

Sixth District Department of Correctional Services POLICY	Issue Date 07/19/00	Effective Date 01/25/20	Policy Number 143-20
Subject PEACE OFFICER STATUS		Review Month December	Author 0601 (GSC)
Rescinds 143-17	References Code of Iowa Chapters 80B.3(3), 80D.1A(5), 906.2, 907.2, 804.9,		

PURPOSE:

The intent of this policy is to establish criteria governing how peace officer status may vary within this agency. This includes differences in job duties, minimum training requirements and guidelines governing responses for the broad scope of circumstances encountered in discharging the duties of staff in the Sixth Judicial District Department of Correctional Services.

POLICY:

Staff function within the range of training that has been determined to be most appropriate for their assigned duties and specific expectations that ensure community protection while providing staff with the tools necessary to safely discharge those duties.

DEFINITION:

1. Arrests by Private Persons [804.9] – a private person may make an arrest:
 - A. For a public offense committed or attempted in the person’s presence.
 - B. When a felony has been committed, and the person has reasonable ground for believing that the person to be arrested has committed it.
2. Law Enforcement Officer [80B.3(3)] – means an officer appointed by the Director of the Department of Natural Resources, a member of a police force or other agency or department of the state, county or city, or tribal government regularly employed as such and who is responsible for the prevention and detection of crime and the enforcement of the criminal laws of this state and all individuals, as determined by the council; who by the nature of their duties may be required to perform the duties of a peace officer.
3. Reserve Peace Officer [80D.1A(5)] – means a volunteer, non-regular, sworn member of a law enforcement agency who serves with or without compensation, has regular police powers while functioning as a law enforcement agency’s representative, and participates on a regular basis in the law enforcement agency’s activities including crime prevention and control, preservation of the peace, and enforcement of law.

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DEFINITION: (continued)

4. Parole Officers [906.2] – Parole officers, while performing their duties as parole officers, are peace officers and have all the powers and authority of peace officers. Parole officers shall investigate all person referred to them for investigation by the chief parole officer to which they may be assigned or by the Director of a Judicial District Department of Correctional Services. They shall furnish to each person released under their supervision a written statement of conditions. They shall keep informed of each person’s conduct and condition and shall use all suitable methods to aid and encourage the person to bring about improvement in the person’s conduct or condition. Parole officers shall keep records of their work, make reports as required, and perform other duties as may be assigned to them by the chief parole officer or the Director of a Judicial District Department of Correctional Services. They shall co-ordinate their work with that of other social welfare agencies which offer services of a corrective nature operating in the area to which they are assigned.
5. Probation Officers [907.2] – Pursuant to designation by the Court, probation services shall be provided by the Judicial District Department of Correctional Services. Probation officers shall perform the duties assigned to them by law and the Director of the Judicial District Department of Correctional Services. Probation Officers employed by the Judicial District Department of Correctional Services, while performing the duties prescribed by that Department, are peace officers. Probation officers shall investigate all persons referred to them for investigation by the Director of the Judicial District Department of Correctional Services which employs them. They shall furnish to each person released under their supervision or committed to a community corrections residential facility operated by the Judicial District Department of Correctional Services, a written statement of the conditions of probation or commitment. They shall keep informed of each person’s conduct and condition and use all suitable methods prescribed by the Judicial District Department of Correctional Services to aid and encourage the person to bring about improvements in the person’s conduct and condition. Probation Officers shall keep records of their work and shall make reports to the Court when alleged violations occur and within no less than thirty days before the period of probation will expire. Probation Officers shall coordinate their work with other social welfare agencies which offer services of a corrective nature operating in the area to which they are assigned.

PROCEDURE:

1. Staff are assigned a level of responsibility that is categorized as a result of their specific duties in relation to direct offender contact i.e., Level I Minimum Contact; Level II Residential Officers & Case Managers, Level III High Risk Unit Officers & Reserve Officers, etc. Trainings are satisfactorily completed as outlined in the assigned Level. Staff may be required to successfully complete trainings in other levels given the nature of assigned duties. See Professional Development policy (037) for specific information regarding training details and levels.

BY ORDER OF:

Bruce Vander Sanden, District Director