firearms safety protocols.
3. The student will be able to assemble, disassemble, and maintain the Sig Sauer P229 DAK.
4. The student will be able to draw the Sig Sauer P229 pistol from a Safariland SLS holster with 4 locks activated in less than 2 seconds.
5. The student will be able to administratively load, tactically reload, and combat reload the Sig Sauer P229 with proficiency.
6. The student will be able to clear minor stoppages in less than 2 seconds and major stoppages in less than 8 seconds.
7. The student will be able to meet ILEA qualification standards using the Sig Sauer P229 on the FBI "Q" target with a proficiency of at least 80%.
8. The student will be able to meet ILEA qualification standards using the Mossberg 500 shotgun on the FBI "Q" target with a proficiency of at least 80%.

## Test

The following test will be administered to students who must post a passing score of 80% or higher. For a 25 question test this means they must answer at least 20 questions correctly.

## UIDPS Weapons Training Written Test

1. The University of Iowa Police Division trains with which type of weapon:
  - a. Glock 19.
  - b. Sig Sauer P229.
  - c. Beretta 96F.
  - d. Springfield Arms 1911A1.
  
2. In very special cases an officer may use deadly force to protect property.
  - a. True
  - b. False
  
3. Officers must use the least amount of force available in every situation.
  - a. True
  - b. False
  
4. When wearing your firearm the holster should be placed
  - a. In front of your front pants pocket
  - b. Over one of your buttocks
  - c. In line with side seam of your pant leg
  - d. Anywhere the individual officer wants it to be
  
5. When placing magazines in the magazine pouch that is positioned horizontally the bullets should be facing
  - a. Up
  - b. Down
  
6. When reloading your sidearm the reloading drill should be done in front of your face because
  - a. You can keep your eyes on the suspect and see your weapon.
  - b. The weapon will block any bullets aimed at your face.
  - c. The instructors told you so just to be obstinate.
  - d. You should not rotate the weapon towards your face when reloading.

7. Every weapon should be treated as loaded at all times until checked at least twice
  - a. True.
  - b. False.
  
8. When firing the sidearm the trigger should be
  - a. Jerked rapidly rearward as fast as possible,
  - b. Pulled halfway back, then stopped until perfect sight picture exists, then pulled the rest of the way until the weapon fires,
  - c. Pulled slowly and steadily rearward until the weapon goes off.
  - d. Pulled by placing the first knuckle into the trigger guard then firing the weapon.
  
9. Sight picture and sight alignment are the same thing
  - a. True.
  - b. False.
  
10. After using force an officer will be judged by
  - a. An objectively reasonable standard.
  - b. Hindsight.
  - c. By other officers from their department.
  - d. By the person the force was used against.
  
11. Which are the reasons for malfunctions in semi-automatic firearms:
  - a. Failure to feed.
  - b. Failure to fire.
  - c. Failure to eject.
  - d. All of the above.
  
12. In thinking of sight alignment if you absolutely had to pick you would say that in lining up the front and rear sight
  - a. There should be more light on the left side of the sights.
  - b. There should be more light on the right side of the sights.
  - c. You should not be able to see the front sight.
  - d. The amount of light visible between the right and left side should be equal.

13. In properly holding the weapon you should grip
  - a. 40% with strong hand and 60% with weak hand.
  - b. 100% with both hands.
  - c. 50% with both hands.
  - d. 70% with strong hand and 30% with weak hand.
  
14. While performing an administrative load on the sidearm you should
  - a. Lock the slide to the rear and place a bullet into the barrel through the ejection port.
  - b. Insert a magazine into the weapon and then pull the slide rearward and release it.
  - c. With the slide locked to the rear insert a magazine and release the slide allowing the weapon to load the bullet.
  - d. There is no such thing as an administrative load on the sidearm.
  
15. The procedure for addressing a weapon malfunction is:
  - a. Rack, tap, and ready.
  - b. Rack, tap, tap, rack, tap, ready.
  - c. Tap, rack, and ready.
  - d. Panic, tap, rack, and ready.
  
16. Magazines for the Sig Sauer P229 are carried:
  - a. On the strong side if they are horizontal.
  - b. On the weak side if they are vertical.
  - c. Both a and b are true.
  - d. There is no standard method of carry.
  
17. When holding the weapon it is important to keep the wrist relaxed.
  - a. True.
  - b. False.
  
18. A combat reload is done when the weapon is completely empty.
  - a. True.
  - b. False.
  
19. In taking out a threat, the most important thing is:
  - a. shot placement.
  - b. type of gun.
  - c. type of leather.
  - d. type of ammunition.

20. Cover and concealment are the same.
  - a. True.
  - b. False.
  
21. On the firing range:
  - a. firing is done only at the direction of the range officer.
  - b. it is important keep the muzzle pointed in a safe direction.
  - c. it is important to listen to instructions.
  - d. All of the above.
  
22. For accuracy the most important thing is trigger control.
  - a. True
  - b. False
  
23. The Sig Sauer P229 is so professionally engineered it only needs to be cleaned once a year.
  - a. True.
  - b. False.
  
24. When kneeling it is important to:
  - a. use the same knee no matter which hand is holding the gun.
  - b. make sure your foot is lying flat on the ground.
  - c. pull the trigger as fast as you can because your knee hurts.
  - d. All of the above.
  
25. When firing and the slide locks back you should:
  - a. keep pulling the trigger.
  - b. eject the magazine and load a new one.
  - c. go to your O.C. spray
  - d. run away.

## Items and materials needed:

Each student will be required to show up for class with:

1. Comfortable, roomy long pants (if not duty pants)
2. Body armor
3. A bare duty belt and keepers
4. A pen and paper for notes
5. Baseball cap

Upon arrival each student will be issued:

1. A leather magazine holder
2. A holster
3. A Sig Sauer P229
4. Four Magazines

Materials needed to instruct the class:

1. Handouts
2. Projector
3. VCR
4. Speakers
5. Dummy Rounds for the Sig Sauer P229
6. ILEA Firearms Instructors manual
7. Shotguns
8. Dummy shotgun rounds
9. Classroom
10. My duty belt with appropriate leather
11. Weapon and magazines

# Lesson Plan – Day One

## I. Introduction – 15 minutes

### *A. Introduction of Instructors*

### *B. Needs statement*

1. Have not qualified in decades
2. That may change and emergency arming still exists
3. Most officers qualified with a revolver and UIDPS no longer has nor uses them
4. If department is armed officers must have this working knowledge

a) ILEA Standards

### *C. Thesis Statement*

1. Today will be classroom only
2. Familiarize students with both weapons and equipment
3. Fundamentals of shooting
  - a) Sight alignment
  - b) Sight picture
  - c) Trigger squeeze
4. Malfunction drills
5. 25 Question written test at end of day must score 80% to pass and continue to range portion

## **II. Equipment – 35 minutes**

### ***A. Issue Equipment to each student***

### ***B. Magazine Pouch***

1. How and where to wear on belt

### ***C. Magazines***

1. How to place into magazine pouch

### ***D. Holsters***

1. How and where to wear on belt
2. How safeties work
3. We will only use three of the four safeties

### ***E. Weapons***

1. How to break down the weapon for cleaning
  - (1) How to clean and amounts of oil to use and where
    - (a) Department has cleaning kits available to students
  - (2) Nomenclature handout
  - (3) How to re-assemble the weapon

2. Find dominant eye

### **III. Legal – 40 minutes**

#### A. Departmental Firearms Use of Force Policy

1. Handout

#### B. Constitutional Law

1. Handout/discussion on 4<sup>th</sup> Amendment
2. Handout/discussion on Tennessee v. Garner
  - a) Using force to defend property - never
3. Handout/discussion on Graham v. Connor
  - a) Reasonable use of force
4. Handout/discussion on Scott v. Henrich
  - a) Officers do not have to use least amount of force available to them
5. Handout/discussion on 804.7
  - a) Arrests by peace officers
6. Handout/discussion on 804.8
  - a) Use of force by peace officer when making an arrest
7. Handout/discussion on 704.1
  - a) Reasonable Force
8. Handout/discussion on 704.2
  - a) Deadly Force

#### **IV. Handling the Weapon – 10 minutes**

- A. Handout of weapon safety and safety rules w/ discussion
- B. Making sure weapons are empty and holster

#### **V. Proper drawing of the weapon – 10 minutes**

- A. Demonstration of drawing of the weapon
  - 1. Go slowly; speed will follow with practice
- B. Proper way to hold handgun
- C. Demonstration of Point Shoulder Arms
  - 1. Finger off of the trigger
- D. Demonstration of holstering the weapon
  - 1. Do not look at holster

#### **VI. Sights/Trigger – 40 minutes**

- A. Proper Sight Alignment
- B. Proper Sight Picture
- C. Trigger Squeeze
  - 1. Videos
  - 2. Handouts
- D. Practice Drawing with remaining time

#### **VII. Loading/Reloading – 10 minutes**

- A. Lecture/demonstration
  - 1. Administrative load
  - 2. Combat Reload
  - 3. Tactical Reload

## **VIII. Malfunctions – 45 minutes**

- A. Failure to fire
- B. Failure to extract
- C. Failure to eject
- D. Failure to feed
- E. Demonstration and practice until malfunctions can be accomplished in time limits
  - 1. 2 seconds
  - 2. 8 seconds
- F. Once malfunctions can be accomplished in time limits practice loading/reloading and malfunctions again

## **IX. Shotguns – 50 minutes**

- A. Nomenclature
  - 1. Handouts
  - 2. Breakdown/cleaning(?)
- B. How to check weapon is clear
- C. Proper way to hold
- D. Loading/ejecting
  - 1. Administrative load
  - 2. Combat load
  - 3. Practice with three guns – other students will practice hand gun drills then switch

## **X. Practice – 50 minutes**

- A. Shooting positions

1. Prone
2. Kneeling
3. Standing w/ and w/o barricade

B. Loading/reloading

1. Administrative
2. Combat
3. Tactical

C. Malfunctions

1. Failure to fire
2. Failure to extract
3. Failure to eject
4. Failure to feed
5. Practice until malfunctions can be accomplished in time limits
  - a) 2 seconds
  - b) 8 seconds

D. Drawing

E. This practice period will include both shotguns and handguns

**XI. Review for written test – 15 minutes**

A. Q and A's to students

## **XII. Test**

- A. Students take test
- B. Instructors grade test
- C. Review questions missed
- D. Answer/practice any thing students want with remaining time

## RANGE DAY – DAY 2

<b>RANGE DRILL #1 – Combat reloads, draw from holster, marksmanship.</b>		
Range	Loads	Target
7 yards	3 mags – 2-2-2	Bullseye
Round	Instructions	
1	On command, draw and fire 2 rounds, combat reload, ready gun, and re-holster.	
2	On command, draw and fire 2 rounds, combat reload, ready gun, and re-holster.	
3	On command, draw and fire 2 rounds, combat reload, ready gun, and re-holster.	
4	On command, draw and fire 6 rounds, combat reload as needed, ready gun, and re-holster.	
5	On command, draw and fire 6 rounds, combat reload as needed, ready gun, and re-holster.	
6	On command, draw and fire 6 rounds, combat reload as needed, ready gun, and re-holster.	
Notes:	Gun should be brought up close to face, eject magazine put new magazine in weapon. Reset magazines between rounds. Repeat twice.	

Total Rounds: 24

<b>RANGE DRILL #2 – Stoppages (2 times)</b>		
Range	Loads	Target
25 yards	3 mags – 6-6-6	FBI Q
Round	Instructions	
1-6	On command, draw and fire 1 round, ready gun, and re-holster.	
7-9	On command, draw and fire 2 rounds, ready gun, and re-holster.	
10, 11	On command, draw and fire 3 rounds, ready gun, and re-holster.	
Notes:	Reloads should be done automatically as needed with proper form.	

Total Rounds: 36

<b>RANGE DRILL #3 – Marksmanship Bullseye Course – 15yds (2 times)</b>		
Range	Loads	Target
15 yards	3 mags – 6-6-6	Bullseye
Round	Instructions	
1-6	On command, draw and fire 2 rounds, ready gun, and re-holster.	
7-9	On command, draw and fire 2 rounds, ready gun, and re-holster.	
10, 11	On command, draw and fire 3 rounds, ready gun, and re-holster.	
Notes:	Reloads should be done automatically as needed with proper form.	

Total Rounds: 36

<b>RANGE DRILL #4 – Qualification Course Familiarization - Prone</b>		
<b>Range</b>	<b>Loads</b>	<b>Target</b>
25 yards	3 mags – 6-6-6	FBI Q
<b>Round</b>	<b>Instructions</b>	
1-6	On command, draw and fire 1 round, ready gun.	
7-9	On command, draw and fire 2 rounds, ready gun, and re-holster.	
10, 11	On command, draw and fire 3 rounds, ready gun, and re-holster.	
Notes:	Reloads should be done automatically as needed with proper form.	

Total Rounds: 36

<b>RANGE DRILL #5 – Qualification Course Familiarization – Kneeling Strong</b>		
<b>Range</b>	<b>Loads</b>	<b>Target</b>
25 yards	3 mags – 6-6-6	FBI Q
<b>Round</b>	<b>Instructions</b>	
1-6	On command, draw and fire 1 round, ready gun, and re-holster.	
7-9	On command, draw and fire 3 rounds, ready gun, and re-holster.	
10, 11	On command, draw and fire 3 rounds, ready gun, and re-holster.	
Notes:	Reloads should be done automatically as needed with proper form.	

Total Rounds: 18

<b>RANGE DRILL #6 – Qualification Course Familiarization – Kneeling Support</b>		
<b>Range</b>	<b>Loads</b>	<b>Target</b>
25 yards	3 mags – 6-6-6	FBI Q
<b>Round</b>	<b>Instructions</b>	
1-6	On command, draw and fire 1 round, ready gun, and re-holster.	
7-9	On command, draw and fire 3 rounds, ready gun, and re-holster.	
10, 11	On command, draw and fire 3 rounds, ready gun, and re-holster.	
Notes:	Reloads should be done automatically as needed with proper form.	

Total Rounds: 18

<b>RANGE DRILL #7 – Qualification Course Familiarization – Standing</b>		
<b>Range</b>	<b>Loads</b>	<b>Target</b>
25 yards	3 mags – 6-6-6	FBI Q
<b>Round</b>	<b>Instructions</b>	
1-6	On command, draw and fire 1 round, ready gun, and re-holster.	
7-9	On command, draw and fire 2 rounds, ready gun, and re-holster.	
10, 11	On command, draw and fire 3 rounds, ready gun, and re-holster.	
Notes:	Reloads should be done automatically as needed with proper form.	

Total Rounds: 18

<b>RANGE DRILL #8 – Qualification Course Familiarization – 15 yard line</b>		
<b>Range</b>	<b>Loads</b>	<b>Target</b>
15 yards	3 mags, fully loaded	FBI Q
<b>Round</b>	<b>Instructions</b>	
1	On command, run from the 25 yard line to the 15, draw and fire 2 rounds, and ready gun. (6 seconds)	
2-5	On command, fire 2 rounds, and ready gun. (3 seconds)	
Notes:	Reloads should be done automatically as needed with proper form.	

Total Rounds: 10

<b>RANGE DRILL #9 – Qualification Course Familiarization – 7 yard line</b>		
<b>Range</b>	<b>Loads</b>	<b>Target</b>
7 yards	3 mags, fully loaded	FBI Q
<b>Round</b>	<b>Instructions</b>	
1	On command, run from the 15 yard line to the 7, draw and fire 12 rounds, and ready gun. You will have a reload.	
Notes:	Reloads should be done automatically as needed with proper form.	

Total Rounds: 12

<b>RANGE DRILL #10 – Qualification Course Familiarization – 5 yard line</b>		
<b>Range</b>	<b>Loads</b>	<b>Target</b>
5 yards	2 mags, 5-5	FBI Q
<b>Round</b>	<b>Instructions</b>	
1	On command, move to the 5 yard line, draw and fire 5 rounds strong hand, reload, then 5 rounds support hand.	
Notes:	Reloads should be done automatically as needed with proper form.	

Total Rounds: 10

<b>RANGE DRILL #11 – FBI/ILEA Qualification Course</b>		
<b>Range</b>	<b>Loads</b>	<b>Target</b>
Varies	4 mags, fully loaded + 2	FBI Q
<b>Round</b>	<b>Instructions</b>	
1	FBI Qualification Course Instructions	
Notes:	Reloads should be done automatically as needed with proper form.	

Total Rounds: 50

<b>RANGE DRILL #15 – Shotgun Qualification Course</b>		
<b>Range</b>	<b>Loads</b>	<b>Target</b>
Varies	11 slugs, 5 00 Buckshot	FBI Q
<b>Round</b>	<b>Instructions</b>	
1	FBI Qualification Course Instructions	
Notes:	Reloads should be done automatically as needed with proper form.	

## **Bibliography**

1. Constitution of the United States of America
2. Code of Iowa
3. ILEA Firearms Instructor Manual and videos